



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

March 16, 2022

Chairman Chad Lingenfelter called the regularly scheduled, Code Enforcement Board Meeting to order at 9:00 a.m. in the Training Room #1, First Floor, Thomas C Kelly Administration Building

MEMBERS PRESENT

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

MEMBERS ABSENT

Vikki Leonard

STAFF PRESENT

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

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APPROVAL OF MINUTES

Member Needham moved to approve the minutes from the February 16, 2022 hearings. Member Nadeau seconded the motion which carried unanimously by voice votes.

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

March 16, 2022

IX. Unfinished Business

CEB2009149 – JOHN MOLHEM

Served

Complaint No. 20090506034

Violation of Volusia County Code of Ordinance, Chapter 22-2, Florida Building Code Sections 105.1 and 109.3 for construction without the required permit(s) and inspection approvals at 130 North Boulevard Court in DeLand.

Parcel No. 7004-14-02-0120

Code Compliance Officer – Debbie Zechnowitz

*Property owner first notified of violation on May 8, 2009;

*Order of Non-Compliance issued at the August 19, 2009, hearing;

*1st Amended Order of Non-Compliance issued at the December 16, 2009, hearing;

*2nd Amended Order of Non-Compliance issued at the March 17, 2010, hearing;

*Final Order Imposing Fine Lien issued at the April 21, 2009 hearing;

*A Report and Affidavit of Compliance was submitted with a compliance date of February 22, 2022:

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

CEB2013090 - DONALD L II & DENISE BACH

Served

Complaint No. 20130403013

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

Property Location: 1235 Avenue E, Ormond Beach 32174

Parcel No. 422901150070

Zoning: MH-5

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Apr 11, 2013

*Final Order Imposing Fine Lien issued at the September 18, 2013 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 25, 2022:

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

March 16, 2022

CEB2021152 - CARLOS & HERMELINDA DELGADO

Posted

Complaint No. 20200821039

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

Property Location: 815 S Montgomery Ave, Deland 32720

Parcel No. 701732000290

Zoning: R-4

Code Compliance Officer - Isiah Pitts

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of February 23, 2022:

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

CEB2021341 – MICHAEL KONDRACKI

Served

Complaint No. 20210511056

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: 646 June Ter., Deland 32724

Parcel No. 602802000410

Zoning: MH-5A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 25, 2021

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

*A Report and Affidavit of Compliance was submitted with a compliance date of March 1, 2022:

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

March 16, 2022

CEB2019316 – Marjorie Dalton

Served

Complaint No. 20190812028

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). Sheds

Property Location: 401 Lake Gertie Rd, Deland 32720

Parcel No. 700500000330

Zoning: R-3A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the 5 cases together. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022 and the owner called and said they have Covid 19. Robert said everything is still on the property just maybe relocated to other areas. Robert showed an email that the owner sent requesting an extension. Robert said his recommendation is for an amended order to May.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the May 18, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021393 – Marjorie Dalton

Served

Complaint No. 20210224029

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

Property Location: 401 Lake Gertie Rd, Deland 32720

Parcel No. 700500000330

Zoning: R-3A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 26, 2021

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C), with a Hearing to Impose Fine set for the May 18, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021394 – Marjorie Dalton

Served

Complaint No. 20210224031

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: 401 Lake Gertie Rd, Deland 32720

March 16, 2022

Parcel No. 700500000330

Zoning: R-3A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 26, 2021

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (E), with a Hearing to Impose Fine set for the May 18, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021395 – Marjorie Dalton

Served

Complaint No. 20210224032

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Boat and/or trailer improperly parked

Property Location: 401 Lake Gertie Rd, Deland 32720

Parcel No. 700500000330

Zoning: R-3A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 26, 2021

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C), with a Hearing to Impose Fine set for the May 18, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021396 – Marjorie Dalton

Served

Complaint No. 20210224033

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

Property Location: 401 Lake Gertie Rd, Deland 32720

Parcel No. 700500000330

Zoning: R-3A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 26, 2021

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the May 18, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2020054 - BLAINE BAUGHMAN

Served

Complaint No. 20190530081

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: 54 Plaza Dr., Ormond Beach 32176

Parcel No. 420300030133

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

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

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

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

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated this property is still going through the bankruptcy and wants to do another amended order for 6 months from now.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the September 21, 2022 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2020154 - Douglas S and Kristy M Harrell

Served

Complaint No. 20200603055

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

Property Location: 1350 Hamilton Ave, Orange City 32763

Parcel No. 800304040010

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

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

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

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

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

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

*4th Amended Order of Non-Compliance issued at the October 20, 2021 hearing:

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

Hearing to Impose Fine/Lien

Nika Hosseini, Cobb/Cole, was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated the owners were going through the Land Development process but the code had changed and they no longer had to do the rezoning and now permit applications are in and in the review process. Margaret said the applications are valid until the beginning of August and she recommends a 6th Amended order until that time. Margaret stated they have been doing everything they have been told to do. Chairman Lingenfelter asked if Nika had anything to add. Nika stated that she agrees with everything Margaret has said.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 6th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the August 17, 2022 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2020205 - NATHAN LEE GARROW

Served

Complaint No. 20200414041

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (Appears renovation or remodel with no evidence of required permits / inspections or approvals. Interior / exterior renovation; Asphalt roof cover; Structural roof framing; Siding; Windows - (canceled permit applications # 20130925021 / 20131219002). Plumbing; Electrical; Mechanical. May not be a complete list.

Property Location: 280 W Minnesota Ave, Orange City 32763

Parcel No. 800302000013

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

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

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

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

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

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

*4th Amended Order of Non-Compliance issued at the October 20, 2021 hearing:

Hearing to Impose Fine/Lien

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

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated a RES permit was issued and is valid until 6-13-2022.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 5th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2020239 - FRANK D JESKE ETAL

Served

Complaint No. 20200626026

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

Property Location: 3216 S Peninsula Dr., Daytona Beach 32118

Parcel No. 533501100230

Zoning: R-3

Zoning Compliance Officer - Debbie Zechnowitz

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

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

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

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

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

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

Hearing to Impose Fine/Lien

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

Debbie Zechnowitz, code compliance, presented this case with CEB2020237 and Todd Hannah. Debbie went over the case details, showing photos. Debbie stated permit # 20210420066 is issued and good through July 26, 2022. Debbie also added that Mr. Jeske was going to attend virtually but just found out last night that we no longer are using that service. Chairman Lingenfelter asked if the recommendation was just for this case and Todd said for his too as they coincide with one another.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 5th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the August 17, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020237 - FRANK D JESKE ETAL

Served

Complaint No. 20200821017

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

Property Location: 3216 S Peninsula Dr., Daytona Beach 32118

Parcel No. 533501100230

Zoning: R-3

Environmental Specialist II - Todd Hannah

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

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

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

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

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 5th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the August 17, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2020259 - FRANK D JESKE ETAL

Served

Complaint No. 20201001052

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Appears renovation and or remodel with no evidence of required permits, inspections or approvals. Residential interior / exterior renovation. Building; Electrical; Mechanical; Plumbing. May not be a complete list.

Property Location: 3216 S Peninsula Dr., Daytona Beach 32118

Parcel No. 533501100230

Zoning: R-3

Zoning Compliance Officer - Debbie Zechnowitz

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

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

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

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

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

Hearing to Impose Fine/Lien

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

Debbie Zechnowitz, code compliance, presented this case with CEB2020260. Debbie went over the case details, showing photos. Debbie stated the permit # 20201111059 was issued but expired on 2-22-22. Debbie added that the permit was extended this morning by Mr. Legler and recommended an amended order to June.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, Member Hall was not present for the vote but it **CARRIED** by voice vote.

CEB2020260 - FRANK D JESKE ETAL

Served

Complaint No. 20201001065

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: 3216 S Peninsula Dr., Daytona Beach 32118

Parcel No. 533501100230

Zoning: R-3

Zoning Compliance Officer - Debbie Zechnowitz

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

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

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

*2nd Amended Order of Non-Compliance issued at the June 16, 2021 hearing:

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, Member Hall was not present for the vote but it **CARRIED** by voice vote.

