



**VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES**

**April 18, 2018**

**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  
Gerard Smith  
Donald Needham  
Pete Zahn  
Charles Cino, Board Attorney**

**MEMBERS ABSENT**

**Kenneth Runge**

**STAFF PRESENT**

**Chris Hutchison, Zoning Compliance Manager  
Margaret Godfrey, Zoning Compliance Officer  
Russ Brown, Assistant County Attorney  
Meghan Lindsey, Code Enforcement Board Clerk  
Mike Nelson, Building and Zoning Director  
Kerry Leuzinger, Chief Building Official  
Michael Mazzola, Zoning Compliance Officer**

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**APPROVAL OF MINUTES**

**Member Needham moved to APPROVE the March 21, 2018 Code Enforcement Board minutes. Member Wright SECONDED the motion that CARRIED unanimously by voice vote.**

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

\* \* \* \* \*

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## UNFINISHED BUSINESS

### **CEB2017349- PAGNOTTI JOSEPH R**

**Posted**

Complaint No: 20140513018

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA CHAPTER CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (Expired electric permit 20131101003 & propane tank installation)

Property Location: 2 Sea Oats Ter, Ormond Beach 32176

**Parcel No. 321605010840**

**Zoning: R-4**

**Building Compliance Officer – Beverly J Abrahamson**

Property owner was first notified of the violation on Sep 16, 2015

Order of Non-Compliance issued at the January 17, 2018 hearing

Order of Non-Compliance/Impose Fine on February 21, 2018

**Order of Compliance**

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

### **CEB2018024-SANFORD PROPERTIES LLC**

**Posted**

Complaint No. 20171101024

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: 2250 SE 2nd St, Orange City 32763

**Parcel No. 802303000300**

**Zoning: R-4**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 04, 2017

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 2, 2018

**Order of Compliance**

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

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**CEB2018025-SANFORD PROPERTIES LLC**

**Posted**

Complaint No. 20171101028

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

Property Location: 2250 SE 2nd St, Orange City 32763

**Parcel No. 802303000300**

**Zoning: R-4**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 04, 2017

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 2, 2018

**Order of Compliance**

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

**CEB2017371-PARSONS HARRY**

**Served**

Complaint No. 20171012025

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: 1428 Jackson Av, Daytona Beach 32117

**Parcel No. 423301030200**

**Zoning: R-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Oct 13, 2017

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 4, 2018

**Order of Compliance**

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

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**CEB2015012-AKTAR RINA**

**Served**

Complaint No. 20141022035

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

Property Location: 1307 Derbyshire Rd, Suite 1/2, Daytona Beach 32117

**Parcel No. 424219380060**

**Zoning: R-5**

**Building Compliance Officer – Beverly J Abrahamson**

Property owner was first notified of the violation on Oct 30, 2014

\*Order of Non - Compliance issued at the March 18, 2015 hearing:

\*1st Amended Order of Non-Compliance issued at the April 15, 2015 hearing:

\*2nd Amended Order of Non-Compliance issued at the October 21, 2015 hearing:

\*3rd Amended Order of Non-Compliance issued at the May 18, 2016 hearing:

\*4th Amended Order of Non-Compliance issued at the October 19, 2016 hearing:

\*5th Amended Order of Non-Compliance issued at the April 19, 2017 hearing:

\*6th Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 12, 2018

**Order of Compliance**

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

**CEB2017029-MCCLINTOCK DANIELLE CRISTEN**

**Served**

Complaint No. 20161102042

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

Property Location: 126 Brendale Dr, Ormond Beach 32176

**Parcel No. 420302000550**

**Zoning: R-4**

**Zoning Compliance Officer - Margaret Godfrey**

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

\*Order of Non-Compliance issued at the March 15, 2017 hearing:

\*1st Amended Order of Non-Compliance issued at the May 17, 2017 hearing:

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 9, 2018

**Order of Compliance**

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

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**CEB2018072-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171215062

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: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 84480000120**

**Zoning: R-4W**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on Dec 22, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 9, 2018

**Order of Compliance**

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

**CEB2016048-GRAF GREGORY**

**Served**

Complaint No. 20140911004

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

Property Location: 2900 Tangelo Rd, Edgewater 32141

**Parcel No. 844301001620**

**Zoning: RC**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on Sep 15, 2014

\*Order of Non - Compliance issued at the April 20, 2016 hearing:

\*1st Amended Order of Non-Compliance issued at the October 19, 2016 hearing:

\*2nd Amended Order of Non-Compliance issued at the April 19, 2017 hearing:

\*3rd Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. Chris said that a permit for the single family residence is valid until June 25, 2018. Contractor said that they're almost finished with the house; the septic issue is almost resolved. The paperwork is being prepared for the detached garage and the gazebo; a permit application should be in place soon. Staff is recommending a fourth amended order of non-compliance with a hearing to impose fine scheduled for October 18, 2018.

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**

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**scheduled for the October 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2016049-GRAF GREGORY**

**Served**

Complaint No. 20150522017

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s). (Expired Permit #20140327006 for SFR)

Property Location: 2900 Tangelo Rd, Edgewater 32141

**Parcel No. 844301001620**

**Zoning: RC**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on May 26, 2015

\*Order of Non - Compliance issued at the April 20, 2016 hearing:

\*1st Amended Order of Non-Compliance issued at the October 19, 2016 hearing:

\*2nd Amended Order of Non-Compliance issued at the April 19, 2017 hearing:

\*3rd Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case.

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 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2016132-OUELLET MICHAEL & STEVEN**

**Served**

Complaint No. 20160418040

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

Property Location: 468 Old Bubbly Rd, Pierson 32180

**Parcel No. 483202000650**

**Zoning: RC**

**Building Compliance Officer – Christopher R Hooper**

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

\*Order of Non-Compliance issued at the October 19, 2016 hearing:

\*1st Amended Order of Non-Compliance issued at the November 16, 2016 hearing:

\*2nd Amended Order of Non-Compliance issued at the December 21, 2016 hearing:

\*3rd Amended Order of Non-Compliance issued at the February 15, 2017 hearing:

\*4th Amended Order of Non-Compliance issued at the April 19, 2017 hearing:

\*5th Amended Order of Non-Compliance issued at the July 19, 2017 hearing:

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\*6th Amended Order of Non-Compliance issued at the August 16, 2017 hearing:  
\*7th Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. This case did go to the PLDRC on October 10, 2017, for a variance; that was approved. The permit is currently in plans review and they are waiting for more information from the respondent. Staff is requesting an eighth amended order of non-compliance with a hearing to impose fine scheduled for May 16, 2018.

Chair Lingenfelter asked if that was enough time.

Mr. Ouellet said that he did everything that the county asked him to. He said staff wanted him to hire a mechanical engineer and he did that. He said he hired the engineer last month and submitted the paperwork last Thursday.

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 May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2016251-NUVIEW IRA INC**

**Served**

Complaint No. 20160906045

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

Property Location: 2076 2nd Av, Deland 32724

**Parcel No. 700101100330**

**Zoning: R-4**

**Building Compliance Officer – Christopher R Hooper**

Property owner was first notified of the violation on Oct 11, 2016

\*Order of Non-Compliance issued at the February 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, 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 17, 2018; not to exceed \$25,000.00.

