



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

February 21, 2024

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
Clay Meek, Board Attorney
Pete Zahn
Rick Dwyer
Andrew Hall, Vice Chair
Matthew Johnson
Jami Gallegos

MEMBERS ABSENT

Gary Brouillette

STAFF PRESENT

Kerry Leuzinger, Chief Building Official
Nicholas Ventura, Activity Project Manager
Jacquie Fleming, Code Board Clerk
Chris Hutchison, Code Compliance Manager
Peter Hinson, Code Compliance Officer
Fred Eastwood, Code Compliance Officer
Robert Chayer, Code Compliance Officer
Debbie Zechnowitz, Code Compliance Officer
Sebrina Slack, Assistant County Attorney
Julie McCrystal, Environmental Specialist II
Todd Hannah, Environmental Specialist III
Danielle Gadzala, Environmental Specialist II
Paul Traider, Building Inspector II
Nicole Weiss, Environmental Specialist II
Margaret Godfrey, Code Compliance Coordinator

APPROVAL OF MINUTES

Member Gallegos moved to APPROVE the December 20, 2023, and the January 17, 2024, Code Enforcement Board minutes. Member Zahn SECONDED the motion that CARRIED unanimously by voice vote. Member Hall and Member Johnson did not participate in the vote.

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>

UNFINISHED BUSINESS

ELIZABETH SCHEKIE

Property Location: 841 Cavedo St, New Smyrna Beach 32168

Parcel No. 741923000011 Zoning: R-3, R-3A

1: 20221114069 Posted

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) Using a recreational vehicle for residential purposes on vacant land zoned R-3 is an accessory use(s) without a completed principal structure. Automobiles, watercraft, tents, trailers and campers are all accessory uses not permitted without a completed principal use. Article I Section 72-2 Definitions: 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. Permitted principal uses and structures: In the R-3 Urban Single Family Residential Classification, no premises shall be used except for the following uses and their customary accessory uses and structures: Single-family standard, or manufactured modular dwelling APS Accessory Structures w/o Principal Structure

Code Compliance Officer – Debbie Zechnowitz

Property owner was first notified of the violation on December 1, 2022:

*Order of Non Compliance issued at the May 17, 2023 hearing:

*Final Order Imposing Fine Lien issued at the August 16, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 5, 2024:

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

PAUL DEROSBY

Property Location: 1980 Hazen Rd, Deland 32720

Parcel No. 603106000040 Zoning: A-3

1: 20230601061-MIS Posted

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 7 SECTION 72-241 Accessory use without a principal structure

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on August 17, 2023

*Order of Non Compliance issued at the Oct 18, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 18, 2024:

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

2: 20230601061-J/Y Posted

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 - Debbie Zechnowitz

Property owner was first notified of the violation on August 17, 2023

*Order of Non-Compliance issued at the Oct 18, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 18, 2024:

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

PROPERTY INVESTMENTS MH LLC

Property Location: 412 Warren Ave, New Smyrna Beach 32168

Parcel No. 741801230050 Zoning: R-4A

1: 20230522073-VN2 Posted

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I
SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s)
and/or system(s). VN2 Improperly maintained conditions

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on

*Order of Non Compliance issued at the Jul 19, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

*Amended Order issued at the Jan 17, 2024 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of June 2, 2023

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

2: **20230817030-VN1** **Posted**

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). SWO posted Construction which requires permitting and inspections with no evidence of required permits, inspections, or approvals. Interior exterior renovations, structural alterations, electrical, plumbing, windows, exterior doors may not be a complete list. Building, mechanical, electrical, plumbing, permitting & inspections required. VN1 Building without a permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on

*Order of Non Compliance issued at the Sep 20, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

*Amended Order issued at the Jan 17, 2024 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of June 2, 223

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

DAVID LALONDE

Property Location: 59 Brooks Dr, Ormond Beach 32176

Parcel No. 420310000520 Zoning: R-5

1: **20230821084-A/V** **Posted**

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. A/V Abandoned Vehicles

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on November 13, 2023

*Order of Non Compliance issued at the Jan 17, 2024 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 5, 2024

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

LAMCO ASSET COMPANY LLC

Property Location: 2040 10th Ave, Deland 32724

Parcel No. 700102040340 Zoning: R-4A

1: CEB2023047

Complaint No. 20220426013

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).

