



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

December 18, 2019

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
Harry Wild, Jr. Vice-Chair
Pete Zahn
Donald Needham
Andrew Hall
Clement Nadeau
Vikki Leonard
Charles Cino, Board Attorney**

MEMBERS ABSENT

STAFF PRESENT

**Chris Hutchison, Code Compliance Manager
Margaret Godfrey, Code Compliance Coordinator
Debbie Zechnowitz, Code Compliance Officer
Michael Mazzola, Code Compliance Officer
Robert Chayer, Code Compliance Officer
Isiah Pitts, Code Compliance Officer
Mark Kaufman, Code Compliance Officer
Russ Brown, Assistant County Attorney
Kerry Leuzinger, Building and Code Administration Manager**

* * * * *

APPROVAL OF MINUTES

Minutes from the November 20, 2019 hearing were not completed.

* * * * *

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

* * * * *

December 18, 2019

UNFINISHED BUSINESS

CEB2014180-MITCHELL, ROXY & PETTIT, EDWARD, JTRS Posted

Complaint No. 20130709045

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

Property Location: 616 Chicken Farm Rd, Osteen 32764

Parcel No. 921700000170 Zoning: ORE

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on October 9, 2014

*Final Order of Non - Compliance/Imposing Fine Lien issued at the February 18, 2015 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of November 14, 2019:

Order of Compliance

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

CEB2015009-MITCHELL ROXY & PETTIT RICHARD JTRS Posted

Complaint No. 20150121025

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

Property Location: 616 Chicken Farm Rd, Osteen 32764

Parcel No. 921700000170 Zoning: ORE

Zoning Compliance Manager - Bryan Jiles

Property owner was first notified of the violation on January 22, 2015

*Final Order of Non - Compliance/Imposing Fine Lien issued at the February 18, 2015 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of November 14, 2019:

Order of Compliance

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

December 18, 2019

CEB2017044-STOWE, JEFFREY ALAN

Served

Complaint No. 20150928015

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)

Property Location: 114 S Cory Dr, Edgewater 32141

Parcel No. 841205001280

Zoning: R-3W

Code Compliance Officer – Debbie Zechnowitz

Property owner was first notified of the violation on Sep 07, 2016

*Order of Non-Compliance issued at the April 19, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the July 19, 2017 hearing:

*2nd Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

*3rd Amended Order of Non-Compliance issued at the December 20, 2017 hearing:

*4th Amended Order of Non-Compliance issued at the June 20, 2018 hearing:

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

*6th Amended Order of Non-Compliance issued at the July 17, 2019 hearing:

*Report and Affidavit of Compliance issued with a Compliance date of November 18, 2019:

Order of Compliance

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

CEB2017339-US BANK TRUST NA TR

Served

Complaint No. 20171002024

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: 359 Deer Moss Tr, Deland 32724

Parcel No. 603818040280

Zoning: PUDA

Code Compliance Officer - Christopher R. Hooper

Property owner was first notified of the violation on Oct 05, 2017

*Order of Non-Compliance issued at the August 15, 2018 hearing:

*Final Order Imposing Fine Lien issued at the October 3, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of June 22, 2019:

Order of Compliance

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

December 18, 2019

CEB2017395-PELLICER VIRGINIA, HOWARD, GIDGET, & VEEN, ELIZABETH
Served

Complaint No. 20170629039

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). (converted a carport into living space)

Property Location: 1213 David Dr, Daytona Beach 32117

Parcel No. 523703060190 Zoning: R-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Dec 07, 2017

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

*1st Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

*2nd Amended Order of Non-Compliance issued at the July 18, 2018 hearing:

*Final Order Imposing Fine Lien issued at the October 3, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of September 17, 2019:

Order of Compliance

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

CEB2019341-VANMETER, JUDY A

Served

Complaint No. 20190517017

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: 48 River Shore Dr, Ormond Beach 32176

Parcel No. 323404000930 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 23, 2019

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

*Report and Affidavit of Compliance issued with a compliance date of December 2, 2019:

Order of Compliance

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

December 18, 2019

CEB2019342-VANMETER, JUDY A

Served

Complaint No. 20190517032

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: 48 River Shore Dr, Ormond Beach 32176

Parcel No. 323404000930

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 23, 2019

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

*Report and Affidavit of Compliance issued with a compliance date of December 2, 2019:

