April 17, 2019
Chairman Chad Lingenfelter called the regularly scheduled, Code Enforcement Board Meeting to order at 9:00 a.m. in the County Council Chambers, Second Floor, Thomas C Kelly Administration Building

MEMBERS PRESENT
Chad Lingenfelter, Chair
Harry Wild, Jr., Vice-Chair
Tom Wright
Donald Needham
Charles Cino, Board Attorney
Pete Zahn
Gerard Smith

MEMBERS ABSENT

STAFF PRESENT
Margaret Godfrey, Code Compliance Coordinator
Debbie Zechnowitz, Code Compliance Officer
Russ Brown, Assistant County Attorney
Meghan Lindsey, Code Enforcement Board Clerk
Mike Nelson, Building & Code Administration Director
Kerry Leuzinger, Chief Building Official
Michael Mazzola, Code Compliance Officer
Christopher Hooper, Code Compliance Officer

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APPROVAL OF MINUTES

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Member Needham moved to APPROVE the February 20, 2019 Code Enforcement Board minutes. Member Leonard SECONDED the motion that CARRIED unanimously by voice vote.

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UNFINISHED BUSINESS

CEB2017128-COPELAND MITCHELL GEORGE
Served
Complaint No. 20140508019
April 17, 2019
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: 3340 Cross Branch Rd, Deland 32724
Parcel No. 602200000071 Zoning: A-1,RC,RC
Compliance Officer – Christopher R Hooper

Property owner was first notified of the violation on May 09, 2014
*Order of Non-Compliance issued at the July 21, 2017 hearing:
*1st Amended Order of Non-Compliance issued at the October 18, 2017 hearing:
*2nd Amended Order of Non-Compliance issued at the April 18, 2018 hearing:
*3rd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:
*4th Amended Order of Non-Compliance issued at the February 20, 2019 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 5, 2019:

Order of Compliance

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

CEB2017254-MYNSBURGE JAMES H & CHERILYNN Served
Complaint No. 20170809022
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). Including but not limited to exposed wiring, ceiling damage, roof damage
Property Location: 3 Briggs Dr, Ormond Beach 32176
Parcel No. 322803000030 Zoning: R-4
Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on August 11, 2017
*Order of Non-Compliance issued at the October 18, 2017 hearing:
*1st Amended Order of Non-Compliance issued at the December 20, 2017 hearing:
*2nd Amended Order of Non-Compliance issued at the March 21, 2018 hearing:
*3rd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:
*4th Amended Order of Non-Compliance issued at the August 15, 2018 hearing:
*5th Amended Order of Non-Compliance issued at the November 21, 2018 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of January 31, 2019:

Order of Compliance

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

CEB2017307-DONOVAN OLGA PATRICIA Posted
AJ BROCK TR 117 IMPERIAL HEIGHTS DR. TRUST
Complaint No. 20170720043

April 17, 2019
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (2nd story balcony/roofing, etc.
Property Location: 117 Imperial Heights Dr, Ormond Beach 32176
Parcel No. 322107000530       Zoning: R-4
Code Compliance Coordinator – Margaret Godfrey
Property owner was first notified of the violation on August 21, 2017
*Order of Non-Compliance issued at the December 20, 2017 hearing:
*Final Order Imposing Fine Lien issued at the January 17, 2018 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 27, 2019:

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

CEB2018274-REDMOND DONALD R       Served
Complaint No. 20180109032
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). (Enclosed garage area)
Property Location: 28 River Shore Dr, Ormond Beach 32176
 Parcel No. 323404000830       Zoning: R-4
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Feb 15, 2018
*Order of Non-Compliance issued at the September 19, 2018 hearing:
*1st Amended Order of Non-Compliance issued at the October 17, 2018 hearing:
*Final Order Imposing Fine Lien issued at the December 19, 2018 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 13, 2019:

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

April 17, 2019
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 roofing permit #20170420010)

Property Location: 45 Sunset Blvd, Ormond Beach 32176

Parcel No. 322705000410  Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 25, 2018

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of December 11, 2018:

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.

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

Property Location: 3663 Old Deland Rd, Daytona Beach 32124

Parcel No. 620601400231  Zoning: I-1(5)A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jun 08, 2018

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

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.
CEB2018494-JPMORGAN CHASE BANK NATNL ASSOC served

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

Property Location: 307 Endora St, Ormond Beach 32174

Parcel No. 412404000240 Zoning: MH-4A
Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 16, 2018
*Order of Non-Compliance issued at the February 20, 2019 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 8, 2019:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Wild moved to issue an Order of Compliance as the Respondent(s) has achieved compliance. After Member Needham seconded the motion, it carried unanimously by voice vote.

CEB2018509-MADEIRA VILLA SOUTH CONDO posted

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

Property Location: 2800 Ocean Shore Blvd, Ormond Beach 32176

Parcel No. 322112010001 Zoning: R-6,RC
Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on December 5, 2018
*Order of Non-Compliance issued at the February 20, 2019 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 28, 2019:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Wild moved to issue an Order of Compliance as the Respondent(s) has achieved compliance. After Member Needham seconded the motion, it carried unanimously by voice vote.
CEB2018514-APICELLA CHRIS M & LINDA  Served

Complaint No. 20180807089

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

Property Location: 305 Coquina Av, Ormond Beach 32174

Parcel No. 423803090100  Zoning: R-4A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on September 12, 2018

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

*A Report and Affidavit of Compliance was submitted with a compliance date of March 29, 2019:

Order of Compliance

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

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CEB2019082-RYAN HAROLD J & BRENDA M  Posted

Complaint No. 20180810009

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: 170 Birch Av, Orange City 32763

Parcel No. 801501000200  Zoning: R-4

Code Compliance Officer - Michael Mazzola

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of March 27, 2019:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Wild MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.
CEB2019086-MELINDEZ PAVON NERY  Posted
Complaint No. 20190226012
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241
Property Location: 3124 Hyder Av, Deltona 32738
Parcel No. 810100000401   Zoning: A-3
Code Compliance Officer - Michael Mazzola
Property owner was first notified of the violation on March 7, 2019
*Order of Non-Compliance issued at the March 20, 2019 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of April 5, 2019:

Order of Compliance

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

CEB2019094-MELINDEZ PAVON NERY  Posted
Complaint No. 20190307037
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: 3124 Hyder Av, Deltona 32738
Parcel No. 810100000401   Zoning: A-3
Code Compliance Officer - Michael Mazzola
Property owner was first notified of the violation on March 7, 2019
*Order of Non-Compliance issued at the March 20, 2019 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of April 5, 2019:

Order of Compliance

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

April 17, 2019
CEB2018358-BAILEY BLAKE C & SHANNON C
Served
Complaint No. 20180705023
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS
105.1 AND 110.1 Construction without the required permit(s) and/or inspection
approval(s). (Expired pool and fence permit #20021205050)
Property Location: 103 Capri Dr, Ormond Beach 32176
Parcel No. 322101001150 Zoning: R-6
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Jul 10, 2018
*Order of Non-Compliance issued at the February 20, 2019 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of April 1, 2019:
Order of Compliance

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

CEB2017199-SERRA RONALD F & SHARON M
Served
Complaint No. 20170511028
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS
105.1 AND 110.1 Construction without the required permit(s) and/or inspection
approval(s). (Expired permit #20011114019)
Property Location: 1761 Mitchell Ct, Port Orange 32128
Parcel No. 633001002220 Zoning: PUD
Code Compliance Coordinator – Margaret Godfrey
Property owner was first notified of the violation on May 15, 2017
*The Board continued this case from the November 15, 2017 hearing:
*The Board continued this case from the December 20, 2017 hearing:
*Order of Non-Compliance issued at the January 17, 2018 hearing:
*1st Amended Order of Non-Compliance issued at the February 21, 2018 hearing:
*2nd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:
*3rd Amended Order of Non-Compliance issued at the November 21, 2018 hearing:
Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

It was established that Mrs. Serra was not sworn in, but she is still a licensed attorney.

Margaret said this case began in September of 2000, as a building without permit. This
permit right now, is an after the fact permit; it was supposed to go before the board, but it
was withdrawn for some reason. She said it has come back, but now it is an expired
April 17, 2019
permit. She said this permit was extended 25 times, before it was actually taken to Code Board. Margaret said that Mrs. Serra is asking for an extension, but staff is recommending a fine; in the amount of $100.00 per day, to commence on May 16, 2019, not to exceed $45,000.00. She said this has gone on, for 19 years.

Charles Cino, Board Attorney, asked Margaret when the fine would begin.

Margaret said May 16th.