March 16, 2022

CEB2021048 - LINDA C DOWD

Served

Complaint No. 20200415004

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

Property Location: 1215 Avenue E, Ormond Beach 32174

Parcel No. 422901140010

Zoning: MH-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on June 18, 2020

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

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

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

*3rd Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022 and there is a permit in zoning review and has started the variance process.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021180 - JAMES W & CELIA JONES

Posted

Complaint No. 20210128012

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

Property Location: 5625 Burts Park Rd, Deleon Springs 32130

Parcel No. 694001000213 Zoning: A-3

Code Compliance Officer - Robert Chayer

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

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

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

Hearing to Impose Fine/Lien

James Jones was present at the hearing for this case.

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022 and there has been a lot of progress with getting things cleaned up. Member Zahn asked if the case ending in 181 in compliance. Robert said not completely and that the cases coincide with each other. Chairman Lingenfelter asked Mr. Jones if June 15th was enough time to have everything finished. Mr. Jones said he thought it was going to be taken care of 2 years ago. Mr. Jones said he has spent a lot of money and time in getting this resolved and added that he can't physically do this himself anymore. Mr. Jones added that he will try to be done by June.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Wild **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021181 - JAMES W & CELIA JONES

Posted

Complaint No. 20210129042

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: 5625 Burts Park Rd, Deleon Springs 32130

Parcel No. 694001000213 Zoning: A-3

Code Compliance Officer - Robert Chayer

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

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, Chapter 58, Health & Sanitation SEC. 58-36, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Wild **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021283 - ROSEMARY SUE BUSBEE

Posted

Complaint No. 20210729063

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: 1315 San Jose Blvd, Daytona Beach 32117

Parcel No. 424219140090

Zoning: R-5

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Jul 29, 2021

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

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

Hearing to Impose Fine/Lien

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

Peter Hinson, code compliance, presented the 2 cases together. Peter went over the case details, showing photos. Peter said on 3-1-2022 he posted the amended order and spoke with Cole Anderson, who said the 3 remaining vehicles were to be removed soon. Peter said on 3-15-2022 during an inspection 1 RV was removed, another is being removed in parts and the car behind the fence barrier was still there. Peter said as far as the conditions of the house they are working on getting the fixed. Chairman Lingenfelter asked if there was progress being made. Peter said yes some progress is being made.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the April 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021285 - ROSEMARY SUE BUSBEE

Posted

Complaint No. 20190627038

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: 1315 San Jose Blvd, Daytona Beach 32117

Parcel No. 424219140090

Zoning: R-5

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Jul 29, 2021

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34, with a Hearing to Impose Fine set for the April 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021287 - SONJI L BRUTEN

Served

Complaint No. 20210709006

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: 471 S Spring Garden Ave, Deland 32720

Parcel No. 701702230100

Zoning: B-4C

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Jul 16, 2021

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

Hearing to Impose Fine/Lien

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said his last inspection was on 3-15-2022 and it remains in violation and said they need a permit to remove the fill. Chairman Lingenfelter asked if there has been communication. Isiah said he spoke to the owner before we had the first hearing and that was it.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing April 21, 2022 and to continue until compliance is achieved, but not to exceed \$8,500.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-293.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021298 - MUSE STEWART C

Posted

Complaint No. 20201030012

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

Property Location: 375 Starting Gate Rd, Osteen 32764

Parcel No. 921000000330

Zoning: A-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Jun 21, 2021

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

*Progress update at the January 19, 2022 hearing:

Hearing to Impose Fine/Lien

Stewart Muse was present at the hearing for this case.

Isiah Pitts, code compliance, presented the 4 cases together. Isiah went over the case details, showing photos. Isiah said as of 3-15-2022 the property is still in violation. Mr. Muse said that he has been working on getting a building permit but that it is not going to be financially viable at this time. Mr. Muse said an Engineer has come to the property and gave some ideas but looks like the building will need to be demolished. Mr. Muse said he is working on getting things scrapped and has taken several loads off the property. Mr. Muse said he needs time and can't say Isiah is wrong. Member Hall asked how many more vehicles are left. Mr. Muse said there are 4 left, his trailer holds 12 and as soon as he gets the building down they will be hauled off with that. Chairman Lingenfelter asked if this could be done in a month or 2. Mr. Muse said it's possible. Mr. Muse said he was supposed to meet with Isiah on February 3rd and somehow that didn't happen and Mr. Muse added that he called him to tell him he would be there at 9:30. Isiah said he did not receive any phone call and added that he called Mr. Muse on that date and showed up to the property with Officer Peter Hinson and no one was there. Chairman Lingenfelter asked what the purpose of the meeting was. Isiah said it was an update. Chris Hutchison said we can set the fine and just start it 2 months out. Member Nadeau noted that even if one of the cases comes into compliance to let Isiah know so he can at least close that out.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day/per case commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021299 - MUSE STEWART C

Posted

Complaint No. 20201030014

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: 375 Starting Gate Rd, Osteen 32764

Parcel No. 921000000330

Zoning: A-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Jun 21, 2021

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

March 16, 2022

*Progress update at the January 19, 2022 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day/per case commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021300 - MUSE STEWART C

Posted

Complaint No. 20210930014

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 Contractors storage yard without a final site plan

Property Location: 375 Starting Gate Rd, Osteen 32764

Parcel No. 921000000330

Zoning: A-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Oct 05, 2021

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

*Progress update at the January 19, 2022 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day/per case commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021301 - MUSE STEWART C

Posted

Complaint No. 20201030017

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

Property Location: 375 Starting Gate Rd, Osteen 32764

Parcel No. 921000000330

Zoning: A-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Jun 21, 2021

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

*Progress update at the January 19, 2022 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day/per case commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021312 - LOS DIAZ PROPERTIES LLC

Served

Complaint No. 20210909006

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: 415 E Country Circle Dr., Port Orange 32128

Parcel No. 720102001030

Zoning: RC,RR

Zoning Compliance Officer - Debbie Zechnowitz

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

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

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

Hearing to Impose Fine/Lien

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

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated Permit # 20211209047 to repair the home is good through July 24th and the Permit # 20220104023 to repair the storage building is good through August 22, 2022.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the September 21, 2022 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021316 - JOHN MORN TR/TRUST NUMBER 3456/CASSADAGA HOTEL Served

Complaint No. 20180530014

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). (Re-roof

Property Location: 355 Cassadaga Rd, Lake Helen 32744

Parcel No. 810507010010

Zoning: B-8

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said his last inspection was on 3-16-2022 and there is no permit on file for the roof. Chairman Lingenfelter asked if there had been any communication. Isiah said no.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day/per case commencing April 21, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021323 - T S GROUP 2020 LLC

Served

Complaint No. 20210816047

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.

Property Location: 320 W Palmetto Ave, Deland 32720

Parcel No. 700501000080

Zoning: R-4A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 28, 2021

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022 and the permit has been issued.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021324 - ARVM 5 LLC

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.

Property Location: 171 S Sheridan Ave, Deland 32720

Parcel No. 701805000210

Zoning: R-3

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:

Hearing to Impose Fine/Lien

Joshua Suda was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022. Robert said there is a permit in plans review and recommends and amended order until June 15th. Chairman Lingenfelter asked Joshua if he had anything to add. Joshua said no he believes all should be done by that date.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021329 - BAF 3 LLC

Served

Complaint No. 20210714039

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Appears renovation and or remodel with no evidence of required permits, inspections or approvals. Residential renovation. Mechanical, Electrical, OH garage door, fence. Permitting & inspections required. May not be a complete list.

Property Location: 136 Grace St, Deland 32724

Parcel No. 603308000190

Zoning: R-4(3)A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jul 30, 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:

Hearing to Impose Fine/Lien

Joshua Suda was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022. Robert said there is a permit in ready issue status and recommends and amended order until July. Chairman Lingenfelter asked Joshua if he had anything to add. Joshua said they submitted the final revision and is set to go.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021331 - LINDSEY P GONZALEZ

Served

Complaint No. 20190702040

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. Structural framing repair; Sub-fascia; New / re-roof. May not be a complete list.