Order of Compliance

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

CEB2019033-STEEDLEY, DONALD I

Served

Complaint No. 20181113018

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: 4 River Dr, Ormond Beach 32176

Parcel No. 420312001590

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Nov 15, 2018

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

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

*Report and Affidavit of Compliance issued with a compliance date of December 6, 2019:

Order of Compliance

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

CEB2019287-STEEDLEY, DONALD I

Served

Complaint No. 20190425012

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: 4 River Dr, Ormond Beach 32176

Parcel No. 420312001590

Zoning: R-4

Code Compliance Officer - Robert Chayer

December 18, 2019

Property owner was first notified of the violation on Apr 27, 2019
*Order of Non-Compliance issued at the October 16, 2019 hearing:
*1st Amended Order of Non-Compliance issued at the November 20, 2019 hearing:
*Report and Affidavit of Compliance issued with a compliance date of December 13, 2019

Order of Compliance

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

CEB2019288-STEEDLEY, DONALD I

Served

Complaint No. 20190425016

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

Property Location: 4 River Dr, Ormond Beach 32176

Parcel No. 420312001590 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Apr 27, 2019
*Order of Non-Compliance issued at the October 16, 2019 hearing:
*1st Amended Order of Non-Compliance issued at the November 20, 2019 hearing:
*Report and Affidavit of Compliance issued with a compliance date of December 6, 2019:

Order of Compliance

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

CEB2019335-CONFIDENTIAL DATA F.S. 119.07

Posted

Complaint No. 20190325027

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

Property Location: 42 Seabreeze Dr, Ormond Beach 32176

Parcel No. 324105000510 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 22, 2019
*Order of Non-Compliance issued at the November 20, 2019 hearing:
*Report and Affidavit of compliance issued with a compliance date of December 17, 2019

Order of Compliance

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

December 18, 2019

CEB2018336-STOR-ALL KING ARTHUR LLC

Served

Complaint No. 20180305001

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

Property Location: 7050 Turtle mound Rd, New Smyrna Beach 32169

Parcel No. 850501550120

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Mar 16, 2018

*Order of Non-Compliance issued at the September 19, 2018 hearing:

*1st Amended Order of Non-Compliance issued at the October 17, 2018 hearing:

*2nd Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the February 20, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the May 15, 2019 hearing:

*5th Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Margaret Godfrey, code compliance coordinator, presented the case. She explained that the permit was reopened and was now valid until 3.16.20. She recommended a 6th amended order of non-compliance and a hearing to impose fine be scheduled for 4.15.20.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a Sixth Amended Order of Non-Compliance. A hearing to impose fine is scheduled for the April 15, 2020 hearing if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019078-BURGER, ASHLEY NICOLE

Posted

Complaint No. 20181203027

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: 355 Van Hook Rd, Deland 32130

Parcel No. 603903000120

Zoning: A-3A

Code Compliance Coordinator- Margaret Godfrey

Property owner was first notified of the violation on Jan 12, 2019

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

*1st Amended Order of Non-Compliance issued at the June 19, 2019 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to continue this case to the January 15, 2020 hearing.** Member Zahn **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019099-PETCOVIC, DIANE L

Hand Delivery

Complaint No. 20180727005

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

Property Location: 124 Charles St, Edgewater 32141

Parcel No. 853809001740

Zoning: MH-5W

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on February 27, 2019

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

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

Hearing to Impose Fine/Lien

CEB2019100-PETCOVIC, DIANE L

Hand Delivery

Complaint No. 20180727008

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: 124 Charles St, Edgewater 32141

Parcel No. 853809001740

Zoning: MH-5W

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on February 27, 2019

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

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

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Mark Kaufman, compliance officer, presented the cases together. He reminded the board about the case. He stated that the owner was seeking administrative remedies and staff was recommending a second amended order of non-compliance with a hearing to impose fine scheduled for 2.19.20.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue a Second Amended Order of Non-Compliance. A hearing to impose fine is scheduled for the February 19, 2020 hearing if compliance has not been achieved.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019199-DANIEL, JACQUELINE M

Posted

Complaint No. 20181011019

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: 1421 W New York Ave, Orange City 32763

Parcel No. 800401710150

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Nov 05, 2018

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a Second Amended Order of Non-Compliance with a compliance date of March 16, 2020. A hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Zahn **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019366-DANIEL, JACQUELINE M

Posted

Complaint No. 20191023015

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

Property Location: 1421 W New York Ave, Orange City 32763

Parcel No. 800401710150

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on October 23, 2019

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

Hearing to Impose Fine/Lien

The respondent was present at the hearing.