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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 with a cap of \$25,000.00 to begin on May 17, 2018.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017091-PERRYMAN OWEN JOSEPH & KAY**

**Served**

Complaint No. 20160725004

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s)  
Property Location: 898 Snook Av, New Smyrna Beach 32169

**Parcel No. 850501540190**

**Zoning: R-9W**

**Building Compliance Officer – Debbie Zechnowitz**

Property owner was first notified of the violation on Jul 28, 2016

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

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

\*2nd Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

\*3rd Amended Order of Non-Compliance issued at the January 17, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. One permit has been finalized. The second permit is good through May 4, 2018. Staff is recommending a fourth amended order of non-compliance with a hearing to impose fine scheduled for May 16, 2018.

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 May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017123-SMITH DENNIS E & KAREN B**

**Served**

Complaint No. 20161025070

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s)  
Property Location: 1530 Chestnut Av, Orange City 32763

**Parcel No. 801600000053**

**Zoning: A-2**

**Building Compliance Officer – Michael Mazzola**

Property owner was first notified of the violation on Nov 04, 2016

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

\*1st Amended Order of Non-Compliance issued at the August 16, 2017 hearing:

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\*2nd Amended Order of Non-Compliance issued at the October 18, 2017 hearing:  
\*3rd Amended Order of Non-Compliance issued at the January 17, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael used his pictures to show the board which structures were permitted and which ones needed to be. On April 6, 2018 the building permit was ready for pick up. Staff is recommending a fourth amended order of non-compliance with a hearing to impose fine scheduled for May 16, 2018.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Fourth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017235-SMITH DENNIS E & KAREN B**

**Served**

Complaint No. 20170717029

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: 1530 Chestnut Av, Orange City 32763

**Parcel No. 80160000053**

**Zoning: A-2**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Jul 20, 2017

\*Order of Non-Compliance issued at the October 18, 2017 hearing:

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

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael went over the pictures in his presentation with the board. He explained that Mr. Smith put a fence up on the property. Staff recommends a second amended order of non-compliance with a hearing to impose fine scheduled for May 16, 2018.

Mr. Smith said that the junkyard is 90% cleaned up. He said his lawnmowers are there. Mr. Smith asked if he needed a permit to build a carport to put his lawnmowers under. The board advised him to check with the building department.

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The Chairman reminded Mr. Smith that they're trying to resolve the issue of inoperable vehicle without a current tag, the heavy equipment and a junkyard.

Mr. Smith explained that he would be using the heavy equipment, to fence in the yard for goats. He said he also needed it for bales of hay. He said it was used for automobiles but it is going to be a piece of heavy equipment. Mr. Smith explained that he talked to John Hawkins at the property appraiser's office, and he said that the equipment could be used for Ag.

Member Zahn asked if May 16<sup>th</sup> was enough time to get rid of the cars.

Mr. Smith said no sir.

Member Zahn said how about 60 days.

Mr. Smith said I've got a bunch of cars; I'm an ex auto mechanic. I've been out here for 20 years.

Member Zahn said I'm afraid those reasons don't meet the county's code requirements for residential. He said that there is a proper way to store them.

Mr. Smith said you can build a structure but it has to be permitted.

Michael explained what Mr. Smith could do to bring the property into compliance.

Mike Nelson, Building and Zoning Director, said that I think we know what we need to do. I just think that it's going to take a little time. My suggestion is that we give 60 days and see where we're at, because he's been making great progress.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec 118.34.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2017236-SMITH DENNIS E & KAREN B**

**Served**

Complaint No. 20170717032

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: 1530 Chestnut Av, Orange City 32763

**Parcel No. 80160000053**

**Zoning: A-2**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Jul 20, 2017

\*Order of Non-Compliance issued at the October 18, 2017 hearing:

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

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017237-SMITH DENNIS E & KAREN B**

**Served**

Complaint No. 20170717033

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

Property Location: 1530 Chestnut Av, Orange City 32763

**Parcel No. 80160000053**

**Zoning: A-2**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Jul 20, 2017

\*Order of Non-Compliance issued at the October 18, 2017 hearing:

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

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Needham

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

**CEB2017128-COPELAND MITCHELL GEORGE**

**Served**

Complaint No. 20140508019

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

Property Location: 3340 Cross Branch Rd, Deland 32724

**Parcel No. 602200000071**

**Zoning: A-1,RC,RC**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on May 09, 2014

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

\*1st Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. A permit was reinstated and valid until April 2, 2018. Staff is recommending a \$50.00 a day fine to commence on May 17, 2018, not to exceed \$27,000.00.

The respondent gave his name and address for the record. Mr. Copeland said that all that's left is a final inspection. There's outside sheathing and he came out and looked at it. Mr. Copeland was told to reinforce it a little more. He said that we couldn't make up our mind what rock to get, so I just kind of blew it off. He said he ordered the siding and it was delivered. He said that it's in his front yard and it's going to go on the house.

Mr. Copeland explained the progress that he made on the property to the board.

The Chairman asked if 90 days would be enough time to do the exterior.

Mr. Copeland said yes.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the August 15, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2017135-THOMAS BRYAN & ALEXANDRIA LOUGHREN**

**Served**

Complaint No. 20160406030

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

Property Location: 1065 Mckenzie Rd, Lake Helen 32744

**Parcel No. 711900000101**

**Zoning: A-2**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Apr 08, 2016

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

\*1st Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. The permit is in plans review. The permit expired April 8, 2018. Staff is recommending an order imposing fine/lien in the amount of \$100.00 per day to begin on May 17, 2018, not to exceed \$36,000.00.

The Chairman clarified that the permit application expired.

The respondent gave his name and address for the record. He said that he has the plans right here that staff requested and he's going to turn them in. He said it's going to answer a lot of questions that staff was asking. He said that he just needs for time. He said he bought the property a year ago and inherited all this mess. He said that the previous owner said that he is going to take care of it but he hasn't.

The Chairman asked if Mr. Thomas would have to re-apply or if they could crack it open.

Mr. Nelson said they'll make it work.

Chief Building Official, Kerry Leuzinger, explained that the permit has expired, the application is fine; we just need to extend the permit.

The Chairman said it had no permits.

Mr. Leuzinger explained that there were two.

Mr. Leuzinger explained the history of the permits to the Chairman.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of**

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**Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**EB2017140-PULLIAM CATHY H**

**Posted**

Complaint No. 20170328065

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

Property Location: 2880 John Anderson Dr, Ormond Beach 32176

**Parcel No. 322104000470**

**Zoning: R-3**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the November 15, 2017 hearing:

\*1st Amended Order of Non-Compliance issued at the December 20, 2017 hearing:

\*2nd Amended Order of Non-Compliance issued at the February 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. The demolition permit expired and the house is still there. The second amended order of non-compliance came back in the mail and that would have been the only notice for this hearing. So staff will post the property for the upcoming hearing. Staff is recommending a third amended order of non-compliance with a hearing to impose fine scheduled for May 16, 2018.

The Chairman asked if there had been any progress on the property.

Margaret said there hadn't. She said that the permit had already been extended once. She said the only reason they're getting an amended notice is because they didn't receive proper notice for this hearing.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Third Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2017181-GREEN KENNETH R & LINDA M COREY GOWING JANE E**  
**Served**

Complaint No. 20170328029

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: 1016 June Ter, Daytona Beach 32119

**Parcel No. 53410600040                      Zoning: MH-1**

**Zoning Compliance Officer - Michael Mazzola**

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

\*The Board continued this case from the September 20, 2017 hearing:

\*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:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. On March 29, 2018, Ms. Gowing recorded the Quit Claim Deed for the property. On April 5, 2018 the violations were still present on the property. Staff is recommending a third amended order of non-compliance with a hearing to impose fine scheduled for May 16, 2018.

The Chairman said it looks like staff is recommending giving you 30 more days. Can you have everything done by then?