Property Location: 4231 S Peninsula Dr., Port Orange 32127

Parcel No. 631204004340 Zoning: R-3(S)

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on 10-29-21

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

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

Hearing to Impose Fine/Lien

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

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated she is changing her recommendation as they have not had the best communication. Debbie said there is drawings and will be submitted soon. Debbie's original recommendation was for fines to start but would now like to do an amended order to next month.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 20, 2022 hearing.** After Member Wild **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021340 - BNACK INVESTMENTS LLC

Posted

Complaint No. 20210510046

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. Reroof, decking, dry-in; Interior/exterior renovation. Building, Roof, Plumbing & Electrical permitting required. May not be a complete list.

Property Location: 6 Domingo Rd, Deland 32724

Parcel No. 603811000050

Zoning: R-2A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jun 08, 2021

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-22 and the permit is in ready issue status and added he has had a lot of contact with the owners.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021344 – TERESA ANTHONY

Served

Complaint No. 20211005006

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

Property Location: 206 Evergreen Ter., Deland 32724

Parcel No. 603812000280

Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 11-1-21

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

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

Hearing to Impose Fine/Lien

Teresa Anthony was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated there have been no permit applications to date and added that she has had no conversations with Ms. Anthony since the last hearing. Margaret said she is recommending that fines begin on 4-21-22 in the amount of \$100.00 per day with a cap of \$12,000.00. Ms. Anthony said she bought the house in November and the previous owner had hired a contractor to get all of these issues resolved and the contractor was in contact with her and told her things would start happening in January. Ms. Anthony said the contractor came out to look at the issues. Ms. Anthony said he then reached out to the previous owners who had the contract with him. Ms. Anthony said that there was no response from the previous owner and she thought everything was getting taken care of. Ms. Anthony said that she found out nothing had happened at the end of February and she reached out to the contractor and was told they were going to reach out to the roofing company to get the permits started. Ms. Anthony added that last night she was told that she had to call the roofing company to get things started. Chairman Lingenfelter said that the roofing company may need to get with you for signatures as you are now the owner. Chairman Lingenfelter asked what her last correspondents was with the roofing company. Ms. Anthony said the Contractor was doing that and that she was just told she needed to contact them directly. Chairman Lingenfelter asked what the status was on the sheds and carport. Ms. Anthony said the carport was moved back to the original location and that the shed is gone. Margaret said that they were never permitted to begin with and if it is moved it would need a permit either way. Member Zahn asked Margaret if she was okay with doing an amended order. Margaret sad yes that's fine.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 20, 2022 hearing.** After Member Wild **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021351 – THE PETER A VEGA AND KAREN E YOUNG REVOCABLE LIVING TRUST

Served

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

Complaint No. 20210706053

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

Property Location: 6901 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 850501170010

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 11-8-21

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

Hearing to Impose Fine/Lien

Peter Vega was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated there has been some back and forth as to whether Volusia County allows this or not. Margaret then went over the zones that do allow hotel/motel use. Chairman Lingenfelter asked where this paragraph is from. Margaret said it starts in Chapter 72-241. Margaret then went through the zonings that allow it, B-4, B-6, B-7 and B-8. Margaret also pointed out that on the application with DBPR it also stated that you may need to check with local zoning. Margaret then showed some reviews that were left on Airbnb and VRBO. Margaret said the advertisements were removed as of Monday, however due to the history and the fact that the property has again been found in non-compliance for the use where not permitted that the recommendations will remain as finding the Vega Trust to have committed a repeat violation from 6.16.2021 – 3.13.22 for 270 days and find the violation to be irreparable or irreversible in nature and Impose a fine of \$200 per day for 270 days in the amount of \$54,000.00 or in the alternative, request and recommend to find the Vega Trust to have committed a repeat violation from 6.16.2021 – 3.13.22 for 270 days and find the violation to be irreparable or irreversible in nature and impose a one-time fine of \$15,000.00. Chairman Lingenfelter asked if Margaret searched for this on Monday. Margaret said yes Monday the 14th was the date she made sure it was gone. Member Wild asked when the first time you noticed this for the repeat and how much was being charged for a day. Margaret said back in November and the rate changes but was \$400.00 to \$500.00. Sebrina Slack said that our recommendation is not going to change because he continued to rent it throughout the period and just recently took it down. Sebrina added that there is a pattern of him taking the ads down right before and then putting it right back up. Chairman Lingenfelter asked if Margaret was contacted to be made aware that the advertisement changed. Margaret said no she just checked it and added she has had no contact with Mr. Vega. Mr. Vega asked if Margaret just submitted additional evidence. Sebrina added that at this hearing we have to show whether the property is in compliance or not, so what we have done is submit what our findings were between the last date and this date regarding continued non-compliance in this particular category. Chairman Lingenfelter added that Margaret is providing justification for the recommendation as we have found this in non-compliance at the last meeting. Mr. Vega added that he is here today without legal representation as he believes he is in compliance with the ordinance as it pertains to his property, since it is not a hotel or motel, the ordinance that the County

March 16, 2022

is attempting to use for his private property does not apply. Mr. Vega said through his extensive research it appears Volusia County does not have a grandfather status as it pertains to the regulation of duration and frequency of the rental. Mr. Vega added that since it appears his legal interpretation is different than that of the Code Enforcement, he is seeking a true interpretation through the civil court. Mr. Vega said he is asking for a final time that Volusia County leadership and legal team protect him and his family from the harassment that they continue to receive from Code Enforcement and the residents that Code Enforcement has recruited. Mr. Vega said he will hold the County liable for this harassment and added he has substantial evidence to prove Code Enforcement has targeted certain property owners, encouraging the vigilantly mob approach through the recruitment of a selective few agitators with an invalid and unenforceable ordinance. Mr. Vega said he sits here today and will use whatever fine is issued as a baseline to prove damages for all affected property owners in Volusia County. Chairman Lingenfelter said that for the record they are not the leadership, they are Code Enforcement Board volunteers. Mr. Vega asked if he was allowed to ask Margaret questions. Clay Meek, the Board attorney said yes. Mr. Vega then asked Margaret about the 52 complaints John Rappold submitted and how many of those were investigated. Sebrina Slack stepped in and said that she objects as this is outside of the scope as to whether compliance has been achieved, this is the hearing to impose fine and his question about the prior hearing would not be relevant to today. Mr. Meek said it is his recommendation for the Board to sustain the question. Chairman Lingenfelter said he sustains and Margaret does not have to answer that as that question as it had its place last month. Mr. Vega said then he has no further questions. It was asked if there was public participation and Clay Meek said he recommends not and Sebrina Slack stated that the County is not calling on any witnesses for this proceeding as Mrs. Godfrey has shown all the evidence we have as far as non-compliance. Mr. Meek added that either recommendation that was given is within code and added it is up the Board on which they want to do. There was discussion on which recommendation to use and Member Zahn recommended the one time fine and a motion was made.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed one time fine in the amount of \$15,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021358 - KAREN RHONDA CLIFTON HARVILL

Served

Complaint No. 20210812044

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: 4730 Beacon Light Rd, Edgewater 32141

Parcel No. 844301000011

Zoning: MH-3

Code Compliance Manager – Chris Hutchison

Property owner was first notified of the violation on Nov 08, 2021

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

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

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

March 16, 2022

CEB2021361 - BARRY & DINA NEAL

Posted

Complaint No. 20210726052

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). Excavation without a permit

Property Location: 1190 Gopher Slough Rd, Mims 32754

Parcel No. 031602000970

Zoning: FR

Code Compliance Manager – Chris Hutchison

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

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

Hearing to Impose Fine/Lien

Barry and Dina Neal were present at the hearing for this case.