Mike Mazzola, compliance officer presented the cases together. He reminded the board about the cases. He showed and described pictures. He stated that there were no changes and was recommending an order imposing fine/lien in the amount of \$25 per day/per case with a total cap of \$15,000 to begin January 16, 2020.

Mrs. Daniel stated that they have put it up for sale and somebody was coming to look at it that weekend. She stated that her husband had gotten laid off and it was a lot of money to proceed with the process to keep the shed and there was no way that they could afford the fines, if they were imposed. She was asking for more time to take care of this. Chair Lingenfelter explained what the recommendation was and told her that if it is gone by that date, to call Mike to come and inspect. She stated that she could not afford a fine, and December 18, 2019

that they were struggling as it is.

Member Needham asked about a time frame and Mrs. Daniel stated that she would like a couple of months.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a First Amended Order of Non-Compliance with a compliance date of March 16, 2020. A hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Zahn **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019137-TROPICAL HAMMOCK INC

Posted

Complaint No. 20190329008

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

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on April 24, 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:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a Second Amended Order of Non-Compliance with a compliance date of March 16, 2020. A hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019215-TROPICAL HAMMOCK INC

Served

Complaint No. 20190703037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Business where not permitted (RV campground)

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

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

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

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

Hearing to Impose Fine/Lien

December 18, 2019

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance with a compliance date of March 16, 2020. A hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019348-TROPICAL HAMMOCK INC

Posted

Complaint No. 20191004021

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

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Oct 10, 2019

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance with a compliance date of March 16, 2020. A hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019349-TROPICAL HAMMOCK INC

Posted

Complaint No. 20190820013

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: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Aug 22, 2019

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

Hearing to Impose Fine/Lien

The respondent's attorney, Mike Woods, was present at the hearing.

Mike Mazzola, compliance officer, presented all of the cases together. He reminded the board about the cases, showed, and described photos to the board.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance with a compliance date of March 16, 2020. A hearing to impose fine is scheduled for the March 18, 2020**
December 18, 2019

hearing if compliance has not been achieved. Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019358-TROPICAL HAMMOCK INC

Served

Complaint No. 20180413017

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

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050

Zoning: B-7

Environmental Specialist II - Kristopher Brown

Property owner was first notified of the violation on April 13, 2018

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

Hearing to Impose Fine/Lien

The respondent's attorney, Mike Woods, was present at the hearing.

Kris Brown, environmental, presented the case. He stated that there was a permit issued and another one in review and once those get finalized, his case goes away. He stated that the seawall permit has been issued but they still need to get the building permit issued and that is the one that is in review. He was recommending an amended order and a hearing to impose fine be scheduled for 3.18.20.

Mike Woods stated that as far as time goes, that should be okay. They still have to go through a variance process.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance with a compliance date of March 16, 2020 and a hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Wild **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019249-RUSSEK, ROCK A

Posted

Complaint No. 20190215052

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: 1429 Jackson Ave, Daytona Beach 32117

Parcel No. 423301020100

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on April 23, 2019

*Order of Non-Compliance issued at the September 18, 2019 hearing:

December 18, 2019

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019250-RUSSEK, ROCK A

Posted

Complaint No. 20190215053

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

Property Location: 1429 Jackson Ave, Daytona Beach 32117

Parcel No. 423301020100 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on April 23, 2019

*Order of Non-Compliance issued at the September 18, 2019 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019251-RUSSEK, ROCK A

Posted

Complaint No. 20190215054

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

Property Location: 1429 Jackson Ave, Daytona Beach 32117

Parcel No. 423301020100 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on April 23, 2019

*Order of Non-Compliance issued at the September 18, 2019 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019252-RUSSEK, ROCK A

Posted

Complaint No. 20190215051

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: 1429 Jackson Ave, Daytona Beach 32117

Parcel No. 423301020100 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on April 23, 2019

*Order of Non-Compliance issued at the September 18, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Bob Chayer, compliance officer, presented all of the cases together. He reminded the board of the cases. He then showed and described photos to the board. He stated that there has been a lot of progress but there is still some work to do to come into compliance.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the February 19, 2020 hearing if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019273-BOUDREAUX, DALE F