Code Compliance Officer - Robert Chayer

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

*Order of Non-Compliance issued at the November 15, 2023 hearing:

*1st Amended Order of Non-Compliance issued at the December 20, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 1, 2024

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

CITY LIMITS DELAND LLC

Property Location: 4425 N Us Hwy 17 , Deland 32724

Parcel No. 603908000114 Zoning: B-4A,R-3A

1: 20221129021-VN1

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). Additions to main building. Shed and stage. May not be a complete list. VN1 Building without a permit

Code Compliance – Chris Hutchison

Property owner was first notified of the violation on May 26, 02023

*Order of Non Compliance issued at the Jul 19, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

Hearing to Impose Fine/Lien

Michael Wojtuniak was present for this hearing.

Chris Hutchison, Code Compliance, presented the case. Chris went over the case details, showing photos. There was a discussion between Chris, Mr. Wojtuniak and the board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case, with no cap, commencing April 18, 2024, 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 Hall SECONDED the motion, it did not CARRY unanimously, by voice vote, Member Dwyer was not in agreement. The motion was carried 5 to 1.

2: **20230217005-FNP**

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. FNP Fence w/o Permit

Code Compliance – Chris Hutchison

Property owner was first notified of the violation on May 26, 02023

*Order of Non Compliance issued at the Jul 19, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

Hearing to Impose Fine/Lien

Michael Wojtuniak was present for this hearing.

Chris Hutchison, Code Compliance, presented the case. Chris went over the case
details, showing photos. There was a discussion between Chris, Mr. Wojtuniak and the
board.

**After discussion and based on the testimony and evidence presented, Member
Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the
amount of \$250.00 per day, per case, with no cap, commencing April 18, 2024,
and to continue until compliance is achieved, for violation of VOLUSIA COUNTY
CODE OF ORDINANCES, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b)
After Member Hall SECONDED the motion, it did not CARRY unanimously, by
voice vote, Member Dwyer was not in agreement. The motion was carried 5 to 1.**

3: **20230519035-Sit**

Violation of Site Plan Site Plan not in compliance with approval Section 72-502(d)
Issuance of development orders and development permits. All development or
construction commenced pursuant to a valid development order or development permit
shall be completed in a manner which is consistent with the approved development
order or development permit. Site Plan - Site plan not in compliance with approval

Code Compliance – Chris Hutchison

Property owner was first notified of the violation on May 26, 02023

*Order of Non Compliance issued at the Jul 19, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

Hearing to Impose Fine/Lien

Michael Wojtuniak was present for this hearing.

Chris Hutchison, Code Compliance, presented the case. Chris went over the case
details, showing photos. There was a discussion between Chris, Mr. Wojtuniak and the
board.

**After discussion and based on the testimony and evidence presented, Member
Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the
amount of \$250.00 per day, per case, with no cap, commencing April 18, 2024,
and to continue until compliance is achieved, for violation of VOLUSIA COUNTY
CODE OF ORDINANCES, Section 72-502(d) After Member Hall SECONDED the
motion, it did not CARRY unanimously, by voice vote, Member Dwyer was not in
agreement. The motion was carried 5 to 1.**

4: **20230519049-MIS**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Chapter 72, Article I, Definitions and Interpretations, Section 72-2 Definitions. 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. Accessory uses or structures shall include, but not be limited to, sheds; storage buildings; gazebos; pergolas; carports; detached garages; bulkheads; seawalls; retaining walls; docks; wharfs; piers; floating docks; boat slips; boathouses; and moorings. 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 building or structure or converted into an accessory building or structure even when altered, stripped, or otherwise built. MIS Miscellaneous Violations

Code Compliance – Chris Hutchison

Property owner was first notified of the violation on May 26, 02023

*Order of Non Compliance issued at the Jul 19, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

Hearing to Impose Fine/Lien

Michael Wojtuniak was present for this hearing.