Chris Hutchison, code compliance, presented the case. Chris went over the case details, showing photos. Chris stated that the owners are trying to sell the property, but it didn't go through because of this code violation on the property. Chris added that they do want to get this in compliance and was informed they are speaking to a contractor on filling the pond back in. Chris said he is willing to give 60 days to move forward. Mr. Neal said they are trying to sell and was told there was multiple interest but no one wants to take on the issues. Mr. Neal said they paid a lot of money to get this done and believed the contractor was doing what they were supposed to do. Mr. Neal added that they have spoken with an attorney and hopefully they can get the contractor back on board on getting the issues corrected.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the May 18, 2022 hearing.** After Member Wild **SECONDED** the motion, Member Needham was not present for the vote but it **CARRIED** by voice vote.

March 16, 2022

CEB2021362 - CLIFFORD E FISCHER

Served

Complaint No. 20210921007

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: 116 West Loop, Oak Hill 32759

Parcel No. 950600011130

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sep 23, 2021

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

Hearing to Impose Fine/Lien

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

Margaret Godfrey, code compliance, presented the 3 cases together. Margaret went over the case details, showing photos. Margaret stated there have been no permit applications to date and the truck tractors are still on the property and was told the owner is not going to move them and that was the last communication she had with them.

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 commencing April 21, 2022 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (A).** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021363 - CLIFFORD E FISCHER

Served

Complaint No. 20210921032

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

(Unpermitted accessory structures

Property Location: 116 West Loop, Oak Hill 32759

Parcel No. 950600011130

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sep 23, 2021

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

Hearing to Impose Fine/Lien

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 commencing April 21, 2022 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021364 - CLIFFORD E FISCHER

Served

Complaint No. 20210921031

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

Property Location: 116 West Loop, Oak Hill 32759

Parcel No. 950600011130

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sep 23, 2021

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

Hearing to Impose Fine/Lien

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 commencing April 21, 2022 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case 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.

March 16, 2022

CEB2021371 – TRUST LINE TRUCKING LLC

Posted

Complaint No. 20210427031

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). New roof as well as a/c work and interior remodel.

Property Location: 1877 10th Ave, Deland 32724

Parcel No. 700102210040

Zoning: R-4A

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on 3-14-2022. Robert added he has had no contact with the owner, no permit applications have been submitted and there has been no changes on the property. Chairman Lingenfelter asked if the property was posted and Robert said he and Paul Traider actually caught the guys working at this property and spoke with them. Robert added from then on the place has been closed up.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing April 21, 2022 and to continue until compliance is achieved, but not to exceed \$11,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021382 - EDELGARD B PIERCE

Served

Complaint No. 20211021037

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

Property Location: 6468 River Rd, New Smyrna Beach 32169

Parcel No. 850501720110

Zoning: R-9W

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on 1-4-22

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

Hearing to Impose Fine/Lien

Pete Thompson, Attorney and Edelgard Pierce were present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 3 cases together. Margaret went over the case details, showing photos. Margaret stated she spoke with the attorney Mr. Thompson and is now changing her recommendation to an amended order, so he has a chance to get things going. Chairman Lingenfelter asked if Mr. Thompson was okay with that. Mr. Thompson said yes.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021384 - EDELGARD B PIERCE

Served

Complaint No. 20210723010

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). House has been converted into 3 living areas. PA states that there are 3 bedrooms and 3 bathrooms. According to the original drawings, the house was built as a 2 bedroom, 3 bathroom home. The property now has 2 kitchens, 4 bathrooms and 5 bedrooms. No evidence of the required permits and inspection approvals.

Property Location: 6468 River Rd, New Smyrna Beach 32169

Parcel No. 850501720110

Zoning: R-9W

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on 1-4-22

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021385 - EDELGARD B PIERCE

Served

Complaint No. 20211214002

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: 6468 River Rd, New Smyrna Beach 32169

Parcel No. 850501720110

Zoning: R-9W

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on E Pierce 1-4-22

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b), with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021383 – VIJAY LUTHRA

Served

Complaint No. 20210824057

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). Fence

Property Location: 4709 Van Kleeck Dr., New Smyrna Beach 32169

Parcel No. 743504020050

Zoning: R-4W

Code Compliance Manager – Chris Hutchison

Property owner was first notified of the violation on Oct 22, 2021

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

Hearing to Impose Fine/Lien

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

Chris Hutchison, code compliance, presented the case. Chris went over the case details, showing photos. Chris stated as of 2-21-22 there is a fence permit in zoning review and he checked yesterday and it was still in zoning review.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 20, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021386 - WALKER WILLIAM J III

Served

Complaint No. 20211022039

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: 1921 Tatum Blvd, New Smyrna Beach 32168

Parcel No. 743100000144

Zoning: MH-4A

Code Compliance Officer – Debbie Zechnowitz

Property owner was first notified of the violation on 12-24-21

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

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

March 16, 2022

CEB2022028 – JOSE ESTRADA

Posted

Complaint No. 20220120012

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Appears renovation and or remodel with no evidence of required permits, inspections or approvals. Residential renovation. Building, mechanical, electrical, plumbing - Permitting & inspections required. May not be a complete list.

Property Location: 281 W Davis St, Deleon Springs 32130

Parcel No. 694301270171

Zoning: R-3

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert said this property has been in front of code board before and was cleaned up. Then the people who bought it started doing work without permits. Robert stated his last inspection was on 3-14-2022 and a permit is in zoning review.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

X. Hearings and Presentation of Filed Notices of Violations

CEB2020090 - JOSEPH T & THERESA P ECKENRODE

Served

Complaint No. 20190909056

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: 15 Sea Drift Ter., Ormond Beach 32176

Parcel No. 321606070110 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Sep 30, 2019

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

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated the notice of violations were received on 8-30-2019 and 11-12-2020. The notice of hearings were received on 11-14-2020. Robert said his last inspection was on 3-14-2022 and added the owner lives in New York and also said he tried to get a variance but it didn't go through. Robert said they discussed demolition. Robert added that he got sick and Ramona said yes she spoke with him yesterday and he was to be tested today, so he was not wanting to come and infect everyone. Chairman Lingenfelter asked if he was here in Florida and Robert said yes, he is at the house possibly quarantining. Robert said he really thinks the owner is going to demo the structure.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2020273 - JOSEPH T & THERESA P ECKENRODE

Served

Complaint No. 20201110028

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). Deck and Gazebo built without a permit

Property Location: 15 Sea Drift Ter., Ormond Beach 32176

Parcel No. 321606070110 Zoning: R-4

Code Compliance Officer - Robert Chayer

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

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021203 - William F Bohlen

Served

Complaint No. 20210526016

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 door and window permit

Property Location: 100 Ponce Deleon Blvd, Deleon Springs 32130

Parcel No. 693801100200

Zoning: B-4(D)

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 28, 2021

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

Robert Chayer, code compliance, presented the 3 cases together. Robert went over the case details, showing photos. Robert stated the expired permit was for the roof as well and was combined with the windows and doors. Robert said the certified notice of violation was received on 5-28-2021 and the notice of hearing was received on 2-4-2022, his last inspection was 3-14-2022. Robert said the windows are all broken out and the power was shut off. Chairman Lingenfelter asked if this would be referred to CLCA and it was determined it could be fixed.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.**

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

CEB2021204 - William F Bohlen

Served

Complaint No. 20210526015

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

Property Location: 100 Ponce Deleon Blvd, Deleon Springs 32130

Parcel No. 693801100200

Zoning: B-4(D)

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 28, 2021

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.**

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

March 16, 2022

CEB2021205 - William F Bohlen

Served

Complaint No. 20210526014

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: 100 Ponce Deleon Blvd, Deleon Springs 32130

Parcel No. 693801100200

Zoning: B-4(D)

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 28, 2021

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

MOVED to issue an Order of Non-Compliance for violation of Volusia County Code

of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE

ORDINANCE With a compliance date of May 6, 2022 and a Hearing to Impose Fine

is set for the May 18, 2022 hearing. After Member Nadeau **SECONDED** the motion, it

CARRIED unanimously by voice vote.