Hand Delivery

Complaint No. 20181226004

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

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090 Zoning: A-2A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019301-BOUDREAUX, DALE F

Hand Delivery

Complaint No. 20181226005

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

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019302-BOUDREAUX, DALE F

Hand Delivery

Complaint No. 20181226006

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: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019303-BOUDREAUX, DALE F

Hand Delivery

Complaint No. 20190418037

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

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

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

December 18, 2019

*Order of Non-Compliance issued at the November 20, 2019 hearing:
Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019304-BOUDREAUX, DALE F

Hand Delivery

Complaint No. 20190418039

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Converting shipping containers and trailers into accessory structures for storage of business inventory

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 41120000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019305-BOUDREAUX, DALE F

Hand Delivery

Complaint No. 20190418041

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: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 41120000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

Mr. Boudreaux was present at the hearing.

Bob Chayer, compliance officer, presented the cases together. He reminded the board about the cases. He then showed and described photos to the board. He stated that this had been going on for a year and recommended an order imposing fine/lien in the amount December 18, 2019

of \$100 per day/per case without a cap to begin 1.16.20. He also stated that he has had no contact with the property owner and the last time he was out there was December 4th and Mr. Boudreaux was not there at that time.

Mr. Boudreaux testified that the a/v was gone, scrap was gone but did not think that the construction materials were junk. He also stated that he hired Cobb and Cole and now has engineered drawings. He stated that he would be submitting for a permit that day.

Chair Lingenfelter stated that it appeared that Mr. Boudreaux was making some progress and that Bob should go out to the property to see about the progress.

There was some discussion as to how long they should put this out for and Bob stated that his biggest concern was that nothing was done until the day before. Chris Hutchison suggested bringing it back in January to see how the progress is going.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance with a compliance date of January 12, 2020 and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019290-BEACH, BRAD & AMY

Posted

Complaint No. 20190123016

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: 3390 John Anderson Dr, Ormond Beach 32176

Parcel No. 321604000050 Zoning: R-3

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Bob Chayer, compliance officer, presented the case. He requested that the order of non-compliance be rescinded as the dock is in the jurisdiction of Ormond Beach, not the County.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Rescinding the Order of Non-Compliance.** Member Zahn **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019291-BEACH, BRAD & AMY

Posted

Complaint No. 0190123015

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: 3390 John Anderson Dr, Ormond Beach 32176

Parcel No. 321604000050 Zoning: R-3

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Bob Chayer, compliance officer, presented the case. He reminded the board about the violation. He showed and described photos to the board. He stated that there has been no requests to reopen the permit and the cited conditions remain unchanged. He recommended an order imposing fine/line in the amount of \$50 per day to begin 1.16.20 with a cap of \$10,000.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Line in the amount of \$50 per day to begin January 16, 2020 hearing if compliance has not been achieved, with a cap of \$10,000.** Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019329-ORTIZ, LAURA J

Served

Complaint No. 20190517034

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: 1434 John Anderson Dr, Ormond Beach 32176

Parcel No. 323413000340 Zoning: R-3

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 31, 2019

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

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Bob Chayer, compliance officer, presented the case. He reminded the board about the case. He showed and described photos. He stated that there has been a lot of contact with the property owner and a variance has been granted. The variance is good for 12 months. He was recommending a first amended order of non-compliance with a hearing to impose fine be scheduled for 3.18.20

December 18, 2019

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019330-SANCHEZ, GAUDENCIO

Served

Complaint No. 20190823049

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s) (electrical, windows, not a complete list)

Property Location: 2532 Old New York Ave, Deland 32720

Parcel No. 791304000073

Zoning: I-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 26, 2019

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Member Zahn **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019331-SANCHEZ, GAUDENCIO

Served

Complaint No. 20190823053

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: 2532 Old New York Ave, Deland 32720

Parcel No. 791304000073

Zoning: I-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 26, 2019

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

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Margaret Godfrey, compliance officer, presented the cases together. She reminded the board about the violations and showed and described photos to the board. She state that there have been no permit applications to date and no contact with the property owner. The cited conditions remain unchanged. She recommended an order imposing fine/lien in the amount of \$50 per day/per case with a cap of \$5,000 per case.