Ms. Gowing said that she has everything done.

The Chairman said we'll grant another 30 days, and you can have Mike out to inspect.

Mike asked if the washing machine was gone.

Ms. Gowing said that it's gone.

Based on the evidence and testimony provided, Member Smith **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-287 (B).** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2017184-GREEN KENNETH R & LINDA M COREY GOWING JANE E**

**Served**

Complaint No. 20170328026

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

Property Location: 1016 June Ter, Daytona Beach 32119

**Parcel No. 534106000040**

**Zoning: MH-1**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Apr 11, 2017

\*The Board continued this case from the September 20, 2017 hearing:

\*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:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Smith **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017198-LIVELY MARIA JO & ANGELA S**

**Served**

Complaint No. 20170227044

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

Property Location: 300 Uranus Tr, Osteen 32764

**Parcel No. 921700000032**

**Zoning: ORE**

**Building Compliance Officer - Beverly J Abrahamson**

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

\*Order of Non-Compliance issued at the September 20, 2017 hearing:

\*1st Amended Order of Non-Compliance issued at the November 15, 2017 hearing:

\*2nd Amended Order of Non-Compliance issued at the January 17, 2018 hearing:

\*3rd Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. The permits are valid

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until October 3, 2018. Staff is recommending a fourth amended order of non-compliance with a hearing to impose fine scheduled for October 17, 2018.

Based on the evidence and testimony provided, Member Smith **MOVED to issue an Third Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the October 17, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017302-DAJOMA INC**

**Posted**

Complaint No. 20160415034

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

Property Location: 2 Tropic Winds Dr, Port Orange 32128

**Parcel No. 62260000032**

**Zoning: MH-4**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on May 26, 2016

\*Order of Non-Compliance issued at the December 20, 2017 hearing:

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

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. I went out and visited the property on March 30, 2018, with Mr. D'hondt. There is one mobile home in the park that he has started to work on. Mr. D'hondt said it was his dad's mobile home. He started to clean around it and the side wall. He's done mowing work on the property. These weren't part of the violation but he is working to clean things up. As far as anything else on the property, there's not been much work on any of it, other than he has mowed the grass. Staff is recommending a \$200.00 a day fine, to commence on May 17, 2018.

The Chairman asked if there is a cap.

Chris said that there is no cap on this one.

The respondent gave his name and address for the record. Mr. D'hondt said that he's done considerable work on the property. He said he took down trees that had been knocked down by the hurricanes so that he could gain access to mow the grass. At the last meeting I got the impression that you were all in agreement with me that I would work on my father's trailer to that get that operational. I've been putting a lot of time and effort into rehabbing that home. I pulled all the overgrowth that has grown against the home so that I

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can work on it. I hauled the stuff away from the interior of the home. I've also cut down trees that were overhanging on all the mobile homes that would have eventually caused damage to them. He said that he cut down the vines on the power poles.

The Chairman asked if Mr. D'hondt identified structures that could be saved and ones that could not, when he walked the property with Mr. Hutchison.

Mr. D'hondt said we did not discuss what needed to be removed.

The Chairman said that the violation is for unmaintained structures. They're structures that need to pass our standards and our maintenance ordinance.

Mr. D'hondt said okay, I thought in the last meeting you guys were in agreement with me; that I would work on my father's home.

The Chairman said that's one.

Mr. D'hondt said so that I can draw income off the property.

The Chairman said so there's some that are worth saving, but there's about half a dozen that are too far gone. He said that he was trying to remember, as it had been about six months ago. There are probably ones that are too far gone and then there are probably ones like your father's, which you could work on.

Member Wild said at the last meeting we did ask you to identify, specifically which trailers you are going to try to maintain and which ones were unmaintainable, so that you could remove them. I hoped that would happen, so at least you could get rid of the trailers that are not repairable.

Mr. D'hondt said that there is only one that is not repairable.

Member Wild said at the last meeting you identified 3-6 that were not.

Mr. D'hondt said that his biggest concern is which home he wants to keep, depending upon its location in the park. He said that's still up in the air, unfortunately I can't decide where I want to concentrate on; which homes that I want to keep to rent out and which I need to move off site.

Member Wild said time is running out, you're going to have to do some of that stuff quickly. If we were to follow the county's recommendation, time runs out real quick.

Mr. D'hondt said I'm working right now; school gets out at the end of May. I'll have the whole summer to apply full time to the project. Day Light Savings Time gave me an extra  
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hour of daylight. I'm moving along; I feel.

Member Wright said in the past you indicated that you had some type of central sewage system, that's no longer functioning. If you repair this mobile home, how will you handle that situation?

Mr. D'hondt said this one has its own septic system.

Kevin Scheer gave his name and address for the record. He gave testimony as a witness. He said that the park was closed down in 2006, for code violations. He has approximately 40 homes there; out of that 40, I don't believe any of them are habitable. Since the last meeting which was only three months ago, the wall just fell down from the unit that faces my property; you can see inside the structure. Another unit that you can see from my front yard, the roof peak just fell out; animals, birds and rain just go in. These homes are in such bad condition that when a storm comes, the roofs just flap around. I'm not talking about hurricane straps that are broken; I'm talking deplorable conditions.

Mr. D'hondt has had since 2006, if he was ever going to clean any of this up. Every time, I'm a school teacher; when I get out for summer I'll fix it. He hasn't fixed it. He's not going to fix it, unless you make him fix it. I'm concerned that hurricane season is coming up and this stuff that will be flopping around, will be all over the neighborhood. He said recently I was in Daytona Beach and I saw a home like Mr. D'hondt's; it wasn't as bad, but it was boarded up. There were orange signs that said danger, don't go in. I think that the county could look at these structures and say this is a danger to the community. He said that the county could board them up and put up signs. I don't think we need to wait, until some kid from the neighborhood goes into one of these structures; falls through the floor, gets a piece of rebar through his spleen and dies. Mr. D'hondt will be responsible but I believe that the county will be responsible because you know how bad this is. You need to take action to move this along quickly; he's had years and hasn't done anything. He cut the grass. I cut my grass every week, not once every ten years.

The Chairman said what about CLCA.

Mr. Nelson said we can refer it to CLCA but there is a big disconnect on the condition of the units and what Mr. D'hondt feels are fixable. He said we're looking at 50 something mobile homes, and we're looking at a total budget for the demolitions for the CLCA being \$50,000.00. He said we've already spent about \$30,000.00 this year. Financially, realistically we're not going to be able to just go in and clean it up. We can take it to CLCA and get some condemnations on it. The only other root, which I would welcome from the board here, is a few of these structures at a time as the budgets permit. There's no endless supply of money, there's no big bank account; that's why some of these things we don't ask to go further.

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There was a case with the Deland Airport, where we had a similar situation; that's the budget for Building and Zoning. That's not just the budget for demolition.

Member Needham asked if we have the ability to go in there and assess.

Mr. Nelson said that's not something that we should be doing; assessing unit by unit. If Mr. D'hondt would want to save the units, then maybe an assessment should have been done. That's not the county's responsibility. He said what I'm going to suggest is that the fine be imposed. Let's go ahead and follow the recommendation and refer to CLCA.

Maryanne Kovatch gave her name and address for the record. She provided testimony as a witness. She said that her property is diagonally adjacent to the Mr. D'hondt's property. She said that she's dealt with code violations, livestock running free for 28 years. Those trailers have been vacant for 12 years; they weren't in great shape to start with. They're old. There are health and safety issues that need to be addressed. Yesterday, I heard children playing in the woods and we've had two or more fires, started by whoever travels through there. Since no one lives there, I don't know where they're coming from. It just seems to me, that code enforcement is a joke to Mr. D'hondt. I think he comes in here and tells you what he thinks you want to hear. How long can you keep putting this off? It's not since 2016, this has been going on for years.