Mrs. Serra said she had filed a motion for a continuance, because the permit expired last week. She said I had asked Margaret to consider a motion, for an amended order for an additional 90 days. She said I don’t think that we should be able to use any extensions previously, as a reason for fining us, as they were granted by the county and they were all based on good cause. She said at this point, we’re down to the last final inspection; she said we’ve had the last three in a timely manner. She said we have one left and it should only take us approximately, 90 days to get it done.

The Chairman asked what the last inspection was for.

Mrs. Serra said it’s the last final inspection on the building; she said we’ve had the mechanical, electric and plumbing and now we’re down to the final inspection. She said it would be the drywall, they have two ceilings that are an issue and the stairway.

Mr. Nelson said I was just thinking, that we could move the fine/lien hearing out for 90 days.

Margaret said for the fine to start in 90 days? She said I’m fine with that.

Member Zahn asked for clarification, on when the permit extension expired. He said if the inspections were timely, how did the permits expire? He said I’m wondering, why you need 90 days, if all you need is a final inspection. He said you say you’re timely, but it doesn’t appear so from the evidence.

After discussion and based on the testimony and evidence presented, Member Wild MOVED to issue an Order Imposing Fine/Lien in the amount of $100.00 per day, not to exceed $45,000.00 to begin on May 16, 2019. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

April 17, 2019
CEB2017306-VU MINH & FLORES LIVIA Served

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

Property Location: 1910 Calle Alto Vista, Deland 32724
Parcel No. 603501340120 Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sep 01, 2015
*Order of Non-Compliance issued at the December 20, 2017 hearing:
*1st Amended Order of Non-Compliance issued at the January 17, 2018 hearing:
*2nd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:
*3rd Amended Order of Non-Compliance issued at the February 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The permit is valid until September 17, 2019, because they’ve had some inspection approvals. Staff is recommending a fourth amended order of non-compliance, with a hearing to impose fine scheduled for October 16, 2019.

Livia Flores gave her name and address for the record.

The Chairman asked Ms. Flores, if she thought they could complete the project by the October date.

Ms. Flores said yes.

Member Leonard asked if there were any life/safety issues.

Margaret said no.

Based on the evidence and testimony provided, Member Wild MOVED to issue an Fourth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 17, 2019
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (Single family residence)

Property Location: 3916 Cardinal Blvd, Port Orange 32127

Parcel No. 631101030040 Zoning: R-9(S)

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Mike Ciocchetti gave his name and address for the record.

Mr. Ciocchetti said that he purchased the property from Mr. Kraljev. He said he formed an LLC and purchased the property from Matthew two weeks ago. He said that he’s retained a contractor and pulled permits. He said there is a dumpster out front and we’re going to get to work here shortly.

Margaret said the permit has been issued.

Mr. Ciocchetti said I believe so.

Margaret said it was in review status, last time I checked. She said that Mr. Ciocchetti has been in touch with Chris Hutchison, Code Compliance Manager. She said a special warranty deed was made on April 2nd and filed on April 5th. She said there were two permit applications that were put it, on April 4th; both applications are valid until October 8th. Staff recommends a fourth amended order of non-compliance, with a hearing to impose fine scheduled for October 16, 2019.

Mr. Ciocchetti said his plan is to put the house back the way it was, not to expand on it.

Margaret said no change in footprint.

Mr. Ciocchetti explained his plans for the house.

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Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Fourth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017355-MADEIRA VILLA SOUTH CONDO**  
**Posted**  
Complaint No. 20170922005  
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). (Dune walkover)  
Property Location: 2800 Ocean Shore Blvd, Ormond Beach 32176  
**Parcel No. 322112010001**  
**Zoning:** R-6,RC  
**Code Compliance Coordinator - Margaret Godfrey**  
Property owner was first notified of the violation on Sep 27, 2017  
*Order of Non-Compliance issued at the February 20, 2019 hearing:*  
**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. An accessory structure permit was applied for to address the dune walkover and it is in review. The application is valid until October 12th. Staff is recommending a first amended order of non-compliance, with a hearing to impose fine scheduled for October 16, 2019.

Roselle Tuttle-Johnson gave her name and address for the record. Ms. Tuttle-Johnson is the property manager, for this address.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating 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.
CEB2017394-KROLAK-ESTHER-SOVEREIGN-NATES-HOLDINGS-LLC

Posted
Complaint No. 20171031020
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (Fire damaged single family residence)
Property Location: 1705 Montgomery Dr, Daytona Beach 32117
Parcel No. 423301050020 Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Nov 02, 2017
*Order of Non-Compliance issued at the January 17, 2018 hearing:
*1st Amended Order of Non-Compliance issued at the May 16, 2018 hearing:
*2nd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:
*3rd Amended Order of Non-Compliance issued at the February 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Jody Pritt gave his name and address for the record. He is the registered agent for the property.

Margaret said she has spoken with a representative of Nate’s Holdings LLC and told them what needs to be done. There have been no permit applications to date and the site and conditions remain unchanged. Staff is recommending a fine in the amount of $100.00 per day, to commence on May 16, 2019; not to exceed $5,000.00.

Mr. Pritt said they purchased the property about 2 months ago. He said the architect has the drawings and we’re waiting on him, to give them to us. He said we already have our contractors; we just have to wait to get the work done. He said we’re asking for at least three months, to get that done.

Mr. Pritt said they’re just complaining about the roof?

Margaret said if the roof is done, it should be okay. She said that was the issue to begin with.

Mr. Pritt said we just need time; we’re waiting on everyone else.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Fourth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of April 17, 2019
**Ordinances, Chapter 58 Article I Section 58-3.** After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

**CEB2018282-STRICKLAND GAIL**

Hand-Delivered

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). (Enclosing carport and making it into living space)

Property Location: 62 Margaret Rd, Ormond Beach 32176

Parcel No. 323403000570 Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Apr 19, 2018

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

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

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Randy Roberts, Chief Plans Examiner, and Eric Gebo, Plans Examiner, went out to the property and they said the carport is definitely a bedroom; it’s not used for storage. They also explained that the window that is in there would not be egress. However, the engineer is working with the building department, to get this taken care of. Staff recommends a second amended order of non-compliance, with a hearing to impose fine scheduled for June 19, 2019.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an **Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Wild SECONDED the motion, it CARRIED unanimously by voice vote.

**CEB2018298-TMCLEAN INVESTMENTS LLC**

Served

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

Property Location: 3663 Old Deland Rd, Daytona Beach 32124

Parcel No. 620601400231 Zoning: I-1(5)A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jun 08, 2018

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

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

April 17, 2019
Margaret Godfrey, Code Compliance Coordinator, presented the case. There is an issued permit and it is valid until September 23, 2019. Staff is recommending a first amended order of non-compliance, with a hearing to impose fine scheduled for October 16, 2019.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Fourth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018359-BAILEY BLAKE C & SHANNON C       Served
Complaint No. 20180705024
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 is shown to have 2 kitchens, extra bedrooms, and bathroom
Property Location: 103 Capri Dr, Ormond Beach 32176
Parcel No. 322101001150  Zoning: R-6
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Jul 10, 2018
*Order of Non-Compliance issued at the February 20, 2019 hearing:
Hearing to Impose Fine/Lien
The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said the expired pool permit was closed out; they have to get a new permit. She said that took care of the expired pool however, it is now part of the building without permits issue.

Member Leonard asked which one was in compliance.

Margaret said that expired pool permit. She explained the construction that was done, without permits. She said the permit itself was from 2002, so it was too old. She said Kerry Leuzinger said he was going to close it out and they’re going to have to apply for a new one. Staff recommends a first amended order of non-compliance, with a hearing to impose fine scheduled for the June 19, 2019. She said they did get a permit to remove the second kitchen.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241. After Member Wild

April 17, 2019
SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018360-BAILEY BLAKE C & SHANNON C    Served
Complaint No. 20180705025
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). (Interior remodel, including but not limited to plumbing, electrical, structural, etc.) Mostly pertaining to the mother-in-law suite on the first floor
Property Location: 103 Capri Dr, Ormond Beach 32176
Parcel No. 322101001150   Zoning: R-6
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on July 10, 2018
*Order of Non-Compliance issued at the February 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1. After Member Wild SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018420-TAUDT LINDA    Served
Complaint No. 20180712016
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: 1301 Avenue D , Ormond Beach 32174
Parcel No. 422901120010   Zoning: MH-5
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Aug 24, 2018
*Order of Non-Compliance issued at the February 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said the boat is still there. Staff is recommending a fine of $100.00 per day, to commence on May 16, 2019; not to exceed $7,000.00.

April 17, 2019
After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien in the amount of $100.00 per day, not to exceed $7,000.00 to begin on May 16, 2019. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018495-JAMES CLIFFORD F & BARBARA J  Posted
Complaint No. 20180806018
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: 652 Cordova Av, Ormond Beach 32174
Parcel No. 424220320110  Zoning: R-5
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on September 17, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. A permit was applied for, for the fence and it’s in review. The application is valid until September 30th. She there are no life/safety issues. Staff recommends a first amended order of non-compliance.