Chris Hutchison, Code Compliance, presented the case. Chris went over the case details, showing photos. There was a discussion between Chris, Mr. Wojtuniak and the board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case, with no cap, commencing April 18, 2024, 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 did not CARRY unanimously, by voice vote, Member Dwyer was not in agreement. The motion was carried 5 to 1.

5: **20230815070-OEP**

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA, CHAPTER 10 AMUSEMENTS & ENTERTAINMENT ARTICLE II, OUTDOOR ENTERTAINMENT. Outdoor Entertainment Violation. OEP Outdoor Entertainment

Code Compliance – Chris Hutchison

Property owner was first notified of the violation on August 25, 2023

*Order of Non Compliance issued at the Sep 20, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

GODSEND LLC

Property Location: 307 Routh Ave, New Smyrna Beach 32168

Parcel No. 731302000170 Zoning: R-4A

1: 20230111051-VN1

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).

VN1 Building without a permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on March 18, 2023

*Order of Non Compliance issued at the Jan 17, 2024 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the board.

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 April 17, 2024, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

E&E BUSINESS VENTURE INC

Property Location: 308 Albany Ave, Deland 32724

Parcel No. 701519040370 Zoning: R-4A

1: 20230316001-VN1 Posted

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). VN1 Building without a permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 18, 2023

*Order of Non Compliance issued at the Sep 20, 2023 hearing:

*Amended Order issued at the Oct 18, 2023 hearing:

*Amended Order issued at the Jan 17, 2024 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the board.

After discussion and based on the testimony and evidence presented, Member Gallegos MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing March 21, 2024, 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 Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

SOUTHERN TURF INC

Property Location: 4650 S Ridgewood Ave, Edgewater 32141

Parcel No. 853000000050 Zoning: A-3,B-4

1: 20221206072

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

TRE Tree removal without permit

Environmental Specialist II - Danielle Gadzala

Property owner was first notified of the violation on January 11, 2023

*Order of Non Compliance issued at the Aug 16, 2023 hearing:

Hearing to Impose Fine/Lien

Mr. Phillips was present for the hearing.

Danielle Gadzala, Environmental Specialist II, presented the case. Danielle went over the case details, showing photos. There was a discussion between Danielle, Mr. Phillips and the board.

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 72, ARTICLE III, DIVISION 10 SECTION 72-834(2) with a Hearing to Impose Fine is set for the May 15, 2024, hearing. After Member Johnson SECONDED the motion, it CARRIED unanimously by voice vote.

JAMES ROGER WILSON

Property Location: 1204 Leon Ln, Daytona Beach 32117

Parcel No. 523705000160 Zoning: R-5

1: 20230524011-J/Y Posted

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

J/Y Junk Yard where not Permitted

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on June 15, 2023

*Order of Non Compliance issued at the Jan 17, 2024 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret and the board.

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 \$50.00 per day, per case, with a cap of \$6,000.00 per case, commencing March 21, 2024, 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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

2: 20230524011-A/V Posted

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. A/V Abandoned Vehicles

Code Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on June 15, 2023

*Order of Non Compliance issued at the Jan 17, 2024 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret and the board.