The Chairman said that he counted 56 dots on the screen.

Mr. D'hondt said that there are 56 units.

Mr. Nelson said that the county could look at the units and determine which ones are unsafe or dilapidated. At that point we could take the ones that meet the definition to the CLCA for condemnation. He explained the process for condemnation per the ordinance to the board.

Board Attorney, Charles Cino, said that the county doesn't want the property in terms of foreclosure. He said the CLCA is the best option.

Mr. D'hondt asked what the CLCA board was.

Mr. Nelson explained what the CLCA board is able to do.

Mrs. Kovatch asked if the condemnation of units would be all or nothing.

Mr. Nelson said that he believed that it would have to be done a little at a time.

Member Wild asked if the cost of that would fall to Mr. D'hondt.

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Mr. Nelson said yes. He said that code enforcement board liens could be reduced at another hearing whereas the CLCA are hard costs; those would have to be paid. Mr. Nelson said that there's no way to recover it. Once there's a demolition lien it has to be paid or it's foreclosed on.

Assistant County Attorney, Russ Brown, said that normally he would agree with Mr. Cino, but the case was a special circumstance. He said normally the case would be dismissed and then referred to the CLCA but given the gravity of the situation a fine could be put in place until the property does go before the CLCA. He then explained how the CLCA works and how Mr. D'hondt might go about getting a reduction of lien.

Mr. Cino said you could do that.

Member Needham said so we keep it on our docket, while it goes to CLCA.

Mr. Brown said yes sir; it wouldn't be a dismissal to the CLCA, it would be a fine with referral to the CLCA for their consideration for the dilapidated structure part of it. That way it's still on your radar and we continue to get updates from Mr. D'hondt as well as CLCA takes their process forward.

Mr. D'hondt said that in 2006 when he closed the park, all the homes were habitable. He said statements made contrary to that, are false. As for fires in the park, there were no fires in the park. Years ago a resident and his grandson went into the woods and lit the woods on fire but I put it out; it was no big deal. As for children playing in the park; the park is closed off. It's fenced on all sides. There are no children in the area that would want to play in the park.

Member Wild said if you look at the pictures of some of those structures, you certainly can't object to the necessity of tearing them down and getting rid of them.

Mr. D'hondt said I'm fixing them.

Member Wild said but you haven't fixed them; you haven't fixed them in years and years.

Mr. D'hondt said things have gotten out of control because of the hurricanes.

Member Wild said it's not from the hurricanes. Some of that stuff is a lot older than the hurricanes, unless you want to go back to '56 or something.

The Chairman said you don't live on the property; correct?

Mr. D'hondt said no, I'm there every day though.

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The Chairman said you just have a chain across the road.

Mr. D'hondt said yes.

The Chairman said that's not very secured from people traversing the property.

Mr. D'hondt said well they can't drive in it, they're not supposed to drive in it. He said they knock poles down and cut the locks.

The Chairman said so it's accessible to children, beyond your ability to know that, because you're not on the property.

Mr. D'hondt said what do you want me to do, if I put a 6ft fence around it and they want to get in, they'll climb it. They'll go through the woods to get into my property.

Mr. Scheer said that he understands that it's a big expense to remove these structures, but even if you could just remove the worst ones that are flip flopping in the breeze, that would be a great win.

Member Zahn said we can't be selective because this is a violation that is for the whole property. It's a great suggestion but it's not practical.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$200.00 per day to begin on May 17, 2018. The board further ordered that the case be referred to the CLCA.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017321-WILSON JAMES ROGER**

**Served**

Complaint No. 20170530031

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: 1204 Leon Ln, Daytona Beach 32117

**Parcel No. 523705000160**

**Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Jun 02, 2017

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

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Margaret Godfrey, Compliance Officer, presented the case. An onsite inspection showed that the vehicles have still not moved. Staff is recommending an order imposing fine/lien with a fine of \$25.00 per day to commence on May 17, 2018, not to exceed \$6,000.00

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day with a cap of \$6,000.00 to begin on May 17, 2018.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017351-DENNISON HOLLY JANE**

**Served**

Complaint No. 20160912016

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (Pole barn, change of use, addition of plumbing, 2 sheds and an above ground swimming pool)

Property Location: 725 Still Rd, Pierson 32180

**Parcel No. 590400000310**

**Zoning: FR(4),RC**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on Sep 15, 2016

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

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

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. There was an application submitted for a permit on January 4, 2018, for a shed; it is going through the review process. No permit application has been submitted for the conversion of the barn. The permit for the laundry room rear deck is still expired. An affidavit stating that the electric was inspected and safe was submitted. Staff is recommending a fine of \$50.00 per day, to commence on May 17, 2018, with a cap of \$10,000.00.

The respondent gave her name and address for the record. Ms. Dennison said that she has a problem with one thing. She said that is a storage shed, not a living space; we do not live there. She said that she lives at 1471 Francis drive because I cannot live there. My cousin lives in the mobile home there. I hope copies of the master plans for the shed that I submitted. She said I had to obtain them, because I had a problem getting them from the place where I bought the shed. She said that it does not tell you that you need a permit; otherwise it would have been permitted in the first place.

She said that her ex-husband told her that the permit was finalized and she did not know that it expired. She said the stove is not connected. The only things that are connected are the

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two fridges; I have dogs. I have Pit Bulls that I'm not going to allow to go running around the neighborhood and scare people. She said that she keeps food and cold water in the fridges for them.

Ms. Dennison said that she finally found an architect that would work with the existing structures. He's looking over the paperwork trying to get some engineer drawings for the storage shed.

The Chairman asked what are we doing about the barn.

Ms. Dennison said that's just a storage shed. I have to put my furniture somewhere; I live with my sister. She said that the stove, washing machine and furniture are in there for storage.

Ms. Dennison explained to the board her plans for the property.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day with a cap of \$10,000.00 to begin on June 20, 2018.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017375-HOMETOWN HOUSING**

**Served**

Complaint No. 20160418044

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

Property Location: 251 Evergreen Ter, Deland 32724

**Parcel No. 603812000450**

**Zoning: MH-5**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on Apr 23, 2016

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

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

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. There has been no change on the property since the April 3, 2018 inspection. Staff is recommending a \$100.00 a day fine, to commence on May 17, 2018, not to exceed \$5,000.00.

Member Wild asked if the county wants this property.

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Chris said I don't think so, that would be a Russ question.

Member Wild said why the \$100.00 a day fine.

Mr. Brown said as opposed to?

Member Wild said are we after compliance or we after the property?

Mr. Brown said I think you're always after compliance.

Member Wild said no what I mean is, usually when we set the fine that high, it's because there's some kind of reason.

Chris said well at the last hearing, there was a first amended order of non-compliance issued to the property owner to give them more time, but they haven't done anything.

Mr. Nelson said isn't this the one where they're playing hide and seek with the junk.

Member Wild said okay.