March 16, 2022

CEB2021221 - BALDINO CONCRETE & BOBCAT INC

Served

Complaint No. 20201229026

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 Contractors storage without a final site plan

Property Location: 2550 Old New York Ave, Deland 32720

Parcel No. 791304000169

Zoning: I-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on 8-28-21

Michael Wojtuniak, EPI Engineering, was present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said the property was first observed on 12-29-2020, he posted the notice of violation on 2-9-2021 and posted the notice of hearing on 9-21-2021. Isiah said his last inspection was on 3-15-2022. Member Hall asked if the dates are correct for the 2020. Isiah said yes and this case was handed down from another officer. Mike said he submitted a preliminary site plan and got comments back and now they have acquired what's needed and it takes time to put everything together. Mike said he should have it submitted by the April date.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 With a compliance date of April 15, 2022 and a Hearing to Impose Fine is set for the April 20, 2022 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021276 - BERRYS RIDGE HOA INC**Served**

Complaint No. 20180314034

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

Property Location: 3861 N Spring Garden Ave, Deland 32724

Parcel No. 602002000002**Zoning: A-3A,B-2A,RPUDA****Environmental Specialist II - Julie McCrystal**

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

Toby Snively, Attorney, was present at the hearing for this case.

Julie McCrystal, Environmental Specialist, presented the case. Julie went over the case details, showing photos. Julie said the tree removal was done in a plated tree preservation easement, she then showed pictometry photos from 2015 that showed the trees and another pictometry photo from 2018 where the trees are gone. Julie said that staff met on site with the HOA on 3-6-2018 and noted 8 pine stumps, a certified notice of violation was sent on 3-14-2018. Julie added on 6-24-2021 due to no activity a 2nd notice of violation was sent, on 7-19-2021 there was email response from the new Community Association manager, Glenn Broderick, and a response was sent outlining the violation and actions required for compliance. On 12-27-2021 an email was sent requesting an update and on 12-28-2021 a response for Mr. Broderick was received which expressed confusion over the nature and location of the tree removal. On 1-4-2022 another email was sent to Mr. Broderick explaining the violation was for tree removal back in 2018. On 1-5-2022 an email was sent with action steps and information necessary to move forward with the permitting process. Julie added on 1-26-2022 she did a pre CEB inspection and located the stumps and noted there was no further activity. On 2-2-2022 an email was received from Mr. Broderick stating he was working with a contractor to replant trees but was having a difficult time obtaining a boundary survey. On 2-3-2022 there was a phone conversation with the contractor where tree replacement requirements were explained and on 2-4-2022 an email was sent Mr. Broderick with a copy of the old boundary survey and also with the contractor on an acceptable replacement count and standards. On 2-10-2022 Julie spoke with the attorney, Mr. Snively, and filled him in on the details as he is new to this case. On 3-1-2022 received email stating a surveyor was obtained and they are working on the planting plan. On 3-15-2022 an email was received from Mr. Broderick saying he hired a landscape architect and Julie spoke with Andrew Mease from Duval Landscaping and explained required action steps for the permitting process. Julie stated she is recommending an Order of Non Compliance with a compliance date of June 8, 2022 and a hearing to impose fine/lien on June 15, 2022. Mr. Snively said these trees were removed while the association was controlled by the developer and they have inherited this situation. Mr. Snively said they are actively working on getting the issues resolved and the association is wanting to be in compliance. Mr. Snively said the Association is requesting this be put on hold instead of issuing non-compliance as this could impact them in many unforeseen ways and would be less expensive if we can just streamline the process. Chairman Lingenfelter asked Julie if the HOA was aware of this violation in 2018. Julie said she met with the HOA on March 18th and added that we have worked with the HOA by waiving the late fee and changing the percentage of replacements. Member Zahn suggested continuing the case and asked if there was any reason why we shouldn't. Julie said she would not object to continuing this.

March 16, 2022

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to Continue the case to the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021322 - JOHN WILSON PLUMBING & SEPTIC

Served

Complaint No. 20210831084

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291. Contractors Storage Yard without Final Site Plan

Property Location: Lakeview Dr., Deland 32720

Parcel No. 791304000168

Zoning: I-1

Code Compliance Officer - Isiah Pitts

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

Michael Wojtuniak, EPI Engineering, was present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said the property was first observed on 9-3-2021 and he posted the notice of violation on 9-3-2021 and posted the notice of hearing on 3-2-2022. Isiah said his last inspection was on 3-15-2022. Chairman Lingenfelter asked Mike if it was the same story but different property. Mike said that is correct.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 With a compliance date of April 15, 2022 and a Hearing to Impose Fine is set for the April 20, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2021392 - YUNISLEYDIS RODRIGUEZ VELZAQUEZ

Posted

Complaint No. 20211229015

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted (Contractor's Storage yard)

Property Location: 711 Cypress Ave, Orange City 32763

Parcel No. 800900000290

Zoning: A-3

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Dec 31, 2021

Nika Hosseini, Cobb/Cole, was present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said on 11-17-2021 the property was first observed. On 1-3-2022 he posted the notice of violation and the notice of hearing. Isiah added as of 3-15-2022 the property remains in violation. Isiah then showed many photos of the property where contractor type materials are being stored. Isiah added that we have received numerous complaints on the property. Isiah added on 1-3-2022 while at the property he noticed a water hose coming from the property going down the road to other properties they are building. Isiah added that the owners of this property have now moved onto the neighboring property to store their equipment. Chairman Lingenfelter asked if Isiah was going to pursue the other property for a storage yard. Isiah said yes after he gets a non-compliance for this case. Nika said she agrees with Isiah and everything needs to be moved. Nika said the owners are looking for other properties that would be zoned for this. The complainant, Melanie from 635 Cypress Ave said she has many concerns about this property. Melanie said they have built 15 homes within a 1 mile radius and asked for the Board to imagine the level of noise going on. Melanie said they have cleared the land next door and are renting the land and asked if the tortoises known to be there relocated properly as she lives right next door to them. Melanie brought up that the property owners are driving their heavy equipment on the roads that the residents are responsible for maintaining and now it is difficult to drive around this area. Melanie asked why so many complaints have been called in and nothing is being done with the property at 711 Cypress and added that it is an A-3 zone and requests the County to look into this as well as fixing the roads, if this is going to be allowed. Melanie added that this has degraded their peaceful living. Complainant Teresa Bergin from 630 Cypress Ave expressed her frustration over this property as well. Chairman Lingenfelter asked Nika if she hears the neighbors' concerns. Nika said yes and added that none of that should be there including the heavy equipment and they are working on it.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 With a compliance date of April 15, 2022 and a Hearing to Impose Fine is set for the April 20, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2022020 - NINA SKAGGS DOTSON

Served

Complaint No. 20201229020

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: 152 Evergreen Terr., Deland 32724

Parcel No. 603812000840 Zoning: MH-5A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on 11-11-21

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated the certified notice of violation was received on 11-11-2021 and the notice of hearing was posted on 3-3-2022 and that was also the day of his last inspection. Robert said this property has several other violations with fines running as well. Robert said there has been no contact with the owner. Chairman Lingenfelter asked if the RV was brought to the site after the other violations started receiving fines. Robert said he thinks so. Member Hall then asked are we chasing Nina and not getting a response or is someone else living there and doing what they want. Robert said it could be that and that we are just following up on a complaint that was received.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022021 - CARL WILLIAM ELMQUIST

Served

Complaint No. 20210115048

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: 473 King Charles Cir, Deland 32724

Parcel No. 603807000370 Zoning: MH-5A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on 1-26-22

WITHDRAWN

March 16, 2022

CEB2022022 - 222 PROPERTIES LLC

Served

Complaint No. 20211111002

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

Property Location: 1907 Woodcrest Dr., Ormond Beach 32174

Parcel No. 422802000290

Zoning: MH-5

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Oct 28, 2021

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

Peter Hinson, code compliance, presented the case. Peter went over the case details, showing photos. Peter stated the attention to this address came as a lot maintenance complaint which was taken care of but the accessory building was discovered. Peter said an advisory notice was posted on 10-28-2021 and a violation notice was posted on 11-11-2021. On 12-2-2021 he posted the certified notice of violation and on 12-28-2021 the mailing was returned as unclaimed. Peter posted the notice of hearing and notice of violation on 1-20-2022. Peter added that back in 2012 there was a demo permit to remove the mobile home but the accessory structure was left. Peter said there is an application on file which is incomplete for a subdivision exemption and was told by the permit center the owner just didn't turn in all the information that was needed. Peter said he has had no contact with the owners.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) With a compliance date of April 14, 2022 and a Hearing to Impose Fine is set for the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2022033 – VIVENE BONNICK