Member Zahn asked if a fence permit, would cover a fence.

Margaret said yes, it would.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 9 Sections 72-341 (b). After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

April 17, 2019
CEB2018458-HAVANNAH PROPERTY MGMT LLC

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). (Roof, deck, plumbing, siding, may not be a complete list)

Property Location: 2822 S Atlantic Av, Daytona Beach 32118

Parcel No. 532705000980 Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on September 26, 2018

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The site and conditions remain unchanged. Staff is recommending a fine in the amount of $100.00 per day, to commence on May 16, 2019; not to exceed $17,000.00. She said there have been no permit applications, no one lives there and it's not homesteaded.

Member Zahn said it's for the metal roof, plumbing, siding etc.

Margaret said yes and also a wooden deck.

Member Zahn said the deck doesn't look like a big deal, but all of the rest of it is.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien in the amount of $100.00 per day, not to exceed $17,000.00 to begin on May 16, 2019. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018524-MORRISON MICHAEL J

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

Property Location: 331 N Tymber Creek Rd, Ormond Beach 32174

Parcel No. 412404000530 Zoning: MH-4A,RCA

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on October 26, 2018

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

Hearing to Impose Fine/Lien

April 17, 2019
The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said there has been absolutely no change to this property. She said she’s had to post it will the notices and orders. Staff is recommending a fine in the amount of $25.00 per day, per case, not to exceed $3,000.00 per case.

After discussion and based on the testimony and evidence presented, Member Leonard MOVED to issue an Order Imposing Fine/Lien in the amount of $25.00 per day, per case, not to exceed $3,000.00 per case, to begin on May 16, 2019. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018525-MORRISON MICHAEL J Sheriff-Served
Complaint No. 20180820056
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: 331 N Tymber Creek Rd, Ormond Beach 32174
Parcel No. 412404000530 Zoning: MH-4A,RCA

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on October 26, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Leonard MOVED to issue an Order Imposing Fine/Lien in the amount of $25.00 per day, per case, not to exceed $3,000.00 per case, to begin on May 16, 2019. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.
CEB2018527-MORRISON MICHAEL J  Sheriff-Served
Complaint No. 20180820057
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Junk yard where not permitted
Property Location: 331 N Tymber Creek Rd, Ormond Beach 32174
Parcel No. 412404000530  Zoning: MH-4A,RCA
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on October 26, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Leonard MOVED to issue an Order Imposing Fine/Lien in the amount of $25.00 per day, per case, not to exceed $3,000.00 per case, to begin on May 16, 2019. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018526-VELAZQUEZ FIDEL  Served
Complaint No. 20181016002
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). Renovation and/or remodel of mobile home without permit(s) and/or inspection approval(s)
Property Location: 357 Emporia Rd, Pierson 32180
Parcel No. 581401010030  Zoning: MH-5
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on Nov 01, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case. He said as of this morning, their permit has been issued, and is valid until October 13, 2019. Staff recommends a first amended order of non-compliance, with a hearing to impose fine scheduled for October 16, 2019.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be

April 17, 2019
scheduled for the October 16, 2019 hearing for Violating Volusia County Code of
Ordinances, Chapter 22-2 Sections 105.1 and 110.1. After Member Leonard
SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019064-DEKANCHUCK LORI ANN Served
Complaint No. 20190213087
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE
II DIVISION 7 SECTION 72-241 Junk yard where not permitted. (Scrapped metal, rubber
tires, glass, wood scraps, plastic, tools, equipment, fixtures, appliances, construction
materials, automobile parts, and/or discarded automobile.
Property Location: 1495 N Us Hwy 17, Seville 32190
Parcel No. 480500000060 Zoning: B-4
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on February 15, 2019
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case. He said this came
before the board, last month. He said that he has not observed any changes to the
property. He said the owner is here and he says he’s working toward trying to clean it up.

The Chairman asked Christopher, when his last inspection was.

Christopher said April 4th.

The Chairman asked if there were pictures taken.

Christopher explained his pictures to the board. He said he hasn’t recognized much
change and staff is recommending that a fine start.

Mr. Dekanchuck said not much has changed. He said he’s been in and out of the doctor’s
a lot. He said they’ve removed 6, small vehicles.

The Chairman asked Mr. Dekanchuck for a 6 month plan.

Mr. Dekanchuck said 6 months from now, I’d like to have 90% of those gone. He said the
trailers are used for FEMA. He said they drive to different states, to repair damage. He
explained what items were stored in the other two trailers.

The Chairman said this property is adjacent, to the property that you work on.

April 17, 2019
Mr. Dekanchuck said yes. He said he purchased the property 3 years ago, as an operating repair shop.

The Chairman asked Mr. Dekanchuck if he’s pursued zoning changes, to the adjacent property.

Christopher said this is the property with the shop and the property next to it, also has the fine running for all the items on it. He said the property line goes between all the stuff.

Mr. Dekanchuck said it looks like it’s all together.

Russ Brown, Assistant County Attorney, said the Chairman has a valid point. He asked Mr. Dekanchuck, if he’s looked at combining the property into some kind of PUD, which would permit this.

Mr. Dekanchuck said we just recently refinanced the property two months ago. He said we have a new bank on the property; we were originally trying to get the bank to purchase the other piece of property, so it was one entity. He said we didn’t have the credit, to do both of those. He explained how many more months, they had to pay on the other property.

The Chairman said you still need to change the zoning, so that you can do this on the property outside of the “shop proper area.” He said that’s the only portion of the property that has the zoning that allows this type; he said it’s kind of spilled into a property that doesn’t have this zoning.

Mr. Dekanchuck said he’s applied for his car dealership license, so we can sell cars on the property. He said we were told that the property is okay for selling used cars. He said that would cover a lot of the untagged cars that we have sitting there. He said the property has been a wrecker business and a repair shop for over 40 years. He said we purchased the business from a guy and the business was 48 years old.

The Chairman asked if the previous owner was using the property down South.

Mr. Dekanchuck said no, he had one vehicle parked on that property. He explained how the previous owner, used the property.

Christopher explained the zoning of the two properties. He said that none of the zoning allows him to have cars spilling out. He said B-5 zoning would be needed.

The Board asked Mr. Dekanchuck, if he was working toward getting the zoning changed to B-5.

April 17, 2019
Mr. Dekanchuck said he is.

Member Wild asked Mr. Dekanchuck what he’s done toward that; I have the impression that basically nothing has been done.

Mr. Dekanchuck said he’s gotten the application from them and we’re filling it out. He said he’s working with the bank to refinance the property.

Member Wild said maybe I’m mistaken, but this doesn’t have anything to do with the bank.

Mr. Nelson said I would think lot combination, would be the first thing to start with.

Member Wild said, but he can only do that if he owns both of them.

Mr. Dekanchuck said, but they have two different banks.

Mr. Brown asked Mr. Dekanchuck if he owns both properties.

Mr. Dekanchuck said yes.

Mr. Brown asked if the deeds or an LLC was in his name; owned by either you personally or a company.

After discussion it was discovered that the issue was that Mrs. Dekanchuck owned one property while Mr. Dekanchuck and his sons owned the other.

Mr. Dekanchuck said they’ve changed to from his wife, to himself and his sons. He said they’re waiting on the paperwork. He explained how he obtained the property.

The Chairman said so you have a 6 month plan, of 90% of these vehicles being gone.

Mr. Dekanchuck agreed. He said some of the vehicles that are there, are our vehicles for selling. Member Wild said do you understand, right now you can’t do that. He said because on the zoning, you’re not allowed to have those vehicles on the site.

Mr. Dekanchuck said if we have the used car lot, we can.

The board asked Christopher, what Mr. Dekanchuck can have in B-4 zoning.

Christopher explained the zoning to the board. He said he can’t have a junk yard or abandoned vehicles or any of the other violations.

April 17, 2019
Mr. Dekanchuck said so, no working on vehicles outside?

Christopher said, that’s my understanding of it.

Margaret Godfrey, Code Compliance Coordinator, said the B-4 zoning allows for a repair shop; he could even do a gas station, kind of thing but all the storage has got to be inside a building. She said this can’t happen; it’s got to be used for vehicle maintenance, no body work. She said he’s not going to be able to do any of that stuff, until there’s a zoning change or a lot combination-zoning change. She said that building itself, where it is zoned; it can only have vehicles to be worked on and if they need to stay overnight, they need to stay in the structure.

Margaret said he can have some auto sales out front, like two or three. She said everything else he has stored on that property, cannot be stored there outside.