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 with a cap of \$5,000.00 to begin on May 17, 2018.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017389-MESICK WILLIAM E TR**

**Served**

Complaint No. 20171026030

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: 1448 Flomich St, Daytona Beach 32117

**Parcel No. 423301020240**

**Zoning: R-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 03, 2017

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. The property is still not in compliance. Margaret talked to Mr. Mesick the day before and he said he was going to put mulch down where the Buick is. Staff is recommending a fine of \$50.00 per day, to begin April 18, 2018

on May 17, 2018, not to exceed \$6,000.00.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day with a cap of \$6,000.00 to begin on May 17, 2018.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018044-JACOBS ROBERT**

**Posted**

Complaint No. 20170817026

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: 1035 N Hill Av, Deland 32724

**Parcel No. 700300000160**

**Zoning: A-3A,RRA**

**Zoning Compliance Officer - Christopher R. Hooper**

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

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. The last inspection was on April 5, 2018. The site and conditions remain unchanged. Staff is recommending a fine of \$50.00 per day, per case to commence on May 17, 2018, not to exceed \$2,500.00 per case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day with a cap of \$2,500.00 to begin on May 17, 2018.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018045-JACOBS ROBERT**

**Posted**

Complaint No. 20170829010

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

Property Location: 1035 N Hill Av, Deland 32724

**Parcel No. 700300000160**

**Zoning: A-3A,RRA**

**Zoning Compliance Officer - Christopher R. Hooper**

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

\*Order of Non-Compliance issued at the March 21, 2018 hearing:

**Hearing to Impose Fine/Lien**

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The respondent was present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day with a cap of \$2,500.00 to begin on May 17, 2018.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018064-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20180119034

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

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 84480000120**

**Zoning: R-4W**

**Environmental Specialist II - Brenda Borgiet**

Property owner was first notified of the violation on February 7, 2018

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case. Since the cases were brought before the board on February 28, 2018, one of the cases was found in compliance. To date, no work has been completed on the property; the inspection that we performed last week showed that.

Brenda said that work on the property continues to this date.

Chris said work is supposed to have stopped. A fifth stop work order was issued. Staff recommends a fine of \$250.00 per day, per case to commence on May 17, 2018.

The Chairman asked if there had been any efforts to apply for this work.

Brenda said that there were no permits, as of today's date.

Member Wild said there haven't been any tree removal permits.

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Brenda said no sir.

Member Wild said there hasn't been anything done with the construction, with regard to the small shed and electrical alterations.

Chris said when we were over there last week, they could not let us in to check that out. They said that they didn't have the keys at the time; nothing has been done there.

Member Wild asked if there was still heavy equipment stored where not permitted.

Chris said there is.

Member Wild said I guess the setbacks haven't changed.

Chris said no.

Member Wild said you don't have any permits for excavation.

Brenda said no.

Member Wild said we don't have a wetland permit.

Chris said no permits.

Member Wild said still maintaining an RV, boat or trailer without current stickers.

Chris said yes, this is still a valid violation. The boats are still there.

Member Wild said the shipping containers are still on the site.

Chris said yes.

Member Wild established that the 35% native vegetation is probably still valid, since it was taken out. You had a stop work order that has not been observed. Is that correct?

Chris said correct.

Member Wild asked what type of construction are they doing?

Chris said they're working on a seawall. I'll let Mr. Thomson give the information on that. At this time, they are still working on the seawall. I believe that they're working on it to try to bring some of it into compliance. We received another complaint yesterday that the work is  
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still going on.

Mr. Thomson said that he became involved with Mr. Sanchez just a few weeks ago. I came to Volusia County to meet with staff and everybody that was involved with all of the different violations. On April 5, 2018, was my first meeting here onsite and since then we've kept in constant contact with everybody at the county. I wasn't involved at the time of the hearing with the violations. I only got involved afterwards. I met with everybody just to find out about the violations. I've been able to understand fully the nature of the violations, the history of the relationship and some of the problems and some of the reasons why. One of the things we were planning with staff was a plan of action, in order to bring this site into compliance.

Mr. Thomson said that we met with staff onsite to see how to bring the property into compliance. He said obviously these violations cannot be brought into compliance easily without permits. My last meeting was on Thursday or Friday. I met with staff to come up with a little more specific plan; exactly which permits, about getting a survey done and getting all the different permits in place. What I'm asking for today is rather than the imposition of fines, to allow me to work with this client to get all of the different applications for permits in place. He said that's going to take some time. He said we may need variances.

When they bought the property there were already existing violations; the garage had been turned into an apartment. When Mr. Sanchez bought the property, he didn't realize it was a non-compliant issue. That brings forth the setback issue. There's neighbors that call every day, several times a day. I physically took my client a stop work order. Mr. Sanchez was trying to wind down the work because you can't just stop an operation like that. It just took a couple days to wind that down. There are no operations going on today.

Member Wild asked Mr. Thomson if he felt that he had a plan of action.

Mr. Thomson said we do have a plan of action.

Member Zahn said does the county feel you have a plan of action.

Brenda said I believe that the fines should start on May 17<sup>th</sup>. That gives him an additional month and at that time we'll see where he is with this. I understand that it is going to take some time with the surveyor and that type of thing; additional work had gone above and beyond since March 30<sup>th</sup>. He's installed another section of seawall across the canal. He did more dredging activity within the property boundaries. I understand he has to equalize the water level in order to pull that piece out of the canal now. You can see there's been a lot more work that's gone on that property since our last hearing.

Member Needham asked what Brenda's area of concern with the property was.

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Brenda said that dewatering and dredging within that basin. To get the proper depth is probably what he's trying to achieve at this point before he can pull that extra piece of that seawall out of the canal. Brenda said that the attorney said the activity is to remove the seawall. Brenda said that all construction activity should stop until the permits are pulled and issued.

Member Needham asked if any permits had been pulled.

Brenda said no.

Member Needham asked Mr. Thomson if he felt that he had a handle on the situation.

Mr. Thomson said that he believes that they're going to get cooperation. He said he's been told that and he has no reason not to believe that. He said he's doing the best he can to remedy the situation. He said there's a lot of misunderstandings. He said his client received approvals and permits from DEP and he thought he didn't need anything else. He said he didn't have legal counsel at the time.

Mr. Thomson said the goal is to make him become compliant.

Member Zahn said that the concern from the county's end is that there hasn't been a good track record so far, so a common practice from this board is to place a fine with a time certain; with enough time for you to accomplish some of these actions and demonstrate that things are moving ahead. He said that, that date can be amended in accordance with the actions that have come down. It sounds like you're asking for additional time, so that you can accomplish these things.

Mr. Thomson said all I'm looking for is to delay the imposition of a fine, so that we can get these things accomplished.

Member Zahn said that the fine doesn't stop you from beginning the process.

Mr. Thomson said it's a penalty and I'd like to delay the imposition of it.

Member Zahn said that it's not a penalty. The penalty doesn't begin until the day after our next meeting. He said there's plenty of time to discuss that; it's not implemented until that time.

The Chairman asked if a surveyor had been secured.

Mr. Thomson said that they have and that they have coordinated with Scott Ashley, who is very familiar with him.

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Member Wild said that there is no work going on out there that you know of.

Mr. Thomson said just clean up. The pumps are off.

Member Wild said is there anything that needs to be done, to safeguard the site.

Mr. Thomson said I think that's what they've been doing, in order to get things safely closed down.

Brenda said I think a turbidity curtain fix would definitely help at this point; it's in the canal but it's not necessarily functioning. The rope can't be floating in the water, it has to be tied back to the land to prevent erosion. He's caused issues on adjacent properties.

Member Wild said is there anything in the way of remedial that needs to take place.

Brenda said that the floating turbidity curtain needs to be fixed, to keep the sediment from going out into the canal.

Member Wild said if he did that, would he be in violation of the stop work order.

Brenda said no.