December 18, 2019

A motion was made to issue an Order Imposing Fine/Lien in the amount of \$50 per day/per case to begin 1.16.20 with a cap of \$5,000 per case. The motion was made by Member Needham and seconded by Member Hall and was voted unanimously by voice vote. At the end of the hearing, Russ Brown, assistant county attorney, stated that he just received an email that was sent from Mike Tuma's office. Mike Tuma is the attorney who is now representing Mr. Sanchez. Mr. Tuma requested more time as he was unable to make it to the code board case that day.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue a First Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the January 15, 2020 hearing if compliance has not been achieved.** Member Zahn **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019340-TOLBERT STEPHEN DOUGLAS

Served

Complaint No. 20190507045

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

Property Location: 1157 13th St, Daytona Beach 32117

Parcel No. 424233000020

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jun 01, 2019

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

Hearing to Impose Fine/Lien

The respondent was not present at the hearing.

Bob Chayer, compliance officer, presented the case. He reminded the board of the violation and showed and described photos. He also stated that Kerry Leuzinger, Chief Building Official, had inspected the property and decided that it did not meet the requirements to go forward with a CLCA hearing for a resolution of condemnation. Bob then told the board that staff was recommending an order imposing fine/lien in the amount of \$50 per day to begin 1.16.20 with a cap of \$5,000. He also stated that he has had no contact with the property owner.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50 per day to begin January 16, 2020 with a cap of \$5,000 if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019357-RESIDENTIAL REDESIGN INC

Served

Complaint No. 20180510033

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: 946 Seminole Rd, Osteen 32764

Parcel No. 922804000150

Zoning: R-4A

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Oct 21, 2019

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

Hearing to Impose Fine/Lien

The respondent, Joseph Colyer, was present at the hearing.

Mike Mazzola, compliance officer, presented the case. He reminded the board about the violation and showed and described photos. He stated that the property was for sale. Chair Lingenfelter asked if the non-compliance paperwork had been filed to make sure that a future buyer would be made aware and the response was yes.

Mr. Colyer got up to speak. He stated that Mr. Bursik, who was at the November hearing, was the only one who had a key and he had removed a lot of stuff, even after being told that he couldn't. He stated that the reason he was doing this, is to protect the public. He stated that the work was done by a nurse, not an electrician or plumber. He also didn't know what was done, that was now covered up. He then stated that he knew why Mr. Bursik was not there and that was because he would have to admit to removing things from the home. He was supposed to be there as the receiver for the property.

Attorney Russ Brown clarified that the order of non-compliance was recorded and if a lien is recorded that should show up during a title search and that would notify any potential buyers. Mr. Colyer wanted to know if the lien could start that day and Mr. Brown said that they would be given another 30 days under the due process.

Kerry Leuzinger, Chief Building Official, stated that they could repost the stop work order but if they get removed, there is no real recourse to address a removal.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50 per day to begin January 16, 2020 with a cap of \$17,000 if compliance has not been achieved.** Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019087- FONTAINE, JAMES & PAMELA

Posted

Complaint No. 20181030018

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-282 fence, wall or hedge over the maximum height allowed

Property Location: 6270 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 850501310290

Zoning: R-9W

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on February 15, 2019

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

*The Board continued this case from the June 19, 2019 hearing:

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

*2nd Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*The Board continued this case from the November 20, 2019 hearing:

Hearing to Impose Fine/Lien

The Fontaines were not present at the hearing.

Mark Kaufman, compliance officer, presented the case. He reminded the board about the violation and showed and described photos. He stated that there was progress on the wall as it was reduced in size.

Member Zahn gave testimony that guardrails are still needed and he had spoken to plans examiner Eric Gebo about the plans for that. Kerry Leuzinger stated that they had made a rare inspection and issued a CO on the home and a revision has been requested for the guard rails.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue a Third Amended Order of Non-Compliance and a hearing to impose fine is scheduled for the March 18, 2020 hearing if compliance has not been achieved.** Member Leonard **SECONDED** the motion that **CARRIED** unanimously by voice vote. Member Zahn recused himself from voting as he is the engineer on this project.