Posted

Complaint No. 20210126002

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

Property Location: 1521 East Pkwy, Deland 32724

Parcel No. 700105090190

Zoning: R-4A

Environmental Specialist II - Danielle Gadzala

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

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

Danielle Gadzala, Environmental Specialist, presented the 2 cases together. Danielle went over the case details, showing photos. Danielle showed aerial photos that show tree removal within 1 year, she also had photos that show the wetland delineation flags that were placed on trees. Danielle said the tree and residential application had expired on 1-26-2021 and on that day during an inspection it was found the lot was partially cleared and fill was brought in. Danielle stated on 8-13-2021 it was discovered there was a new owner so new notices were sent. As of 1-14-2022 there was no contact so the case was created. Member Hall asked if the new owner was aware of this. Danielle said there has been no contact.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 With a compliance date of April 18, 2022 and a Hearing to Impose Fine is set for the April 20, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022034 - VIVENE BONNICK

Posted

Complaint No. 20210126003

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

Property Location: 1521 East Pkwy, Deland 32724

Parcel No. 700105090190

Zoning: R-4A

Environmental Specialist II - Danielle Gadzala

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

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2) With a compliance date of April 18, 2022 and a Hearing to Impose Fine is set for the April 20, 2022 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2022035 - DIGNA E ROMERO & HOMETOWN HOUSING

Served

Complaint No. 20211122047

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: 2133 5th Ave, Deland 32724

Parcel No. 700101290130

Zoning: R-4A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Dec 01, 2021

Digna Romero, Anna Paulis and Tim Gerker, GC were present at the hearing for this case. Close Captioning was provided for this case, there were Audio issues in the beginning and Ms. Paulis stated she can hear the Board at this time.

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated the notice of violation was received on 12-1-2021 for case ending in 35 and the notice of violation for case ending in 36 was posted on 3-3-2022 along with the notice of hearings. Robert said his last inspection was on 3-14-2022. Audio issues started occurring and Ms. Paulis told Robert that he can continue as she has 2 other people here that can explain if needed. Robert showed the issues with the home, stairs on back of house that need to be taken down, roof issues and electrical issues. Robert said that there was work done here with no permits. Robert showed a photo of an email exchange that took place on 11-30-2021 regarding this property. Robert sent an email on 12-2-2021 stating not to do any work until an inspection had been made and asked to meet on site. Robert said in January he received a letter stating they had hired Deltron Electric and a Septic Company then had some repairs done and no permits were pulled. On 1-31-2022 Paul Traider sent an email stating no work was to be performed until a permit has been issued and the email listed the items that were in question. Ms. Paulis asked if she received this. Paul Traider said yes, he sent it via email. Chairman Lingenfelter asked Paul if there was any confirmation of receipt of the email. Paul said there was not confirmation from Anna but there was correspondents with Gerker Construction after this. Ms. Paulis said she didn't understand that a contractor had to plan everything. Paul stated yes, it was explained in the email, and said that if you're the owner of the property but it is not your primary residence that a licensed contractor would be needed. Ms. Paulis said that she was under the impression, all she had to do was get the electric company. Paul said that a licensed electrical contractor can do the work but they are responsible for obtaining a permit and added that there is more than just electrical work. Ms. Paulis said she believed the safety issue was the plug for the septic and told Deltron they working with Code Enforcement and Deltron told them that if permits were needed they would pull them. Paul said no permits were pulled as of this morning. Tim Gerker stated that he was recently hired to help and questioned the need of a permit for the plug as it was a defective device and was not up to code. Robert stated the issue was not only the plug but the extension cord that was buried underground running to the septic tank and added that's a system. Tim said he was told that cord comes with the system and can be buried. Robert added that if a permit had been pulled all of that would have been inspected. Tim said part of the problem here is Deltron doesn't understand septic requirements and this is how we got to this point. Chairman Lingenfelter asked Paul if what needed to be done required a permit. Paul said yes, not only for the septic, but the tenant pointed out burnt electric inside the unit. Paul said they documented and took

March 16, 2022

pictures of wires being exposed and other issues that need to be addressed. Paul said permits and inspections are required and he would be happy to speak with Deltron to let them know. Paul added that they were called to the home from a complaint from the tenant and noted termite damage and wood rot along with the stairs on the back of the house. Paul added there are plumbing issues as well with leaking under the home. Paul added it was also noted that it is required to have heat and a window unit does not meet that need. Ms. Paulis said she agrees with that. Mr. Gerker stated it was his understanding that the tenants were less than cooperative in regards to allowing access to the property once they made the complaint. Robert said that is false they were more than cooperative. Member Zahn said this is not relevant and we are looking at the violations. Margaret Godfrey stated she was at the property as well and the only issue was setting up a time that was good for everyone that needed to be there and once that was determined there were no issues with letting us in. Digna said that May 6 is a short time to get this done. Chairman Lingenfelter explained we work with owners if at all possible and asked if they are requesting June dates. Mr. Gerker said he has tried to pull a demo permit for the stairs and added that the aerial photos are from 2012 and the ladies bought the property in 2017. Chairman Lingenfelter said then they have inherited the issues. Member Zahn added that the work was already done here and the dates in May gives 2 months to get a permit pulled and asked if that was not enough time. Mr. Gerker said no. Member Hall then added that, step one is getting the permits started and then at the May meeting more time can be given. Member Hall said you are on the right path of moving forward and to keep communicating with Bob. Mr. Gerker said the entire building industry is extremely busy right now and Member Hall said he is aware as he is a GC himself. Mr. Gerker said his issues are getting plans and drawings which is 2 to 3 months minimum. Member Hall said that's why you keep in communication with Bob. Chairman Lingenfelter said the dates may be set now but more time can be given.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022036 - DIGNA E ROMERO & HOMETOWN HOUSING

Served

Complaint No. 20220131011

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

Property Location: 2133 5th Ave, Deland 32724

Parcel No. 700101290130

Zoning: R-4A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Dec 1, 2021

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.**

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

March 16, 2022

CEB2022039 – KEVIN & KELLY OAKES**Posted**

Complaint No. 20220207064

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Appears renovation and or remodel with no evidence of required permits, inspections or approvals. Residential renovation. Windows. Ext door(s), Ext wall infill, Siding. Interior renovation. Building, mechanical, electrical, plumbing - Permitting & inspections required. May not be a complete list.