Mr. Thomson said I don't understand that. He said I would be happy to do that, but I don't want to violate the stop work order.

Brenda said by fixing that, it's helping the situation; we are allowing you to do that, even under the stop work order.

Mr. Thomson asked Brenda if she's be more specific about that later.

Brenda said she would.

The board discussed whether or not they should do an amended order or begin a fine.

Mr. Nelson said that he would really like to see this recommendation from staff be upheld.

Member Needham said we're going to get a progress report at the next hearing anyway.

Mr. Nelson said at the next hearing, if progress is being made, we can deal with it then. He said obviously it's the board's discretion.

After discussion and based on the testimony and evidence presented, Member Zahn  
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**MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018065-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171116018

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (Seawall, metal carport/storage type structure, small shed electrical alterations and extensive garage alterations)

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on December 8, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018066-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171116020

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Heavy equipment stored/parked where not permitted. (Back hoe)

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on December 8, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

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Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018067-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171116027

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277 You have failed to observe the required setbacks. (Unpermitted accessory structures may not meet setbacks)

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on December 8, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018069-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171207058

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Excavation without the required permits, exemptions and/or approvals (dredging a canal)

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on Dec 08, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

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**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018070-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20160401026

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

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Environmental Specialist II - Brenda Borgiet**

Property owner was first notified of the violation on Apr 04, 2016

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018071-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171215061

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: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

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**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on December 21, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018073-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20171215063

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Converting a shipping container(s) to an accessory structure and using it for storage

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on December 21, 2017

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2018074-SANCHEZ ROBERT J**

**Sheriff Served**

Complaint No. 20180130038

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 16 SECTION 72-1100 Description: Less than thirty-five percent (35%) of the lot contains native vegetation.

Property Location: 174 Poinciana Rd, Edgewater 32141

**Parcel No. 844800000120**

**Zoning: R-4W**

**Environmental Specialist II - Brenda Borgiet**

Property owner was first notified of the violation on February 7, 2018

\*Order of Non-Compliance issued at the February 28, 2018 hearing:

**Hearing to Impose Fine/Lien**

The respondent was present for the hearing. Peter Thomson represented the respondent.

Chris Hutchison, Code Administration Manager, and Brenda Borgiet, Environmental Specialist II, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$250.00 per day, per case to begin on May 17, 2018 until compliance is achieved.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**X. Hearings and Presentation of Filed Notices of Violations**

**CEB2018196-EJ RICHARDS HOLDINGS LLC**

**Hand Delivered**

Complaint No. 20180327058

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Any person placing, installing or adjusting any facility on County property shall have been issued a use permit prior to the commencement of construction. A facility includes driveway connection to a County road and overhead, on and underground utilities

Property Location: 1250 E Taylor Rd, Deland 32724

**Parcel No. 702700000030**

**Zoning: A-2**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on March 29, 2018

The respondent was present for the hearing. Mark Watts, represented the respondent.

Chris Hutchison, Code Administration Manager, presented the case. This complaint was

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received on March 14, 2018. The notice of violation and notice of hearing was hand-delivered on March 29, 2018. The notice of violation and notice of hearing was also mailed via certified mail; both notices were signed for on April 3, 2018. Chris showed the March 29, 2018 inspection pictures in his presentation, to show the unpermitted driveway. He showed the damage to the sidewalk caused by the driveway. The sidewalk was cracked. The driveway is unpermitted and was not supposed to be used for commercial use. Staff is recommending a finding of non-compliance with a compliance date of May 3, 2018 and a hearing to impose fine scheduled for May 16, 2018. We are also recommending that they cease to use the driveway.

The Chairman said they would have needed to get a driveway permit, from the county and then build it per county standards.

Chris said correct.

Member Smith asked if the driveway was the only access to the property.

Chris said no, there's a residential driveway.

The Chairman asked if some configuration of his driveway be permissible.

Joe Spiller, Development Engineering, said there's two different kinds of drives; commercial and residential. The property now is a residential use. We have received a use permit submittal to look at a residential drive, we don't know if we are going to move forward with that, for commercial purposes earlier on. What we're going to do, is utilize the use permit that's in place right now to restore the right of way; which was one of the options that we had listed on the notice of violation for both of them. We're looking at restoring the right of way and constructing the sidewalk in the area.

Member Needham said I think you said there was damage to the roadway.

Joe said no the pavement is still in good condition, the edge hasn't broken up. That's one of the reasons why we do paved driveways on paved roads.

Member Needham asked who is responsible for the restoration of that.

Joe said it would be the person who damages it. He said sometimes we can get compliance on our own and approaching them and showing them the problem.

Member Needham asked if that had been done.

Joe said this one has not failed yet, but the sidewalk is a problem; we do have public schools in the immediate area and we wish to get it repaired.

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Member Wild said this is presently viewed as residential, even though it's going to be commercial.

Joe said I think they're pursuing a commercial use in the future. We're not recognizing that at this time. What we're trying to proceed with is getting the right of way restored.

Mr. Brown said what's before the board is just the residential driveway ordinance. That's all.

Mark Watts gave his name and mailing address for the record. Mr. Watts said there's a little more complication with this just because there's a use issue that's tied into it all. For those of you that aren't familiar with the property, this is the Bridal Oaks event venue; wedding venue and things of that nature. It is constructed as an agro tourism use, staff is working on creating a special exception for these type uses around the county right now. So we're sort of in a little bit of a gray area, between a residential and a commercial type use. Which is why I've asked to give us 60 days to work through things.

Mr. Watts said we did submit a use permit application, about a week or two ago; just to have that permit in the system, so that we have a way to work forward. But since we're in the middle of trying to fix that, Joe and I spoke a few moments ago, and we understand that the immediate issue is the damage to the sidewalk. We're happy to do that; we've already submitted a building permit application for that concrete work. He said it was initially turned down but now it's under review.

I've been involved for two weeks now and we've met onsite with staff already last week to hear some of their principal concerns from the use side; we're continuing to work with them on that. I'd ask for 60 days just to make sure that we're clearly defining what we're doing with regard to the driveways. I think our ultimate plan is going to be to remove one of those driveways; just go to one driveway, which I think addresses the spacing concerns that staff has.

There's other work that is going on adjacent to us with the Victoria Oaks project; that involves a use permit and other improvements to the roadway. We want to make sure everything is coordinated and done correctly out there. If you give us a little bit of time, I think we'll have the immediate work done in short order. That gives us the time to make sure that we're coordinating and not doing something that we're going to have to tear out.

Member Zahn asked if there were any dangerous situations out there.

Mr. Watts said not in his opinion.

Joe said we just have the sidewalk issue. We have problems with trip hazards with a  
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sidewalk that isn't level and things like that.

Mr. Watts said that was the immediate issue that was explained to him, at the County Council meeting. He said that he actually offered to bring in a check today for the sidewalk fund.

Member Zahn asked about time and said that the driveway would be a process. Mr. Watts said I think we can agree that we'd have the sidewalk fixed before that. So if you wanted to bring that one back in 30.

Member Zahn asked if it was Mr. Watts' intent to take care of the sidewalk, within weeks.

Mr. Watts said that it is.

Member Zahn said that I'm willing to give you 60 days if the sidewalk is taken care of in 30.

Mr. Watts said before your next hearing.

Joe said one of the other staff recommendations, is to cease use of the driveway.