Member Zahn said the way I’m looking at this, is we’ve got this parcel number, for these violations. He said you may have some remedies, but you’ve got to work with staff and zoning, to determine what those remedies are. He said what’s going on now, is not permitted. He said I’m not here to solve the situation. I don’t see anything being done, now you say you’re going to start getting on it. He said we’re going to give you some time to do that but if you don’t, then the hammer comes down. He said in the meantime while you’re removing some of this stuff, you can look into the remedies.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a compliance date of June 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019065-DEKANCHUCK LORI ANN  Served
Complaint No. 20190214037
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Converting junk trailers into accessory structures for storage.
Property Location: 1495 N Us Hwy 17, Seville 32190
Parcel No. 480500000060  Zoning: B-4
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on February 15, 2019
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

April 17, 2019
The respondent was present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn moved to issue an first amended order of non-compliance with a compliance date of June 15, 2019 and a hearing to impose fine/lien to be scheduled for the June 19, 2019 hearing for violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241. After Member Leonard seconded the motion, it carried unanimously by voice vote.

CEB2019066-DEKANCHUCK LORI ANN
Served
Complaint No. 20190214038
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: 1495 N Us Hwy 17, Seville 32190
Parcel No. 480500000060 Zoning: B-4
Code Compliance Officer - Christopher R. Hooper
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn moved to issue an first amended order of non-compliance with a compliance date of June 15, 2019 and a hearing to impose fine/lien to be scheduled for the June 19, 2019 hearing for violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241. After Member Leonard seconded the motion, it carried unanimously by voice vote.

April 17, 2019
CEB2019067-DEKANCHUCK LORI ANN   Served
Complaint No. 20190214039
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B) Maintaining a r/v, boat and/or trailer without current tags/validation sticker
Property Location: 1495 N Us Hwy 17, Seville 32190
Parcel No. 480500000060   Zoning: B-4
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on February 15, 2019
*Order of Non-Compliance issued at the March 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a compliance date of June 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (B). After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019068-DEKANCHUCK LORI ANN   Served
Complaint No. 20190214040
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: 1495 N Us Hwy 17, Seville 32190
Parcel No. 480500000060   Zoning: B-4
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on February 15, 2019
*Order of Non-Compliance issued at the March 20, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a compliance date of June 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Division 8 Sections 118.34 (B)
Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019079-RYAN HAROLD J & BRENDA M
Posted
Complaint No. 20180810001
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: 170 Birch Av, Orange City 32763
Parcel No. 801501000200 Zoning: R-4
Code Compliance Officer - Michael Mazzola
Property owner was first notified of the violation on Aug 13, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case. Mr. Ryan has made progress. He did get a permit for the fence. Staff is recommending a first amended order of non-compliance, with a hearing to impose fine scheduled for May 15, 2019.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (A). After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019080-RYAN HAROLD J & BRENDA M
Posted
Complaint No. 20190110005
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: 170 Birch Av, Orange City 32763
Parcel No. 801501000200 Zoning: R-4
Code Compliance Officer - Michael Mazzola
Property owner was first notified of the violation on August 13, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case.
April 17, 2019
Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019081-RYAN HAROLD J & BRENDA M
Posted
Complaint No. 20190110003
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Recreational vehicle improperly parked
Property Location: 170 Birch Av, Orange City 32763
Parcel No. 801501000200 Zoning: R-4
Code Compliance Officer - Michael Mazzola
Property owner was first notified of the violation on August 13, 2018
*Order of Non-Compliance issued at the March 20, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (C). After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018405-EJ RICHARDS HOLDINGS LLC
Served
Complaint No. 20180511055
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: 1250 E Taylor Rd, Deland 32724
Parcel No. 702700000030 Zoning: A-2
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on November 9, 2018
*Order of Non-Compliance issued at the November 21, 2018 hearing:
*Progress Report Requested at the April 17, 2019 hearing:
Hearing to Impose Fine/Lien

The respondent was present for the hearing.

April 17, 2019
Christopher Hooper, Code Compliance Officer, presented the case.

Member Needham excused himself from the hearing at this time.

Christopher said he has not seen any changes over the past few months. He said there have been no changes made to abate the issues and no permits pulled. He showed the board advertisements for 2019; he said a lot of them are booked for December and October. He showed the board the advertisements for the events in 2020.

Mr. Nelson said Mr. Watts, has some new information that may be useful.

Mark Watts, Attorney, said they had been working with the city and county, planning staff to deal with the use-issue. He said that he has their engineer with him and they’ve completed the drawings for the life/safety changes that were needed, after the site inspection with county staff. He said we have the ADA plans for the entire site and the Fire/Sprinkler plans ready for the barn. He said we do still have ongoing operations that is our agreement with Mr. Taylor, from the fire standpoint; it was our agreement with Mr. Taylor to have fire watch at each of those events. He said that is an agreement that the respondent is continuing with. He said we are ready to finalize those permit applications and we’ve also completed first reading with the City of Deland, for annexation and re-zoning to P.U.D.

Mr. Watts said that he spoke with Mr. Nelson before the hearing, about whether we should turn in the permit applications to the county or finalize the annexation with the City of Deland. He said we think that moving forward with the city, is probably the appropriate thing to do. He said he will request the second reading with the City of Deland and we’ll have the permits wrapped up with them.

Mr. Cino said once you do second reading, we lose jurisdiction.

Mr. Watts said Mr. Nelson and I agreed that, that might be the best approach. He said we’ll go ahead and ask them to schedule the second reading, no later than the first meeting in May. He said they have been coordinating with Volusia County Fire Services and the City of Deland’s Fire Marshall, with regard with what was going on, on the property. He said the City’s Fire Marshall has been in the meetings, when we’ve talked about strategies for the sprinklers and fire protection. He said they’re up to speed, so I think we can handle the permitting through them.

The Chairman asked if the barn doors had been opened.

Mr. Watts said there are access doors on each side; he said those are kept open during all events and fire watch is present.
April 17, 2019
Mr. Nelson advised against the live Christmas tree in an assembly occupancy. He said that is a no-no.

Mr. Watts said he would pass that on.

Member Leonard asked Mr. Watts, if the owners and employees understand the life/safety issues on the property.

Mr. Watts said they do. He explained what they have done, to bring the property into compliance.

Member Leonard said I’m just talking about the employees there.

Mr. Watts said they’re up to speed. He said Shawna is there for every event and she’s the one that runs the site. He said that she has been in contact with Fire Services.

Member Wild asked if Mr. Watts, had a date that this would all come together.

Mr. Watts said that he is going to try and get on the May 6th agenda.

Based on the evidence and testimony provided, Member Wild MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating 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.

CEB2018468-EJ RICHARDS HOLDINGS LLC

Complaint No. 20181109048
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Change of use from a storage structure to an assembly occupancy without the proper permit(s) and/or inspection approval(s)
Property Location: 1250 E Taylor Rd, Deland 32724
Parcel No. 702700000030 Zoning: A-2
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on November 9, 2018
*Order of Non-Compliance issued at the November 21, 2018 hearing:
*Progress Report Requested at the April 17, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

April 17, 2019
Christopher Hooper, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating 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.

X. Hearings and Presentation of Filed Notices of Violations

**CEB2018281-CARDOZO HUMBERTO & LYLIAN**

Complaint No. 20180319036

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). (remodel/renovations)

Property Location: 108 Roberta Rd, Ormond Beach 32176

Parcel No. 323401000830  

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

The respondent owner was first notified of the violation on Mar 27, 2018

The respondent owner was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Maria Burafedo gave her name and address for the record. She is the niece of the respondents and she served as their translator. She was sworn in as a translator.

The respondents gave their names and address for the record.

Maria said that she didn’t know anything about the violation.

The Chairman asked if the respondents wanted to give information, or contest the violation.

Maria translated the question from English to Spanish, for the respondents.

Via the translator, Mrs. Cardozo said that they did the work without permits.

Margaret said this case began March 9, 2018. Frank Godawa, Building Inspector, was on site and noticed there were a lot of renovations going on, on the property. The notice of violation was received on March 27th and the notice of hearing was received on June 13th. A permit was issued on August 13, 2018; it covered the violations, however it failed the April 17, 2019
electrical inspection on February 13th. The permit expired without any more requests for inspections, on March 15th.

Maria translated the question from English to Spanish, for the respondents.

Via the translator, Mrs. Cardozo said she more or less understood, what Margaret was saying.

The Chairman explained Margaret’s pictures, to the respondents.

Maria translated Frank Godawa’s, Building Inspector, notes to the respondents.

The Chairman told the respondents that Frank’s findings need to be resolved and a permit, probably needs to be re-opened.

Mrs. Cardozo said that the inspector came to the house many times. She said he always would add something else, but they would always do it.

Margaret explained to Maria, why the respondents received a violation. She explained what they needed to do to resolve the violation.