Property Location: 1215 N Boston Ave, Deland 32724

Parcel No. 700301000120**Zoning: R-3A****Code Compliance Officer - Robert Chayer**

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

Kevin Oakes was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated on 2-10-2022 he posted the certified notice of violation and hearing. Robert added on 3-8-2022 during an office visit Mr. Oakes refused an extra copy of the Notice of Hearing. Robert said his last inspection was on 3-14-2022. Robert showed photos of the property from 11-29-2021 and then photos from 2-8-2022 where differences with the windows and garage door were noticeable. Robert said a stop work order was posted on the 2-8-2022 by Paul Traider. Robert said Mr. Oakes took possession of the property on 12-6-2021 and there was a roof permit that was finalized on 1-3-2022 and then there was a RES permit that was cancelled due to an incomplete application. Chairman Lingenfelter asked what brought Bob to the property on 12-7-2021 to take a picture. Robert said there was a previous violation on the property and it was changing hands between the previous owner and Mr. Oakes. Paul Traider said the before picture was of a violation from the previous owner installing the roof himself. The property was sold to Mr. Oakes, the roof was permitted and Paul added that at the time there was some damage from the roof leak and was invited by the previous tenants, at that time to go in a take some photos. Paul said last month he drove by and noticed the home had changed, so he posted the stop work order. Paul said he informed Mr. Oakes of the issues and said they have not been in the house to assess work that may have been done inside. Chairman Lingenfelter asked if there should be a prevention inspection. Paul said yes. Mr. Oakes asked if the Board had the Notice of violation and request for hearing. Mr. Oakes said that on the notice, it says after 10 days from receipt of the notice it would be set for the Code Board. Mr. Oakes said they posted the property and the stop work order was put up and he was not at the house, he added that the date of receipt is still in question. Mr. Oakes said that on the notice it has certified mail return receipt on it and has not been delivered as of yet. Mr. Oakes said they sent the notice to the address from the property appraisers' site. Chairman Lingenfelter said yes, that's the requirement. Mr. Oakes said yes but he never had the opportunity to sign for it. It was said that Mr. Oakes is here so notice was made. Mr. Oakes said can March 16th be the noticed date. Chairman Lingenfelter said he was curious why both notices had the same date. Robert said they were sent at the same time because there was a closing coming up on the property, so everything was posted at the same time per Chapter 62. Sebrina Slack said per the statute we can provide service by mail, hand delivery or posting, and added that the notices can be sent at the same time and Mr. Oakes is here so it was unclear what the argument was for as to the notice issue. Clay Meek added we are not imposing a fine, March 16, 2022

this meeting is to determine if the property is in fact in violation and to give a date for compliance, regardless of when notice was made. Chairman Lingenfelter asked if there was a full scope of work that needs to be accomplished. Mr. Oakes said no and added that when that was posted on the 8th he called Paul 3 times that day and due to the office being closed. He said he was able to turn in the permit but it was incomplete. Mr. Oakes said he has a contractor, which Paul Traider said yes he has spoken with him. Mr. Oakes said the survey is done, he has a HVAC company paid and ready to do the permit and the contractor he has set up an appointment with Paul Traider. Paul said not at this time. Chairman Lingenfelter said it sounds that Mr. Oakes is going in the right direction. Mr. Oakes said that he is asking for a continuance due to the notice issue. Chairman Lingenfelter asked if the property was for sale. Mr. Oakes said it will be. Robert then added when he came in to the office he told Mrs. Jones that there was going to be a closing on Friday and added he would like to stick with the recommendation. Mr. Oakes said the property is being sold to his son's girlfriend. Member Zahn added that what happens now is she gets stuck with these issues and now you have passed the problem to her. Chairman Lingenfelter brought up how the previous owner stuck him with the roof issues. Member Zahn said under this circumstance a continuance would not be appropriate, and all this does is sets a compliance date, and added if more time is needed that's why we have amended orders. Chairman Lingenfelter asked Chris Hutchison if he agreed with Staff's recommendation. Chris said yes, we should move forward with the recommendation. Mr. Oakes said so everything he said didn't matter. Clay Meek said it did matter and the facts are, that you are not getting fined today and added he said he wishes to get this in compliance to give to your daughter in law and will be given the opportunity to get be in full compliance. Member Wild said what we are doing is now resetting your 10 days. Member Hall asked if we find this in non-compliance does it hinder the transfer of the title. Clay said they could enter the contract knowing this is out there. Member Hall said so you can still proceed with the sale. Paul Traider added that there may be other issues inside the home as well. Mr. Oakes then brought up differences that are reflected on the property appraiser's site versus Code Compliance website about the number of bedrooms. Sebrina Slack said if that needs to be corrected to go to their office at the property appraiser's office.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 6, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2022041 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220217030

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 3 SECTION 72-576. The site has been constructed beyond the scope of the approved Final Site Plan Development Order, 2019-F-FSP-0430. There are primitive camping areas and asphalt drive aisles outside of the areas designated on the approved plan. A mobile home that was not shown on the site plan has been located on site. The site plan has not yet passed final inspections.

Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100 Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

Darren Elkind, Attorney was present at the hearing for this case.

Darren requested to have these cases continued to April as he was just hired. The below motion was made.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to Continue the case to the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022042 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223041

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-776 Stormwater Management. No site alteration shall cause siltation of wetlands, pollution of downstream wetlands or reduce the natural retention or filtering capabilities of wetlands. The stormwater management permit issued with the Final Site Plan Developmental order did not depict a canal connected to the adjacent right of way.

Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100 Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to Continue the case to the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2022043-R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-293 Violation of special exception S-17-054 conditions. Specifically Special Exception Condition #1. Constructing outside the scope of the approved Final Site Plan Development Order. (Installation of Asphalt Millings Drive Aisle in the Resource Corridor and camping outside of designated areas). Special Exception Condition #2 (Temporary Campsites shall be open only for three day before, during and after the event. Temporary structures, vendors, equipment, etc. may be erected only for three days before, during and after the events. Campsites were open 7 days before the allotted time and multiple non Ag structures and vehicles have remained after the allotted time). Special Exception Condition #5 (Outdoor Entertainment Event Applications need to be submitted 30 days before the event. Applicant submitted the application 8 days before the event. Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to Continue the case to the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022044 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223036

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Mobile home, shower units, may not be a complete list
Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to Continue the case to the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022045 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223029

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Junk yard where not permitted
Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to Continue the case to the April 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2022046 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223028

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

Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

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

MOVED to Continue the case to the April 20, 2022 hearing. After Member Nadeau

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

CEB2022047 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220225040

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III DIVISION 6 SECTION 72-691(B) Clearing and installation of improvements in the County right of way without the approved use permit. Drainage ditch/canal

Property Location: 554 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 2-25-22

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

MOVED to Continue the case to the April 20, 2022 hearing. After Member Nadeau

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

March 16, 2022

XI. Requests for Discussion of Accumulated Fines

CEB2017111 – NICOLE MORIN-ABBOTT

Served

Complaint No. 20161011025

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s).

Property Location: 15 Beechwood Dr., Ormond Beach 32176

Parcel No. 420315000080

Zoning: R-4

Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Oct 22, 2016

*Order of Non-Compliance issued at the June 21, 2017 hearing:

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

*Order Imposing Fine/Lien issued at the August 16, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 4, 2022:

*Order of Compliance issued at the February 16, 2022 hearing:

Request for Discussion of Fine/Lien \$12,800.00

Sharmaine Abbott, Daughter, was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated this was another officer's case. Margaret added that there may have been miscommunication and said that Sharmaine took care of the issues as soon as she became aware of it. Chairman Lingenfelter said that on the application it states the owner is in Canada. Sharmaine said she was working on fixing up the property for her mother and when looking at putting a fence up this lien came up. Sharmaine said her mother thought this was taken care of and unaware. Margaret said the issues were taken care of in 3 weeks once it was brought back up and is okay with reducing to zero dollars.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to reduce the fine to zero dollars and issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances , CHAPTER 22-2, SECTIONS 105.1 AND 109.3.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

March 16, 2022

CEB2018148 - Castello Holdings LLC

Served

Complaint No. 20180309016

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: 127 Hibiscus Ln, Deltona 32738

Parcel No. 911001010190

Zoning: R-4EA

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Sep 07, 2018

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

*Final Order Imposing Fine Lien issued at the October 17, 2018 hearing:

*Order of Compliance issued at the May 20, 2020 hearing:

Request for Discussion of Fine/Lien \$7,300.00

Scott Baker, Attorney, was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 3 cases together. Margaret went over the case details, showing photos. Margaret stated this property had several complaints back in 2018. Margaret said the unmaintained case was referred to CLCA for demolition. Margaret said the property has a pending sale and there are other liens for Lot Maintenance and the Demo lien that will have to be paid and is recommending these be reduced to zero. Chairman Lingenfelter asked about the status of the pending sale. Mr. Baker said we are hoping to close after this depending in the decision that is made. Mr. Baker said the new owners are planning to build a home. Chris Hutchison brought up that we are receiving complaints about the pond on the property attracting mosquitos and snakes, and added the new property owners will need to make sure they maintain it and just want to bring that up. Member Hall and Member Zahn said they are good with the zero dollars amount. Member Wild said it looks as if there was a lot of work done. Margaret said yes as it was referred to CLCA and we had to send people out to clean up the property. There was discussion on the amount of what the reduction should be. The motion was made for \$333.33 per case payable within 30 days.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to Reduce the fine to \$333.33 per case 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 Wild **SECONDED** the motion, Chairman Lingenfelter opposed, it then **CARRIED** by voice vote.