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 \$50.00 per day, per case, with a cap of \$6,000.00 per case, commencing March 21, 2024, and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 118, ARTICLE II, SEC. 118.34. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

R & J ESTATES LLC

Property Location: 309 N Kepler Rd, Deland 32724

Parcel No. 701111050041 Zoning: R-3A

1: 20230831020-VN2 Served

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). VN2 Improperly maintained conditions

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on September 15, 2023

*Order of Non Compliance issued at the Oct 18, 2023 hearing:

*Amended Order issued at the Dec 20, 2023 hearing:

*Amended Order issued at the Jan 17, 2024 hearing:

Hearing to Impose Fine/Lien

Rosa was present for the hearing

Debbie Zechnowitz, Code Compliance, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie, Rosa and the board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 3rd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I SECTION 58-3 with a Hearing to Impose Fine is set for the March 21, 2024, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

2: 20230831020-VN1 Served

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). VN1 Building without a permit

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on September 15, 2023

*Order of Non Compliance issued at the Oct 18, 2023 hearing:

*Amended Order issued at the Dec 20, 2023 hearing:

*Amended Order issued at the Jan 17, 2024 hearing:

Hearing to Impose Fine/Lien

Rosa was present for the hearing

Debbie Zechnowitz, Code Compliance, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie, Rosa and the board.

After discussion and based on the testimony and evidence presented, Member Zahn 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 March 21, 2024, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

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).

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:

*1st Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

*3rd Amended Order of Non-Compliance issued at the April 19, 2023 hearing:

*4th Amended Order of Non-Compliance issued at the June 21, 2023 hearing:

*5th Amended Order of Non-Compliance issued at the November 15, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing

Fred Eastwood, Code Compliance, presented the case. Fred went over the case details, showing photos. There was a discussion between Fred and the board.

After discussion and based on the testimony and evidence presented, Member Johnson MOVED to issue a 6th 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 August 21, 2024, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

ANTHONY D VEGA

Property Location: 308 Endora St, Ormond Beach 32174

Parcel No. 412404000350 Zoning: MH-4A,RCA

1: CEB2023042

Complaint No. 20210514020

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

Environmental Specialist II - Julie McCrystal

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

*Order of Non-Compliance issued at the July 19, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing.

Julie McCrystal, Environmental Specialist II, presented the case. Julie went over the case details, showing photos. There was a discussion between Julie and the board.

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 72, ARTICLE III, DIVISION 11 SECTION 72-884 with a Hearing to Impose Fine is set for the February 19, 2025, hearing. After Member Johnson SECONDED the motion, it CARRIED unanimously by voice vote.

2: CEB2023043

Complaint No. 20210514018

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 - Julie McCrystal

Property owner was first notified of the violation on September 20, 2021

*Order of Non-Compliance issued at the July 19, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one present for the hearing.

Julie McCrystal, Environmental Specialist II, presented the case. Julie went over the case details, showing photos. There was a discussion between Julie and the board.

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 72, ARTICLE III, DIVISION 10 SECTION 72-834(2) with a Hearing to Impose Fine is set for the February 19, 2025, hearing. After Member Johnson SECONDED the motion, it CARRIED unanimously by voice vote.

X. Hearings and Presentation of Filed Notices of Violations

JAMES SWILLEY

Property Location: 4106 Oriole Ave, Port Orange 32127

Parcel No. 631202000360 Zoning: R-9(S)

1: 20221207078-FNP Served

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. Fence permit application expired and cancelled. No evidence of zoning variance. FNP Fence w/o Permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on November 9, 2023

Continued March 20, 2024

COLOR CONCEPTS

Property Location: 3785 Old Deland Rd, Daytona Beach 32124

Parcel No. 620600000060 Zoning: B-1C(1)A

1: 20230605014-VN1 Posted

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).VN1 Building without a permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on November 9, 2023

Continued March 20, 2024

OCEANS EAST CLUB ASSOC

Property Location: 867 S Atlantic Ave, Ormond Beach 32176

Parcel No. 422404000001 Zoning: 999

1: 20230724063-STV

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924 Description: STV Sea turtle violation

Environmental Specialist II – Nicole Weiss

Property owner was first notified of the violation on July 24, 2023

Glenn Padgett was present for this hearing.