Mrs. Cardozo said they have an affidavit.
The Chairman said so, you have an electrical affidavit.

Mrs. Cardozo said yes. She explained that the HVAC inspection was signed off and in the computer, as well.

Member Leonard asked if they respondents had a contractor.

Margaret said yes.

Maria explained that they started the project with their son, without permits.

Member Zahn said they could pull the permits, as an owner/builder but the electrical is very specialized work and really requires and electrician to do it.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating 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.

CEB2018446-GLAUBER CHRISTA
Served
April 17, 2019
Complaint No. 20180720030
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (Additions and alterations, may not be a complete list.)

Property Location: 114 Plaza Grande Av, Ormond Beach 32174
Parcel No. 424220150130   Zoning: R-5
Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 27, 2018

The respondent was present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Christa Glauber gave her name and address for the record. She said she is not contesting; she wants to take the construction down.

Robert said they built the structure that is attached to the garage and a fence without permits or inspection approvals. The notice of violation was posted on November 18, 2019. The notice of hearing was hand-delivered on April 4, 2019 and that was the last inspection of the property. Robert explained his pictures to the board. He said there was an addition without permits and an addition added to that addition, without permits as well. Staff recommends a finding of non-compliance, with a compliance date of May 5, 2019 and a hearing to impose fine scheduled for May 15, 2019.

Member Wild asked if June is okay, instead of May.

Robert said that it was.

Member Leonard asked if there was electrical and plumbing work done inside.

Ms. Glauber said no.

Daniel Hartley gave his name and address for the record. He said that he is helping Christa, and she had break-ins, in the front, so they put the structure up in the front. He said the other structure was there, previous to her purchasing the home. He said all I did was put up the walls and the roof.

The board looked at a before picture of the property and noted the changes that had been made.

Mr. Hartley said that Ms. Glauber had a break-in and they built a structure. He said they tried to get permits and explained the various contractors that they hired. Mr. Hartley said Ms. Glauber has decided that she just wants to take the structure down, because it costs

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too much.

The Chairman stated that there was another structure on the property, which is unpermitted. He asked if Ms. Glauber would, take that structure down as well, as it is also a violation.

Mr. Hartley said I don’t know; that structure was there, when she bought the property.

The Chairman said right, but it wasn’t there with a permit. He said that would also have to be removed.

Member Zahn said or you could get a permit, if it meets setbacks and the other requirements.

Mr. Nelson said you’re going to run into a situation with the foundation. He said you may have to remove it, as you plan to with the other structure.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB20190111-GLAUBER CHRISTA Served
Complaint No. 201901118024
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: 114 Plaza Grande Av, Ormond Beach 32174
Parcel No. 424220150130 Zoning: R-5
Code Compliance Officer - Robert Chayer
Property owner was first notified of the violation on January 18, 2019

The respondent was present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 9 Sections 72-341 (B). After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

April 17, 2019
CEB2018460- RODGERS BOYCE W   Served
Complaint No. 20180725036
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241
Property Location: 1528 Air Park Rd, Edgewater 32132
Parcel No. 843801001410   Zoning: A-2A,MH-4A
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on Jul 29, 2018

THIS CASE WAS CONTINUED

CEB2018461-REASONER STEVE E   Served
Complaint No. 20180725031
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241
Property Location: 2907 Ragis Rd, Edgewater 32132
Parcel No. 843801001403   Zoning: A-2A,MH-4A
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on Jul 28, 2018

THIS CASE WAS CONTINUED

CEB2018516-SANFORD DAVID   Served
Complaint No. 20171002011
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 addition to front of house and roof repairs)
Property Location: 1513 Elizabeth St, New Smyrna Beach 32168
Parcel No. 743005030710   Zoning: MH-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Oct 06, 2017

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received a complaint about the front porch addition on September 12, 2017. The received the notice of violation and notice of hearing on December 20, 2018. A permit was issued June 14th but a footing inspection failed on November 5th. The permit expired April 3, 2019. Margaret said she has had no contact with Mr. Sanford. Staff recommends a finding of non-

April 17, 2019
compliance, with a compliance date of June 15, 2019 and a hearing to impose fine scheduled for June 19, 2019.

The Chairman recapped the information.

Margaret said it's enclosed, they can't see inside.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of June 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1. After Member Wild SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019031-PANOS ANTHONY A & CHARLENE A Served
Complaint No. 20180123008
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). (Window and outdoor lighting)
Property Location: 1303 Westwood Dr, Daytona Beach 32117
Parcel No. 520201001000 Zoning: R-4
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Jan 29, 2018

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

The respondents gave their name and address for the record. He said I've done all the repairs myself. He said he did get an affidavit from an electrician and it was closed in 2017. He said the inspector came out and took all the paperwork. He said when he got the notice of violation, he was surprised.

Margaret said she received a complaint about this property on January 22, 2018. She said they received both the notice of violation and the notice of hearing. She said they did have a permit pulled for April 16th. She said the original complaint back in 2017, had to do with the woodstove. She said it had nothing to do with the window, or the outside lighting. She said the woodstove is fine, but this is something new.

The Chairman said so, January 22, 2018, was the complaint about the lighting?

Margaret said yes. He put the window and the lighting in without permits. Staff is recommending a finding of non-compliance, with a compliance date of May 4, 2019 and April 17, 2019.
a hearing to impose fine scheduled for May 15, 2019. Staff also recommends an affidavit from a Florida licensed electrical contractor, certifying that the electrical service is in safe-working order; within 10 days of this hearing.

Mr. Panos said all I did was change the light fixtures. He said I didn’t do anything with the electrical because it was a family room. He said as far as, dealing with the light fixture, everything was already there. He talked about putting concrete board being put on, along with stucco. He said that was done by a professional.

The Chairman asked if the window is Florida Product Approved.

Mr. Panos said yeah.

The Chairman said they could possibly get an after-the-fact permit.

Member Zahn explained that the other work, has permit requirements as well.

Member Zahn asked if part of the complaint, was about the way the lights were shining.

Margaret said no, it was the neighbor; who called and said this was done without a permit.

Mr. Panos read the affidavit that he was given, to the board.

Margaret said that was for the woodstove.

Mr. and Mrs. Panos said it’s for the structure; the whole house.

Margaret said you would still have to get a permit though.

The Chairman asked if that included, when he got the stucco work done.

Mr. Panos said yeah.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of July 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating 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.
CEB2019033-STEEDLEY DONALD I  Served
Complaint No. 20181113018
Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34 Vehicle(s) that is inoperative and/or without current state license tag
Property Location: 4 River Dr, Ormond Beach 32176
Parcel No. 420312001590  Zoning: R-4
Code Compliance Officer - Robert Chayer
Property owner was first notified of the violation on Nov 15, 2018

THIS CASE WAS CONTINUED

CEB2019045-LHD GRAINGER LLC TR  Served
Complaint No. 20181126004
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Junk yard where not permitted
Property Location: 1318 Avenue D, Ormond Beach 32174
Parcel No. 422901080130  Zoning: MH-5
Code Compliance Officer - Robert Chayer
Property owner was first notified of the violation on Dec 04, 2018

THIS CASE WAS CONTINUED

CEB2019046-LHD GRAINGER LLC TR  Served
Complaint No. 20181126005
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: 1318 Avenue D, Ormond Beach 32174
Parcel No. 422901080130  Zoning: MH-5
Code Compliance Officer - Robert Chayer
Property owner was first notified of the violation on Dec 04, 2018

THIS CASE WAS CONTINUED

April 17, 2019
The respondent was present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. He showed the board a picture of the overgrown yard. The notice of violation was received on December 19, 2018. The notice of hearing was received on February 13, 2019. The most recent inspection was April 3, 2019.

The Chairman asked why we didn’t mow it.

Robert said that he’s had, absolutely no contact with them whatsoever.

The Chairman said sometimes it’s a locked fence.

Robert said he maintains it as a residence.

Mr. Nelson said it’s occupied and the rear yard is locked. The vendors can’t go back there.

The Chairman asked if there is a house being built next door.

Robert said that’s a tear-down. Staff recommends a finding of non-compliance, with a compliance date of June 14, 2019 and a hearing to impose fine, scheduled for June 19, 2019.

Based on the evidence and testimony provided, Member Wild MOVED to issue an Order of Non-Compliance with a compliance date of June 14, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Section 58-36. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.
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CEB2019057-CLEVELAND FLOYD M & MABEL ESTS  Posted
Complaint No. 20181228018
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: 1695 Elizabeth St, New Smyrna Beach 32168
Parcel No. 743005030910   Zoning: MH-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on January 22, 2019

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She showed the
board a 2007 picture of the RV. Margaret then showed the board in a recent picture that
the RV has not moved since then. She said it appears inoperative. Staff received a
complaint in December of 2018 from VCSO and Fire Services. She said when she went
out there to take pictures, she notices the Camaro sitting there and the overgrown yard.
She said she’s had to post the property with all notices. She said there has been no
contact with the property owner. Margaret also explained that the gate is now locked, so
someone is there. Staff is recommending a finding of non-compliance, with a compliance
June 12, 2019 and hearing to impose fine scheduled for June 19, 2019.