X. Hearings and Presentation of Filed Notices of Violations

CEB2019032-DWYER, MADELINE M TR

Served

Complaint No. 20181214059

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: 1712 Baron Ct, Port Orange 32128

Parcel No. 633004003430

Zoning: PUD

Code Compliance Coordinator - Margaret Godfrey

December 18, 2019

Property owner was first notified of the violation on December 31, 2018

The respondent was present at the hearing and gave her name and address for the record. She also stated that she was there to provide information

Margaret Godfrey, compliance officer, presented the case. She explained that this started when Frank Godawa, inspector, saw siding and doors. She stated that the certified paperwork was received and signed for and in March an application was submitted for the siding and doors and the application was cancelled due to lack of activity. She stated that there was a new application in and it was valid until 6.14.20. She stated that staff was recommending a finding of non-compliance with a compliance date of 6.14.20 and a hearing to impose fine be scheduled for 6.17.20. She also showed and described photos to the board.

Ms. Dwyer got up to explain that she now has a new engineer as the previous engineer created a problem by not responding to additional information requests.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of June 14, 2020 and a Hearing to Impose Fine/Lien be scheduled for June 17, 2020.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019351-JLO INVESTMENTS, LLC

Posted

Complaint No. 20191004045

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: 1425 Forest Ave, Deland 32720

Parcel No. 701801000140 Zoning: R-3

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on October 7, 2019

The respondent was not present at the hearing.

Mike Mazzola, compliance officer, presented the case. He showed and described photos to the board. He stated that Tom Legler, Chief Building Inspector, inspected the property and said that it had severe roof damage and water damage to the interior. Mike recommended a finding of non-compliance and dismissal as the property will be referred to CLCA for a recommendation of condemnation.

December 18, 2019

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance and Dismissal as the property will be referred to CLCA for a recommendation of condemnation.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

CEB2019370-MORRISON, WILLIAM G., JR

Served

Complaint No. 20190521002

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: 1361 Wesley St, Daytona Beach 32117

Parcel No. 520200000200

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 05, 2019

The respondent's son, William Morrison III, was present at the hearing and gave his name and address for the record. He also stated that he would be providing information.

Bob Chayer, compliance officer presented the case. He showed and described photos to the board. He read the list that Paul Traider had made when he posted the stop work order. It read that there appeared to be a renovation and/or remodel in progress without the required permits and inspection approvals. It included windows, doors, plumbing, may not be a complete list.

Chair Lingenfelter asked if there was more than one dwelling unit on that property and Mr. Morrison replied that there were six houses. He showed which of the houses was in question and admitted that he did replace windows and the front door. He also replaced toilets and flooring. He didn't know that he would need a permit for that. Member Zahn explained that doors and windows are considered structural and have to meet certain requirements, like windload.

Mr. Morrison stated that his grandfather had these houses for years and the family is living in all of them and before he had somebody move into this house, he replaced toilets, light switches, etc.

Bob stated for clarification, that he previously had no contact and now he does. And since Mr. Morrison was there, moving forward was now a potential.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of February 7, 2020 and a Hearing to Impose Fine/Lien be scheduled for February 19, 2020.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

December 18, 2019

CEB2019382-GOLDBERG, IRA LOUIS, EST.

Hand Delivery

Complaint No. 20190829007

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: 211 Ponderosa Dr, Deland 32724

Parcel No. 602801000105

Zoning: MH-1A

Code Compliance Officer - Isiah Pitts

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

The respondent was not present at the hearing.

Isiah Pitts, compliance officer, presented the case. He showed and described photos to the board. He also stated that the property has had to be posted with the notifications. He has had contact with the property owner, but still no progress. He then stated that a Liz Pendens had been filed, so the county cannot move forward with a fine/lien hearing until that has been cleared up. He then recommended an order of non-compliance with a compliance date of June 5, 2020 and a hearing to impose fine be scheduled for June 17, 2020.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order of Non-Compliance with a compliance date of June 5, 2020 and a hearing to impose fine is scheduled for the June 17, 2020 hearing if compliance has not been achieved.** Member Needham **SECONDED** the motion that **CARRIED** unanimously by voice vote.

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

* * * * *

December 18, 2019

ADJOURNMENT

There being no further business to discuss before the Board, the meeting adjourned at 12:43 p.m.

Respectfully submitted,

**Margaret C Godfrey
Acting Code Enforcement Board Clerk**

December 18, 2019

CERTIFICATE

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

I, Margaret C Godfrey, Acting 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 the 18th Day of December, 2019 at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 31st day of December, 2019, in the City of DeLand, County of Volusia, State of Florida.

**Margaret C Godfrey
Acting Code Board Clerk**

December 18, 2019