Nicole Weiss, Environmental Specialist II, presented the case. Nicole went over the case details, showing photos. There was a discussion between Nichole, Mr. Padgett and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924, With a compliance date of May 1, 2024 and a Hearing to Impose Fine is set for the May 15, 2024 hearing After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

KENNETH WEIDLER

Property Location: 114 Astor St, Daytona Beach 32117

Parcel No. 523702000210 Zoning: R-5

1: 20230726013-J/Y Posted

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

J/Y Junk Yard where not Permitted

Code Compliance Officer – Aaron Paro

Property owner was first notified of the violation on August 10, 2023

There was no one present for this hearing.

Aaron Paro, Code Compliance Officer, presented the case. Aaron went over the case details, showing photos. There was a discussion between Aaron and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, With a compliance date of March 11, 2024 and a Hearing to Impose Fine is set for the March 20, 2024 hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

GAUDENCIO SANCHEZ

Property Location: 2504 Old New York Ave, Deland 32720

Parcel No. 791304000073 Zoning: I-1

1: 20230815061-VN1 Posted

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). VN1 Building without a permit

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on August 15, 2023

WITHDRAWN

ALEXANDER CALDERON

Property Location: 4380 Marshview Dr, Deland 32724

Parcel No. 603701000041 Zoning: FR

1: 20230925098

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

Environmental Specialist II – Danielle Gadzala

Property owner was first notified of the violation on October 2, 2023

WITHDRAWN

DLR REALTY FL LLC

Property Location: 1020 Bobbie Lee Dr, Daytona Beach 32117

Parcel No. 523703050030 Zoning: R-5

1: 20230928003-VN1 Posted

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). Construction which requires permitting and inspections with no required permits, inspections, or approvals. Exterior sheathing / siding, structural framing / alterations, windows, interior renovations may not be a complete list. Building + mechanical, electrical, plumbing permitting as required. May not be a complete list.

VN1 Building without a permit

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on November 13, 2023

Alex Delarosa and Michael Wojtuniak were present for the hearing

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Delarosa and Mr. Wojtuniak and the board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, With a compliance date of April 10, 2024 and a Hearing to Impose Fine is set for the April 17, 2024 hearing After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

JAMES ATKINS

Property Location: 11 Sunrise Ave, Ormond Beach 32176

Parcel No. 322806000040 Zoning: R-4

1: 20230929032-VN1 Served

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 VN1 Building without a permit

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on November 6, 2023

Continued March 20, 2024

2: 20230929034-SVA

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

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on November 9 2023

Continued March 20, 2024

PRO MANAGEMENT SERVICES OF FLORIDA LLC
Property Location: 2620 N Woodland Blvd, Deland 32720
Parcel No. 602900000160 Zoning: A-3CA,B-4CA

1: **20231208019-NSE** **Served**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 11 SECTION 72-415 NSE No Special Exception

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Withdrawn

2: **20231208019-MIS** **Served**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 7 SECTION 72-241MIS Miscellaneous Violations

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Withdrawn

3: **20231208019-FNP** **Served**

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. FNP Fence w/o Permit

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Tim Blakeski was present for the hearing.

Debbie Zechnowitz, Code Compliance Officer, presented the case. Debbie went over
the case details, showing photos. There was a discussion between Debbie, Mr.
Blakeski and the Board.

**After discussion and based on the testimony and evidence presented, Member
Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of
Ordinances, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b), With a
compliance date of April 12, 2024, and a Hearing to Impose Fine is set for the April
17, 2024 hearing After Member Hall SECONDED the motion, it CARRIED
unanimously by voice vote.**

4: **20231208019-ALT** **Served**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 9 SECTION 72-341(E) Altering sign(s) without permit(s).

ALT Altering Signs w/o Permits

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Withdrawn

5: **20231208019-SBA** Served

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. SBA Set Backs Accessory Structures

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Withdrawn

6: **20231208019-SNP** Served

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

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Tim Blakeski was present for the hearing.