CEB2019271 - Castello Holdings LLC

Posted

Complaint No. 20190823005

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: 127 Hibiscus Ln, Deltona 32738

Parcel No. 911001010190

Zoning: R-4EA

Code Compliance Officer - Margaret Godfrey

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

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

March 16, 2022

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

*A Report and Affidavit of Compliance was submitted with a compliance date of December 5, 2019:

*Order of Compliance issued at the January 15, 2020 hearing:

Request for Discussion of Fine/Lien \$1,400.00

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to Reduce the fine to \$333.33 per case 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 58, Health & Sanitation SEC. 58-36.** After Member Wild **SECONDED** the motion, Chairman Lingenfelter opposed, it **then CARRIED** by voice vote.

CEB2019272 - Castello Holdings LLC

Posted

Complaint No. 20190823008

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

Property Location: 127 Hibiscus Ln, Deltona 32738

Parcel No. 911001010190

Zoning: R-4EA

Code Compliance Officer - Margaret Godfrey

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

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of February 21, 2020:

*Order of Compliance issued at the May 20, 2020 hearing:

Request for Discussion of Fine/Lien \$9,200.00

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to Reduce the fine to \$333.33 per case 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 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Wild **SECONDED** the motion, Chairman Lingenfelter opposed, it **then CARRIED** by voice vote.

March 16, 2022

**Cases from the Addendum
IX. Unfinished Business**

CEB2016021 - BLACK SEAN

Served

Complaint No. 20160104020

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 2120 Mitchell Ln, Port Orange 32128

Parcel No. 621401040052

Zoning: A-2,RR

Zoning Compliance Coordinator – Margaret Godfrey

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

*Order of Non - Compliance issued at the March 16, 2016 hearing:

*1st Amended Order of Non-Compliance issued at the June 15, 2016 hearing:

*2nd Amended Order of Non-Compliance issued at the August 17, 2016 hearing:

*3rd Amended Order of Non-Compliance issued at the October 19, 2016 hearing:

*4th Amended Order of Non-Compliance issued at the December 21, 2016 hearing:

*5th Amended Order of Non-Compliance issued at the February 15, 2017 hearing:

*Final Order Imposing Fine Lien issued at the August 16, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 23, 2021:

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

XI. Requests for Discussion of Accumulated Fines

CEB2016021 - BLACK SEAN

Served

Complaint No. 20160104020

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

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*4th Amended Order of Non-Compliance issued at the December 21, 2016 hearing:

*5th Amended Order of Non-Compliance issued at the February 15, 2017 hearing:

*Final Order Imposing Fine Lien issued at the August 16, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 23, 2021:

Request for Discussion of Fine/Lien of \$21,700.00

Michael Black and Charles Black were present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 4 cases together. Margaret went over the case details, showing photos. Michael said that he found out about this issue a couple months ago, this is his brothers' property and reached out in January to get things March 16, 2022

corrected. Michael said he is hoping to sell this and then put the money in a trust for his brother and nephew. Margaret recapped saying this was a property where he was running a business, a split zone property and then he had to rezone the property and once it was done the owner never followed through with completing anything. Once it was found Margaret told them the building needed to be removed or permitted and they took it down.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to reduce the fine to zero dollars and issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances , CHAPTER 22-2, SECTIONS 105.1 AND 109.3.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017143 - BLACK SEAN

Posted

Complaint No. 20160212015

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-283 Violation of home occupation regulations, Property Location: 2120 Mitchell Ln, Port Orange 32128

Parcel No. 621401040052 Zoning: A-2,RR

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on February 16, 2016

* Order of Non-Compliance and Order Imposing Fine Lien issued at the June 21, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 1, 2022:

*Order of Compliance issued at the February 16, 2022 hearing:

Request for Discussion of Fine/Lien of \$10,000.00

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to reduce the fine to zero dollars and issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances , CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-283.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017144-BLACK SEAN

Posted

Complaint No. 20160212018

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Heavy equipment stored/parked where not permitted Property Location: 2120 Mitchell Ln, Port Orange 32128

Parcel No. 621401040052 Zoning: A-2,RR

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on February 16, 2016

* Order of Non-Compliance and Order Imposing Fine Lien issued at the June 21, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 1, 2022:

*Order of Compliance issued at the February 16, 2022 hearing:

Request for Discussion of Fine/Lien of \$10,000.00

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

March 16, 2022

CEB2017145-BLACK SEAN

Posted

Complaint No. 20160212020

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: 2120 Mitchell Ln, Port Orange 32128

Parcel No. 621401040052

Zoning: A-2,RR

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on February 16, 2016

* Order of Non-Compliance and Order Imposing Fine Lien issued at the June 21, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 1, 2022:

*Order of Compliance issued at the February 16, 2022 hearing:

Request for Discussion of Fine/Lien of \$10,000.00

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

March 16, 2022

CEB2021121 - HOPTON ERIC

Posted

Complaint No. 20200916063

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). There are several structures on this property that were built without evidence of the required permits and inspection approvals, including inground pool, large pool house, carport, garage, additions to the single family residence as well as additions to the pool house structure, may not be a complete list.

Property Location: 1309 Duroc Dr., Lake Helen 32744

Parcel No. 713200000070

Zoning: A-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Mar 29, 2021

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

*Final Order Imposing Fine Lien issued at the February 16, 2022 hearing:

Request for Discussion of Fine/Lien Start Date of March 17, 2022

Michael Wojtuniak, EPI Engineering, was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case for Isiah Pitts. Margaret went over the case details, showing photos. Margaret stated she has been speaking with Mike on this property and the fines are supposed to start tomorrow and he wants request an extension as he was just signed on to help. Margaret added that Mr. Hopton was made aware that he would need permits back in 2017 and that this violation was closed out in error. Margaret added that Mr. Hopton was also told by environmental staff in 2011 that he would need a wetland alteration permits to go along with the building permit to construct anything in the buffer and now there is a structure to the rear of the property. Margaret added he has known since 2011 that permits were needed. Margaret said she is recommending the fine/lien begin and once the property is in compliance Mr. Hopton can request a reduction. Chairman Lingenfelter said that we probably would have given some time if someone was here last month to say Mike was hired and added maybe now that Mr. Hopton has taken this step we give some more time. Mike added that he was hired a couple of months ago. Member Zahn said it may be easier to amend the date. Mike said the survey is supposed to be here at the end of the month. Member Zahn asked is staff had issues with giving more time. Margaret said no.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a 1st Amended Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day commencing May 18, 2022 and to continue until compliance is achieved, but not to exceed \$45,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.**

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

March 16, 2022

XII. New Business

Member Don Needham left the meeting at 11:00 am

- 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 - We discussed the April 20th meeting and if quorum will be met as Chairman Lingenfelter and Member Zahn will be out of town during that meeting. It was determined the meeting should be able to be held but no one else could be absent. It was also noted that Code Board Clerk, Ramona Jones and Code Compliance Officer, Robert Chayer will be out of the office as well. Margaret Godfrey will be acting as Code Board Clerk**

XIII. Adjournment

There being no further business to discuss before the Board, the meeting adjourned at 1:15 pm.

Respectfully submitted,

Ramona Jones
Code Enforcement Board Clerk

March 16, 2022

CERTIFICATE

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

I, Ramona Jones, Code Enforcement Board Clerk, do hereby certify that the foregoing pages constitute a true and accurate transcript of the minutes of the Volusia County Code Enforcement Board taken on March 16, 2022, at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 31st day of March, 2022, in the City of DeLand, County of Volusia, State of Florida.

**Ramona Jones
Code Board Clerk**

March 16, 2022