Based on the evidence and testimony provided, Member Wild MOVED to issue an Order
of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to
Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating
Volusia County Code of Ordinances, Chapter 58 Section 58-36. After Member Zahn
SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019058-CLEVELAND FLOYD M & MABEL ESTS  Posted
Complaint No. 20181228019
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE
II DIVISION 7 SECTION 72-241 Junk yard where not permitted
Property Location: 1695 Elizabeth St, New Smyrna Beach 32168
Parcel No. 743005030910   Zoning: MH-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on January 22, 2019

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

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Based on the evidence and testimony provided, Member Wild MOVED to issue an Order of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

**CEB2019059-CLEVELAND FLOYD M & MABEL ESTS**

Posted

Complaint No. 20181228020

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: 1695 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030910    Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Wild MOVED to issue an First Amended Order of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

**CEB2019060-CLEVELAND FLOYD M & MABEL ESTS**

Posted

Complaint No. 20181228024

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B) Maintaining a r/v, boat and/or trailer without current tags/validation sticker

Property Location: 1695 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030910    Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Wild MOVED to issue an Order
of Non-Compliance with a compliance date of June 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-287 (B). After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019061-COLVIN THOMAS LEONARD Served
Complaint No. 2018120046
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: 14 Palmetto Dr, Ormond Beach 32176
Parcel No. 420314001690 Zoning: R-4
Code Compliance Officer - Robert Chayer
Property owner was first notified of the violation on Dec 08, 2018

THIS CASE WAS WITHDRAWN

CEB2019069-AUSTIN HARRY Served
Complaint No. 20181008013
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: 627 Williamsburg Dr, Daytona Beach 32117
Parcel No. 523734000260 Zoning: R-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on November 7, 2018

THIS CASE WAS CONTINUED

CEB2019070-AUSTIN HARRY Served
Complaint No. 20181008014
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: 627 Williamsburg Dr, Daytona Beach 32117
Parcel No. 523734000260 Zoning: R-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on November 7, 2018

THIS CASE WAS CONTINUED

April 17, 2019
CEB2019071-AUSTIN HARRY  Served
Complaint No. 20181008015
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Trailer improperly parked
Property Location: 627 Williamsburg Dr, Daytona Beach 32117
Parcel No. 523734000260  Zoning: R-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on November 7, 2018

THIS CASE WAS  CONTINUED

CEB2019072-AUSTIN HARRY  Served
Complaint No. 20190220043
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B) Maintaining a r/v, boat and/or trailer without current tags/validation sticker
Property Location: 627 Williamsburg Dr, Daytona Beach 32117
Parcel No. 523734000260  Zoning: R-5A
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on November 7, 2018

THIS CASE WAS  CONTINUED

CEB2019073-WIDDISON WESLEY B JR  Posted
Complaint No. 20181005041
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: 340 Arroyo Pkwy, Ormond Beach 32174
Parcel No. 424220290230  Zoning: R-5
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Oct 12, 2018

THIS CASE WAS  CONTINUED

April 17, 2019
CEB2019074-WIDDISON WESLEY B JR   Posted
Complaint No. 20181005042
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277 You have failed to observe the required setbacks. (Shed)
Property Location: 340 Arroyo Pkwy, Ormond Beach 32174
Parcel No. 424220290230   Zoning: R-5
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Oct 12, 2018

THIS CASE WAS CONTINUED

CEB2019078-BURGER ASHLEY NICOLE   Served
Complaint No. 20181203027
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 Living in RV or RV connected to water, sewer or electric lines, where not permitted
Property Location: 355 Van Hook Rd, Deland 32130
Parcel No. 603903000120   Zoning: A-3A
Code Compliance Officer - Christopher R. Hooper
Property owner was first notified of the violation on Jan 12, 2019

The respondent was not present for the hearing.

Christopher Hooper, Code Compliance Officer, presented the case. Staff received a complaint about an RV in December of 2018. Christopher said that he inspected the property and there was an RV there. He said it was parked properly, but it was plugged in. He saw someone was outside and he talked to them. The person stated that they’re trying to get the people in the RV, off of the property. They asked Christopher for two weeks. He said he went to the property two weeks later and the property owner asked for another two weeks. Christopher said he’s having a hard time, communicating with the property owner. He said when he inspected the property on April 4th, there are now two RV’s. He showed the board pictures of the RV’s. He said the property owner, admitted that people are living in the RV’s.

The Chairman asked if there was a principal structure.

Christopher said yes, there’s a house. Staff recommends a finding of non-compliance, with a compliance date of June 14, 2019 and a hearing to impose fine scheduled for June 19, 2019.

Member Wild asked if they still have to give the respondent’s a month to comply.

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Mr. Brown said yes, our ordinance allows them 30 days to correct it, before we impose a fine.

Member Wild asked if they could impose a fine, effective in June or May.

Mr. Brown said this is a brand-new case, so we have to bring it back for a fine/hearing.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of June 14, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the June 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-287.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2019091-FRABLE JAMES**  
Served

Violation of **VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Metal structure without permits and/or inspection approvals. Dock and/or deck without permits and/or inspection approvals.** This may not be a complete list  
Property Location: 4490 Cave Lake Rd, Deleon Springs 32130  
Parcel No. 600900000180  
Zoning: A-3A,RCA  
Code Compliance Officer - Christopher R. Hooper  
Property owner was first notified of the violation on January 8, 2019

**THIS CASE WAS CONTINUED**

**CEB2019098-LUZNAR FRANK J III TR & LUZNAR REVOCABLE TRUST**  
Served

Violation of **CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(C) Accessory structure and/or use on lot that does not have a completed principal structure**  
Property Location: 103 N Samsula Dr, New Smyrna Beach 32168  
Parcel No. 722401010080  
Zoning: A-1,A-1C  
Code Compliance Coordinator - Margaret Godfrey  
Property owner was first notified of the violation on Jan 04, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Frank Luznar gave his name and address for the record. He said he was there to provide April 17, 2019
information and contest the violation. He said there’s been a big misunderstanding on this whole application.

Margaret said this originally started in June of 2016. She said there was a police report done, because somebody called the police on the peanut vendor. She said it was brought to our attention because of that. Mr. Luznar received the violation in June of 2016. She said he did have a special exception, but it expired in July 9, 2005, because he didn’t meet the requirements of it.

She said Debbie Zechnowitz, Code Compliance Officer, originally had this case; she spoke with Mr. Luznar and he said he did not know that his special exception had expired. Debbie referred him to Scott Ashley, Planning Manager. On February 7, 2019, Scott, Margaret and Mr. Luznar had a meeting, about the special exception. Mr. Luznar said that he would be seeking administrative remedies. Margaret said she continued the case for two months, to give him time to get the special exception. She said the peanut vendor is still out there. She said there is no principal structure and occasionally, there are other vehicles parked out there. Margaret said they can’t be there.

The Chairman said and by the code, this trailer is an accessory structure.

Margaret said yes. Staff is recommending a finding of non-compliance, with a compliance date of May 4, 2019 and a hearing to impose fine scheduled for May 15, 2019.

Mr. Luznar said it was a total misunderstanding, because I thought I did have a special exception; that was over 16 years ago. He said it’s been sitting there all this time. He explained that the property is Ag zoned. He said we had talked about an accessory structure out there, because occasionally do have trucks that come out there. He explained about his feed store and that they needed grain to be supplied to them, for it. He said sometimes they come in late at night and he tells them that they can pull onto the property. He said that he has also allowed, county vehicles to park there as well. He said that they people who clean ditches, park there. He said you scratch my back, I’ll scratch yours.

The Chairman said so the special exception is expired. Does he have to pursue an extension?

Mr. Luznar said that he would do whatever they want him to do. He said he would put a structure out there, to come into compliance. He said that he didn’t realize that he had a violation 2 years ago. He said he would put in a pole barn, whatever it takes. He said he would bend over backwards for the county; I mean I’m letting them park out there, I don’t have a problem with any of that. He said it’s saving a lot of tax dollars.

The Chairman said so it’s your desire to keep the boiled peanut vendor in business.
April 17, 2019
Mr. Luznar said if you want to do something different, I can but I’d like to keep him there. Why not?

The Chairman said one was to cure this, is the vendor goes to another location.

Mr. Luznar commented on the popularity of the peanut vendor.