Debbie Zechnowitz, Code Compliance Officer, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie, Mr. Blakeski and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-298, With a compliance date of April 12, 2024, and a Hearing to Impose Fine is set for the April 17, 2024, hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

7: **20231208020-VN1**

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). VN1 Building without a permit

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Tim Blakeski was present for the hearing.

Debbie Zechnowitz, Code Compliance Officer, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie, Mr. Blakeski and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, With a compliance date of April 12, 2024, and a Hearing to Impose Fine is set for the April 17, 2024, hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

8: 20231213037-Sit

Violation of Site Plan No Site plan approval Section 72-502(b) Applicability. No person shall undertake the development of land in the unincorporated area of Volusia County except pursuant to a valid development order [or development permit] issued under this article unless specifically exempted as provided by this article. Site Plan - No site plan approval

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on December 30, 2023

Tim Blakeski was present for the hearing.

Debbie Zechnowitz, Code Compliance Officer, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie, Mr. Blakeski and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, Section 72-502(b), With a compliance date of April 12, 2024, and a Hearing to Impose Fine is set for the April 17, 2024 hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

CALEB MULLIS

Property Location: 2388 Palm Dr, Port Orange 32128

Parcel No. 622201002610 Zoning: MH-3

1: 20240109070-EXO Posted

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 Res Acc permit 20230209014, 30x35x13 steel building, new concrete. No electric, No plumbing, No driveway EXO Expired Permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on January 10, 2024

Withdrawn

JOSEPH P VALIGORSKY II

Property Location: 4101 S Atlantic Ave, Port Orange 32127

Parcel No. 631202000810 Zoning: R-9(S)

1: 20240122001-R/V Posted

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Recreational vehicle improperly parked. R/V Improperly parked R/V

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on January 23, 2024

There was no one present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C), With a compliance date of March 7, 2024 and a Hearing to Impose Fine is set for the April 17, 2024 hearing After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.

2: 20240201001 Posted

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

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on January 23, 2024

Continued April 17, 2024

BRADLEY D WILES TR

Property Location: 2120 Halifax Dr, Port Orange 32128

Parcel No. 622201001120 Zoning: MH-3

1: CEB2022220

Complaint No. 20220504007

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).

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on May 5, 2022

There was no one present for the hearing.

Fred Eastwood, Code Compliance Officer, presented the case. Fred went over the case details, showing photos. There was a discussion between Fred and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, With a compliance date of April 12, 2024, and a Hearing to Impose Fine is set for the April 17, 2024 hearing After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote. Member Hall abstained from the motion.

2: CEB2022221

Complaint No. 20220804096

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

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on May 5, 2022

There was no one present for the hearing.

Fred Eastwood, Code Compliance Officer, presented the case. Fred went over the case details, showing photos. There was a discussion between Fred and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C), With a compliance date of April 12, 2024 and a Hearing to Impose Fine is set for the April 17, 2024 hearing After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

CHRISTOPHER ALEXANDER

Property Location: 2129 Old Daytona Rd, Port Orange 32128

Parcel No. 622201001200 Zoning: MH-3

1: CEB2022288

Complaint No. 20220712033

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).

Code Compliance Officer - Fred Eastwood

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

Continued March 20, 2024

NISIMAHAI SACHAKOV

Property Location: 1131 N Alabama Ave, Deland 32724

Parcel No. 700416080010 Zoning: R-4A

1: CEB2023058

Complaint No. 20220707001

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).

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Oct 10, 2023

John Taylor, Contractor, was present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an 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 7, 2024 and a Hearing to Impose Fine is set for the March 20, 2024 hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

2: **CEB2023059**

Complaint No. 20211227042

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 - Robert Chayer

Property owner was first notified of the violation on Oct 10, 2023

John Taylor, Contractor, was present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I SECTION 58-3, With a compliance date of March 7, 2024 and a Hearing to Impose Fine is set for the March 20, 2024 hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

XI. Requests for Discussion of Accumulated Fines

COLLANTE RADELKYS

Property Location: 135 Lake Molly Ave, Deland 32724

Parcel No. 603301000050 Zoning: R-3(3)A

1: **CEB2022228**

Complaint No. 20220712051

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)

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on July 14, 2022

*Order of Non-Compliance issued at the March 15, 2023 hearing:

*Order Imposing Fine Lien issued at the May 17, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 18, 2023:

Request for Reduction

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to Zero Dollars and No Cents. 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 Johnson SECONDED the motion, it CARRIED unanimously by voice vote.