Mr. Watts said and that's the other thing; while we're working through how this is going to be permitted, it's an ongoing operation there. We feel like it is something that is permissible under the state statute relating to agro tourism, we're not choosing to push that point because we're working with staff to come up with a special exception to handle the permitting here. In our conversations with staff onsite last week, we talked about was there are a number of events that are scheduled at the facility. We had an understanding with staff last week that none of that is going to be interrupted. That we would be working through the months of July and August principally when things tend to shut down out there. I've asked them to hold off on requiring us to cease using the driveway during this interim period.

Member Zahn asked if that was completely new construction.

The respondent said that the driveway has been in existence since they bought the property.

Member Zahn asked is there any safety concern with the proximity of the driveways.

Joe said yes Pete, I'm glad you brought it up. First off as far existing/non-existing drives and uses; we had the permit come in when they built the barn that was in 2015. The westerly driveway, which is paved was shown on that survey was in place. It looks like from historical aerials that they may have been utilizing the other one as a secondary type of use. It was never recognized by the county as far as a permitted drive or anything like that.

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We strive to protect the roads and sidewalks; things like that.

Member Zahn said it came on the radar when all this improvement came in and the sidewalk and all of a sudden now its noticed.

Joe said we had the submittal for Victoria Oaks; we went out and looked at the side, a couple things that we look at are drives, businesses, residential properties in the area to see how it could impact the surrounding areas. We noticed the driveway and the damage to the sidewalk at that time.

Member Zahn asked if there had been any accident reports related to that additional traffic going in and out of there.

Joe said that he's not aware of any accident reports at the moment.

Member Zahn said that the reason he was asking is to make sure that we're not creating a dangerous situation by giving the 60 days. It's been there before and nothing's happened yet, so another 60 days isn't going to be dangerous.

Mr. Watts said that we certainly understand the county's concern with a trip hazard. I'm more than happy to work with staff, to get that done quickly and correctly.

Member Zahn confirmed that there weren't conflicting traffic patterns.

Member Zahn asked when you mentioned work in July and August you didn't mean the sidewalk.

Mr. Watts said no, the sidewalk is something that we'll work with the county immediately to get that squared away.

Member Needham asked if it is acceptable with the county for the respondents to continue to use the driveway.

Joe said it's my understanding no, but we do work and consider the amount of use going into a certain driveway. So we would look at that when we get it in front of us to discuss with traffic engineering. Right now, we have to say no; no commercial use it's only a residential.

Mr. Watts said we're working with them and we've had productive conversations with county staff. A resolution is at hand. There is also a nursery on the property, so there's sale of plants and other materials that have grown on the property; there's a solution here, we're just working with staff.

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Mr. Brown said with the Farm Act and some other things going on, there's a lot of different moving parts with this. I think the most important thing that Mr. Zahn noticed; get the risk for the tripping hazard fixed. I think 60 days in talking with staff is reasonable, as long as we get that fixed within a short amount of time.

Member Zahn asked if two weeks to repair the sidewalk is a reasonable amount of time.

Mr. Watts said it was.

Member Zahn said under discussion it was in our discussion, and it was agreed to that you will work with the county; so that you can control that, so there isn't a safety issue.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with the stipulation that the sidewalk be repaired to the county's standards within two weeks of this hearing and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 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.

**CEB2018197-EJ RICHARDS HOLDINGS LLC**

**Hand Delivered**

Complaint No. 20180327066

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Driveways are required to be paved within the public right-of-way along all existing paved roadways

Property Location: 1250 E Taylor Rd, Deland 32724

**Parcel No. 70270000030                      Zoning: A-2**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on March 29, 2018

The respondent was present for the hearing. Mark Watts, represented the respondent.

Chris Hutchison, Code Administration Manager, presented the case.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with the stipulation that the sidewalk be repaired to the county's standards within two weeks of this hearing and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 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.

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**CEB2017383-LAMB JAMES E**

**Posted**

Complaint No. 20171012008

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

Property Location: 1636 San Jose Blvd, Daytona Beach 32117

**Parcel No. 424219170210**

**Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Oct 14, 2017

The respondent was present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. On October 12, 2017, staff received a complaint about the RV on the property. There was originally a house there but it was demolished a couple of years ago. The certified notice of violation was signed for by Mr. Lamb. On October 20, 2017, Margaret received a phone call from Mr. Lamb; he requested additional time so that he could get the RV off the property. He asked if he could have until the middle of November. On November 22, 2017, Margaret inspected the property and found that the RV was still there.

On February 2, 2018, the property was posted with the notice of hearing. On February 28, 2018, Margaret received a call from Mr. Lamb; he stated that he had the property cleaned up but the RV was still there. As of a week ago, the site and conditions remain unchanged and the property is now for sale. Staff is recommending a finding of non-compliance, with a compliance date of May 5, 2018 and a hearing to impose fine scheduled for May 16, 2018.

The respondent gave his name and address for the record. Mr. Lamb said that he had a salvage guy come in and take the camper. He explained that the salvage guy took what they wanted from the camper and left a pile. He explained that he has work to do.

Member Wild said so what you're saying is, you don't have an RV per say, you have a pile of junk.

The Chairman said so they stripped it.

Mr. Lamb said they were supposed to take it.

Member Needham asked Mr. Lamb is he paid them.

Mr. Lamb said that he gave it to them.

Member Wild said now what is it.

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Margaret said now it's a junkyard case. She said that she is going to have to go out and inspect, to see what's out there. She explained to Mr. Lamb, that no matter what's out there it has to come out.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of May 12, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-277 (C).** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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

Complaint No. 20170629039

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

Property Location: 1213 David Dr, Daytona Beach 32117

**Parcel No. 523703060190**

**Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

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

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. Back in June, staff received a complaint about a carport that was being converted into a living space without permits. An onsite inspection, confirmed the violation. The property appraiser had classified it as an unfinished carport, not a living space. On November 13, 2017, the property was posted with the notice of violation. The certified notice of hearing was received and signed for in December by Gidget Howard.

Margaret has had a few conversations with Ms. Howard; she told Margaret that she had a contractor and he had submitted a permit application. There is a permit application for a demolition, which was submitted yesterday afternoon. The application expires on June 16, 2018, but it is just in the application status right now. Staff is recommending an order of non-compliance.

The Chairman asked if the demolition permit was to take down what was done in the carport.

Margaret said I think so.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order**  
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**of Non-Compliance with a compliance date of May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017396-ZIEGLER MARY L**

**Posted**

Complaint No. 20171020012

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (3 Expired permits: Electrical permit #1990413001, Pool permit 19990507033, and Mechanical permit #2015051100)

Property Location: 1 Sunset Blvd, Ormond Beach 32176

**Parcel No. 322705000220                      Zoning: R-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Oct 30, 2017

***This case was **CONTINUED** to the July 18, 2018 hearing.***

**CEB2017402-MARTIN EDWARD JAMES JR**

**Posted**

Complaint No. 20171107036

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). Expired electrical permit #20091229012. Expired on 6-29-1

Property Location: 1953 Linda Av, Ormond Beach 32174

**Parcel No. 424213020190                      Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 20, 2017

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. Back in November, this originally started out as a vehicle violations; cars without tags, which has since then, been taken care of. Upon doing research, there was a system put in that went from 60-150 amps and no inspection requests were ever made. It has been done; he himself, admitted that it was done. He just never called in for an inspection. He received the notice of violation on November 20, 2017.

Chief Building Official, Kerry Leuzinger, said that if he calls in we can just send somebody out there to inspect it, but he has to be home so that we can be granted access. Margaret said that she spoke to Mr. Lamb and then transferred him to inspections but that nothing has been done. Staff is recommending an order of non-compliance with a compliance date of May 2, 2018 with a hearing to impose fine scheduled for May 16, 2018.