Member Wild asked if there was any way that the peanut vendor, could be considered agricultural use.

Mr. Luznar said yes.

Margaret read the original application for the special exception into the record. She read the requirements for Mr. Luznar to keep the special exception.

Mr. Luznar said he was confused about the accessory structure.

The Chairman asked if the special exception required a building to be built.

Margaret said yes. She said such as a pole barn, but it doesn't have to be a pole barn; no smaller than 15’ 20.

The Chairman asked the timeframe on that.

Margaret said he had a year. She said he requested another year and in 2005, it expired.

Member Leonard said so if he builds a pole barn, he can have a fruit stand and his peanut vendor but it won’t solve the parking issues with the tractor trailers.

The Chairman said that’s not a violation. That’s Ag related; those are your vendors.

Mr. Luznar said I’m still willing to let the county, put those vehicles out there, because it saves a lot of money. He said just put them to the back of the property.

Member Leonard said that she’s confused about the whole thing.

Mike Nelson, Building and Code Administration Director, said I don’t know who they is, because I have to park my vehicles from Building and Code Administration in an approved lot. He said I don’t think that Risk Management would be thrilled to know that we’re parking on an unapproved lot from Central Services. He said I don’t want to go there again today. He said Mr. Luznar, we’re good; I just don’t want to go there again today. He said I’m still not so sure about the peanut vendor, it’s not Mr. Luznar selling. He said they’ll hash that April 17, 2019
out in the special exception process, if he goes back through the process.

Margaret said none of that stuff can be there, until the special exception gets worked out.

Based on the evidence and testimony provided, Member Wild MOVED to issue an Order of Non-Compliance with a compliance date of October 13, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-277 (C). After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019099-PETCOVIC DIANE L   Served
Complaint No. 20180727005
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277 You have failed to observe the required setbacks
Property Location: 124 Charles St, Edgewater 32141
Parcel No. 853809001740   Zoning: MH-5W
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on February 28, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Diane Petcovic gave her name and address for the record. She said she was there to provide information.

Margaret said the carport and some accessory structures in the backyard that were all done without permits or inspection approvals. She said they also not appear to meet setbacks. The certified notice of violation was hand-delivered on February 27th. The notice of hearing was received, via certified mail on March 19, 2019. The most recent inspection was on March 29th and as you can see, all the stuff was still there. Staff is recommending a finding of non-compliance, with a compliance date of May 3, 2019 and a hearing to impose fine scheduled for the May 15, 2019 hearing.

The Chairman asked what the setbacks are.

Margaret said 5 feet. She said the carport appears to be right on the property line.

Mr. Petcovic said she has the survey and its 6.1 feet away. She provided the board with the survey.

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The board discussed the survey, with Ms. Petcovic.

Ms. Petcovic said so the only thing that I can do, is get some kind of variance or take it down.

The board agreed.
Ms. Petcovic explained that it has taken her four months to get her drawings. She explained that she is not making excuses, but she couldn't come and talk with anyone without drawings to show what is going on.

The Chairman asked about the construction without permits.

Margaret said it would have to be permitted.

The Chairman asked if the mobile home has been there for a while.

Margaret said yes.

The Chairman said we don't have any subsequent permits, for the sheds and carport.

Margaret said right.

The Chairman explained the violations to Ms. Petcovic.

Ms. Petcovic explained that the only issue now is time. She said that she is very sick with mercury poison. She said that she has to leave the state of Florida, like she has done for the past two summers, because the heat will kill her. She explained that she is not even supposed to be alive right now. She said that she is more than willing to start this process and if she can do something from up there, she will. She said she has looked into hiring an engineer, but needs help because they’re only interested in doing large jobs.

Margaret said the covered wood decking, would also have to be addressed. She said everything going on in the backyard, has not been permitted and will have to be addressed.

Member Leonard said so everything, besides that mobile home should be addressed.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of October 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-277. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

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CEB2019100-PETCOVIC DIANE L           Served
Complaint No. 20180727008
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s)
Property Location: 124 Charles St, Edgewater 32141
Parcel No. 853809001740   Zoning: MH-5W
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on February 28, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of October 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the October 16, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019106-MOSIER JOANIE O           Served
Complaint No. 20190116034
Violation of CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE MH-5 Urban Mobile Home
Property Location: 114 West Loop, Oak Hill 32759
Parcel No. 950600011140   Zoning: MH-5
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on February 1, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received a complaint in January of 2019. She said certified mail went out to Ms. Mosier. She said that she believes Ms. Mosier’s son, is the one that’s been living there. She said we’ve also been in contact with the police, because he has a warrant out for his arrest. Debbie Zechnowitz has had contact with Cindy Wilson, who is Ms. Mosier’s daughter. Ms. Wilson said her mother is out of state and ill and unable to come to Florida. She said she has not seen her, in over a year. Ms. Wilson said Clayton who is the son, is living there but, he’s not supposed to be.

Debbie and Mark Kaufman, Code Compliance Officer, had gone out there on March 13th;
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they had to post the property will all notices. Margaret said all the windows are broken out of it, the roof is funky on one end. She said she’s also been out to that property. She said the truck is sitting there and there’s an outhouse in the back. She said there’s several issues. Staff is recommending a finding of non-compliance, with a compliance date of June 12, 2019 and a hearing to impose fine scheduled for June 19, 2019.

Member Leonard said because it’s not secured and there are life/safety issues, is there anything else we can do?

Margaret said it has no water, no electric and the windows have all been smashed out.

The Chairman asked if we would go in and secure it.

Mr. Nelson said its secured property when it’s occupied. He explained the five day notice they can do, if it’s occupied. He said then, we can secure it or whatever we need to do. He said when it’s occupied, it’s a problem.

Member Wild asked if the health department was involved with this.

Margaret said they went out there, but we’re not sure what the conclusion was. She explained that the outhouse, is a tent that they’ve been going to the bathroom in.

Mr. Nelson said we can look at this for unsafe/dilapidated and see if it meets the definition.

Member Wild said a couple in the past were sanitary.

Mr. Nelson said we were really stretching the rubber band, on what the ordinance was saying. He said that’s really the health department.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of May 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the May 15, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3. After Member Wild SECONDED the motion, it CARRIED unanimously by voice vote.
CEB2019107-MOSIER JOANIE O Served
Complaint No. 20190116035
Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Junk yard where not permitted
Property Location: 114 West Loop, Oak Hill 32759
Parcel No. 950600011140 Zoning: MH-5
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on February 1, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an Order of Non-Compliance with a compliance date of May 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the May 15, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241. After Member Wild SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2019108-MOSIER JOANIE O Served
Complaint No. 20190116036
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: 114 West Loop, Oak Hill 32759
Parcel No. 950600011140 Zoning: MH-5
Code Compliance Officer - Debbie Zechnowitz
Property owner was first notified of the violation on February 1, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Zahn MOVED to issue an First Amended Order of Non-Compliance with a compliance date of May 12, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the May 15, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34. After Member Wild SECONDED the motion, it CARRIED unanimously by voice vote.

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Requests for Discussion of Fines

CEB2018274-REDMOND DONALD R   Served
Complaint No. 20180109032
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). (Enclosed garage area)
Property Location: 28 River Shore Dr, Ormond Beach 32176
Parcel No. 323404000830   Zoning: R-4
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Feb 15, 2018
*Order of Non-Compliance issued at the September 19, 2018 hearing:
*1st Amended Order of Non-Compliance issued at the October 17, 2018 hearing:
*Final Order Imposing Fine Lien issued at the December 19, 2018 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 13, 2019:
* An Order of Compliance was issued at the April 17, 2019 hearing:

Request for Discussion of Fine/Lien of $11,500.00

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The order of
compliance was issued today. Mr. Redmond had two permits pulled; both were finaled,
one January 8·2019 and the residential and gas were done March 13·2019. The fine did
reach its maximum amount. Staff is recommending that the fine be reduced to $1,150.00,
which is 10%, of the capped amount; payable within 30 days.

The Chairman asked the justification for the amount.

Margaret said it’s just the 10%. Margaret read the Florida statute into the record.

The Chairman asked the respondent’s requested amount.

Margaret said $0.00.

The Chairman said we’re down between $1,150.00 and $0.00.

Ms. Blad said it was her fault, because her husband has been sick. She said she tried to
take care of everything and she assumed because the permits were in place…

The Chairman said that the fines had stopped.

Bonnie Blad gave her name and address for the record. Ms. Blad is Mr. Redmond’s wife.

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The Chairman asked when the permits were issued.

Margaret said it was issued just after, the fine was imposed. She said January 8th was the permit, to address the issue with the garage and then the gas installation was done on March 13th.

The Chairman said the permits were issued in late December.

Margaret agreed.