ALTO ASSET COMPANY 4, LLC

Property Location: 171 S Sheridan Ave, Deland 32720

Parcel No. 701805000210

Zoning: R-3

1: CEB2021324

Served

Complaint No. 20210816038

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. 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 Sep 02, 2021

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

*1st Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*Order Imposing Fine Lien issued at the June 15, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 2, 2024

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

Request for Reduction

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to Reduce the fine to \$13,500.00 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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

JAMIE SOLMONSON

Property Location: 1666 Lake George Road in Seville.

Parcel No. 4742-00-00-1050

1: CEB 2011280

Complaint No. 20110804016

Violation of Volusia County Code of Ordinances, Chapter 22-2, Sections 105.1 and 109.3 for construction without the required permit(s) and/or inspection approval(s) at 1666 Lake George Road in Seville.

Code Compliance Officer -Debbie Zechnowitz

*Property owner first advised of violation on October 20, 2011;

*Order of Non-Compliance issued at the February 15, 2012, hearing;

*Order Imposing Fine Lien issued at the March 21, 2012 hearing;

*A Report and Affidavit of Compliance was submitted with a compliance date of February 5, 2024

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

Request for Reduction

After discussion and based on the testimony and evidence presented, Member Johnson MOVED to Reduce the fine to Zero Dollars and No Cents. 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 Hall SECONDED the motion, it CARRIED unanimously by voice vote.

OCEANIA PLAZA CONDO ASSOCIATION

Property Location: 421 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 740909010001 Zoning: 999

1: 20230509084 Served

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

STV Sea turtle violation

Sea Turtle Lighting Specialist - Nicole Weiss

Property owner was first notified of the violation on May 5, 2023

*Order of Non Compliance issued at the September 20, 2023 hearing:

*Final Order Imposing Fine Lien issued at the October 18, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 7, 2024:

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

GABRIEL EDWARDS

Served

Property Location: 1561 N Sparkman Ave, Orange City 32763

Parcel No. 800306040130

Zoning: R-4

CEB2020096

Complaint No. 20200622064

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 – Fred Eastwood

Property owner was first notified of the violation on June 19, 2020

*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 July 21, 2022:

Request for Reduction

After discussion and based on the testimony and evidence presented, Member Johnson MOVED to Reduce the fine to Zero Dollars and No Cents. Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 After Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

SPA 2 LLC

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

Parcel No. 323411020100

Zoning: B-4, R-4

CEB2020271 - Posted

Complaint No. 20201106011

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

Code Compliance Officer - Robert Chayer

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

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

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

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

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

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of February 9, 2024:

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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members

XII. New Business

A. Tally Sheets (Quarterly)

B. As Entertained by Chairman

Chad Lingenfelter reelected as Chairman

Member Zahn made a motion to approve and Member Dwyer seconded.

Andrew Hall elected as Vice Chairman

Member Zahn made a motion to approve and Member Gallegos seconded.

C. As Entertained by Board Attorney

D. As Entertained by Staff Attorney

E. As Entertained By Staff

XIII. Adjournment

11:57 a.m.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (TITLE II)

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

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

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

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

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

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

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

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

Assisted listening system receivers are available for the hearing impaired, and can be obtained from the Deputy Clerk by calling the County Manager's Office at 386-736-5920.

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 February 21, 2024, at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 21st day of February, in the City of DeLand, County of Volusia, State of Florida.

**Jacquie Fleming
Code Enforcement Board Clerk**

February 21, 2024