Mr. Redmond said we’ve spent almost this past year, trying to come into compliance. He said its cost me a lot of money, between many people. He said he’s 76 years old with osteoarthritis and he’s been in and out of the doctor’s office. He said he’s been under a heavy medication. He said this house is my only asset; I’m a on a firefighter’s pension and I have social security, which is not much. He said he filed for bankruptcy last year and kept his house and car. Mr. Redmond said he has a sale of the house and he could have had a closing last month, but we didn’t know about the fine.

The Chairman said the title company found the lien.

Mr. Redmond said yes. He said there’s $11,500.00 that we didn’t even know was accumulating. He said he’s supposed to have another closing on the 19th now. He said he was 2 days late for the last meeting, so I’ve had to lower the price of the house. He said the only thing holding me up is this title company. He said I have to settle this, before we can have a closing.

Member Wild directed a few questions to Mr. Cino. He said that $1,150.00 at the rate of the fine was for four days. He said that’s not very long, considering how long the permit was. He said in the past, haven’t we released the fine, if they would escrow whatever the amount is.

Mr. Cino said if they put in escrow at closing. He said we just have to give them a figure. He said we’ve done that before.

Member Leonard asked if Mr. Redmond, understood what Member Wild and Mr. Cino were talking about. She said if a fine is imposed, we could put it in your closing costs; so that it comes out of your proceeds, instead of you having to take it out of your pocket.

Mr. Redmond said I’m hoping that you could see in your hearts, to make it zero. He said it was our fault, my wife signed for it, but I was very ill. He said I was sleeping most of the days, when this notice came. He said she signed for it, but she didn’t inform me. He said we didn’t see the importance of it, until we tried to sell the house.

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The Chairman said this all came about because of the work without permits.

Mr. Redmond agreed, but he said that he worked for a year to bring it into compliance. He said it cost him quite a lot of money and I've had to file for bankruptcy.

Mr. Nelson said the 10% is just a starting point for discussion. He said Mr. Redmond started to solve this issue with the permit, a few days after the fine was issued. Mr. Nelson said staff doesn't have a problem with going to zero, if that's the board's pleasure.

Member Leonard asked if the county incurred any costs.

Mr. Nelson said no and he explained that every day costs are covered. He said they only look for extraordinary costs to be paid.

Based on the evidence and testimony provided, Member Zahn MOVED that the fine/lien be reduced to zero. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2017307-DONOVAN OLGA PATRICIA
AJ BROCK TR 117 IMPERIAL HEIGHTS DR. TRUST

Complaint No. 20170720043

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (2nd story balcony/roofing, etc.

Property Location: 117 Imperial Heights Dr, Ormond Beach 32176

Parcel No. 322107000530 Zoning: R-4

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on August 21, 2017
*Order of Non-Compliance issued at the December 20, 2017 hearing:
*Final Order Imposing Fine Lien issued at the January 17, 2018 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of March 27, 2019:
* An Order of Compliance was issued at the April 17, 2019 hearing:

Request for Discussion of Fine/Lien of $19,900.00

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said the new owners bought the property, while the fine was running and they knew what the issues were. She said they fixed it; they didn’t cause the problem. Margaret said it looks really cute. Staff recommends that the fine be reduced to zero, because they came in, knowing everything that was going on and they fixed it up. She said they got permits and it’s all done.

Rochelle Koburg, beneficiary, gave her name and address for the record.

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The contractor gave his name and address for the record.

Rochelle said that she took ownership of the property in May of 2018. She said they discovered the violation at closing. She said they called the county and explained that they were going to solve the issue.

Based on the evidence and testimony provided, Member Zahn MOVED that the fine/lien be reduced to zero. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018310-YOKEll CARole & MAX J    Served
Complaint No. 20180529031
Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (Crumbling retaining wall)
Property Location: 19 Silk Oaks Dr, Ormond Beach 32176
Parcel No. 322707000130    Zoning: R-4
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Jun 07, 2018
*Order of Non-Compliance issued at the November 21, 2018 hearing:
* Order Imposing Fine/Lien issued at the March 20, 2019 hearing:
Discussion of Fine that is Due to start on April 18, 2019

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, said we’re not going to hear this. She said this was at the request of the owner and she begged and begged to be on here. She said the fine is starting tomorrow and I allotted time for her and she’s not here.

Mr. Cino said you can deny the request without prejudice, so she can come back next month.

Member Wild MOVED because she is not present, we deny without prejudice. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.
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, carport, wood decks and boat docks)

Property Location: 6 Waterberry Cir, Ormond Beach 32174

Parcel No. 412502000510 Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Feb 28, 2017

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

*1st Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

*An Order Imposing Fine/Lien was issued at the March 20, 2019 hearing:

Request to Discuss Fine/Lien that is due to start on April 18, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said the fine is supposed to start tomorrow. She said I'm not sure if there was a misunderstanding, because when they received their order imposing fine/lien Mr. Moore was on the phone. Margaret said she and Samantha West, Planner, has a meeting with the Moore’s. She said they discussed what was needed to start to correct the violation. She said they had to vacate the easement and things like that, to fix their variance issues. Margaret said she believes that they have been talking to Samantha, but they haven’t called me. She said the fine was imposed because, I didn’t hear anything from them. She said they’re here today, to talk about the fine that’s set to start.

The respondents gave their names and address for the record. Mrs. Moore said they’ve just now, gotten the letters from the electrical company saying that we can vacate the easement. She said she just has to submit the application. She said she also needs to figure out how to write the letter.

Mr. Moore said when we tore out the deck, we called Ms. West and Code Compliance.

Margaret said I think you spoke to Chris Hutchison.

Mr. Moore said he left all the information, about tearing down the deck on a machine. He said we had just gotten all the letters from the utility companies, because we were told it could take 6 months. He said we got the new survey and then we were out of the country for three weeks. He said we just got back two weeks ago and received the notice that we’re going to be fined. He said we didn’t know why we were being fined, because we were working with the county.

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Mrs. Moore said it was to our understanding that we were being given time, to submit the application.

Margaret said it was a misunderstanding. She said there was no communication with her.

Mr. Brown asked which easement. He said I don’t remember this case. Is it one of the houses that’s on the county right-of-way? He said it’s not a finger canal, where the county has the drainage easement is it?

Margaret said no.

Mr. Moore said we’re not filling on that side of the property. He said the storm drain is on the other side and we’re okay.

Mr. Brown said we’ve had a few of these come up and I just want to make sure, we’re giving you the right information.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a First Amended Order Imposing Fine/Lien in the amount of $100.00 per day, not to exceed $27,500.00 to begin on October 17, 2019. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

CEB2018337-STOREY MARY FARR TR Served
Complaint No. 20170620060
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). (Rear porch, new footings, new stairs, and stucco)
Property Location: 4713 Van Kleeck Dr, New Smyrna Beach 32169
Parcel No. 743504020070 Zoning: R-4W
Code Compliance Coordinator - Margaret Godfrey
Property owner was first notified of the violation on Jun 24, 2017
*Order of Non-Compliance issued at the September 19, 2018 hearing:
*Final Order Imposing Fine Lien issued at the October 17, 2018 hearing:
*A Report and Affidavit of Compliance was submitted with a compliance date of February 28, 2019:
* An Order of Compliance was issued at the March 20, 2019 hearing:
Request to Discuss Fine/Lien of $9,800.00

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said Mr. Deitrick the engineer, was a private provider and he was doing his own inspections. She

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said he was supposed to be providing the county with affidavits, however he did not have any county inspections done. She said the property owners themselves, did what they were supposed to do. Margaret explained all the other things that needed to be done; she said they only began to meet the requirements after the order of non-compliance was ordered. She said the permit was finaled on March 11th.

Mr. Nelson said when we have a private provider doing the inspection, they don’t do setbacks; they do Florida Building Code only. He said so some of the other things that the building inspectors look at like, drainage and encroachments are not looked at by the private provider. He said the county usually inspects the site twice, before they start the work to make sure it’s not on someone else’s property. He said the homeowners wouldn’t know that; they’d think it’s being taken care of.

Staff recommends that the fine be reduced to zero, because the home owners did they’re due diligence; they did what they were supposed to do.

Based on the evidence and testimony provided, Member Wild MOVED that the fine/lien be reduced to zero. After Member Leonard SECONDED the motion, it CARRIED unanimously by voice vote.

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

* * * *

ADJOURNMENT

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

Respectfully submitted,

____________________________
Meghan Lindsey
Code Enforcement Board Clerk

April 17, 2019
CERTIFICATE

STATE OF FLORIDA:
COUNTY OF VOLUSIA:

I, Meghan Lindsey, 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 ________________, at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this______day of____________, 2019, in the City of DeLand, County of Volusia, State of Florida.

______________________________
Meghan Lindsey
Code Board Clerk