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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 May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017405-VAN CLEEFF DANNY RICHARD**

**Served**

Complaint No. 20171107044

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: 1548 Granada Av, Daytona Beach 32117

**Parcel No. 424219110170**

**Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 17, 2017

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. On November 7, 2017 an onsite inspection showed a dilapidated home with an overgrown lot with a utility trailer. This property has already been before the board, for building without permits. She showed the board pictures that conveyed the decline since the first time it came before the board. Margaret said that nothing has been done.

A certified notice of violation was received by Danny Van Cleeff, on November 20, 2017. Certified notice of hearing was received by Danny Van Ceeff on December 18, 2017. There's been no contact with the property owner and the site and conditions remain unchanged.

Staff is recommending a finding of non-compliance and an order of dismissal for the single family residence, with referral to the CLCA. An order of non-compliance with an order of dismissal for the lot maintenance case, because it's actually a vacant property, we can refer it to our county contractor. An order of non-compliance, with a compliance date of May 2, 2018 and a hearing to impose fine scheduled for May 16, 2018, for the trailer.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance and an Order of Dismissal; the property is to be referred to the CLCA.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2017406-VAN CLEEFF DANNY RICHARD**

**Served**

Complaint No. 20171107046

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: 1548 Granada Av, Daytona Beach 32117

**Parcel No. 424219110170**

**Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 16, 2017

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance and an Order of Dismissal; the property is to be referred to the county contractor for lot maintenance.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017407-VAN CLEEFF DANNY RICHARD**

**Served**

Complaint No. 20171107047

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

Property Location: 1548 Granada Av, Daytona Beach 32117

**Parcel No. 424219110170**

**Zoning: R-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 17, 2017

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, 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 May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-287 (C).** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2017418-BOWE DOROTHY JEAN**

**Posted**

Complaint No. 20171016024

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Business where not permitted (vehicle body/restoration/paint work where not permitted in the B-4 zoning

Property Location: 691 S Yonge St, Ormond Beach 32174

**Parcel No. 424220310010**

**Zoning: B-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Oct 23, 2017

The respondent was present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. On October 16, 2017, staff received a complaint about vehicle body work where not permitted. Research showed for B-4 zoning you can have automobile services called A and C. Margaret read the ordinance into the record. The business also has an online advertisement, stating that airbrushing and pin striping are available there. Further research showed that there are signs on the building that are not permitted. The property also had a lift on it; Margaret said that she was told that the lift is now gone. She said that she will have to inspect the property, to confirm this information.

Certified notices of violation were received by Dorothy Jean Bowe on October 23, 2017 and November 16, 2017; the reason for that was because I found more stuff upon research. On November 6, 2017, I received a phone call from David Burch, the tenant and the owner of Insane Muscle Cars, and he wanted to know about the violation. Margaret explained that vehicle body work was not allowed in B-4 zoning; he could do mechanical work, he could have a gas station and things like that, but he can't do that.

On November 30<sup>th</sup>, Margaret received a call from Ms. Bowe who owns the property; she wanted to if David had been in for permits. Margaret told Ms. Bowe that he had not. Ms. Bowe said that she would go out that day, and speak to him about it. On December 22, 2017, the site and conditions remained unchanged. The property was referred to code board. The property was posted on November 28, 2017, with the notice of hearing. Ms. Bowe also received the notice of hearing on January 23, 2018. Margaret said that she's received several complaints by phone and e-mail about the paint fumes and mechanical noises, which appear to continue after 10.

On February 26, 2018, staff received an e-mail from the two witnesses that are present today. The e-mail stated that there is a constant smell of paint fumes, parking issues, debris and garbage. Margaret e-mailed her back and gave her the information for today's hearing. She said that she also sent out witness subpoenas.

Margaret said that's she's had several conversations with Ms. Bowe and nothing is being

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done, due to the amount of complaints that are coming in. During Bike Week, Margaret was on the motorcycle, which has a radio; she was listening to the radio and an advertisement came on, stating that you can bring your motorcycle down and have airbrushing done. She said including but not limited to airbrushing and pin striping; there was also a posting on Yelp, praising the work done on their 1973 Nova.

On April 4, 2018, the site and conditions remained unchanged. Margaret said as of April 16<sup>th</sup> the lift and the tent-type structure were gone. Staff is recommending a finding of non-compliance and an order of dismissal for the building without permits, because the lift is gone; but it was not done during the correction period. Staff is recommending a finding of non-compliance on the other cases, with a compliance date of May 5, 2018 and a hearing to impose fine scheduled for May 16, 2018.

Member Wild clarified that case CEB2017420 is okay.

Margaret said yes. She explained her recommendation for that case, to the board.

The board asked if the signs were still there.

Margaret said that they were. She said that the board has one e-mail because staff was wondering if it was a fire hazard, for painting and things like that. She said that she received an e-mail from Christopher Weir, Fire Department, stating that he inspected the property without any notice to the owner and employees last Friday, April 13<sup>th</sup>. The results indicated no violations were noted. He stated that the plastic canopy was removed a week before my arrival. There are no indication of a painting booth on the property. He said the building was very clean and that his visit was impromptu.

Roxanne Olsen was sworn in and provided testimony as a witness. She gave her name and address for the record. She said the look and the feel of the neighborhood has changed since Insane Cycles moved in. We first noticed a lot of trash blowing around the neighborhood; plastic zip-lock bags with part numbers listed on them, plastic wrap used to cover cars and other industrial type trash. Cars and motorcycles started racing up and down the street and blowing through stop signs. None of the vehicles of course, had license plates so they avoid US 1.

I witnesses a gentleman slow down and rev the throttle was he was in front of our house; I suppose it was to intimidate us. The odor of paint can be smelled outside our house, both in the front and back yards. Cars and trucks are stacked well past the pavement on the North side; it looks like they cleared out some weeds and parked cars on a dirt lot. They are parking cars on jacks in front of the building. It looks like a salvage yard. We've been annoyed by the sound of revving engines and motorcycles in the evening hours. On April 2<sup>nd</sup> they had a muscle car running and so they were having to yell at each other, over the car; this was at 9-10 at night. Cars and trucks are parked on the sidewalk during business  
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hours, so they can take them before they paint them. Insane Cycles has impacted the rental property that we own on Seville St.; our tenant wants to move out because of the excessive noise, at all hours of the night. The tenant also stated that they are tired of picking up Insane Cycle trash that blows into his yard. Now the tenant has to look at stacks of tires and used vehicle parts on a daily basis. Insane Cycles has also impacted the neighborhood's home values. The sound of an air compressor running 7 days a week, is also something that we have to live with. She said that she's had to call the owner and tell him that his air compressor is running at 11:30 at night and 4:30 in the morning. Ms. Olsen asked for a wall to be constructed behind the business to reduce the noise.

Ms. Olsen read another letter from a neighbor who was not present. The letter cited the noise, trash piled in the street, paint fumes, blocking the sidewalk with cars, the lack of adequate parking for Insane Cycle customers, car and motorcycle racing on the street and the impact on home values. The letter stated that the poorly run business, should not be near the peaceful neighborhood.

Member Wild asked the date of the letter.

Margaret said it was written the day before the hearing.

Ms. Olsen gave the name and property address of the gentleman that wrote the letter.

Ms. Olsen read another letter from a neighbor. She gave the neighbor's name and address for the record. The neighbor cited the same complaints that Ms. Olsen provided testimony for and the other neighbor indicated in his letter. The neighbor added that semi-tractor trailers were also parking in the road and blocking it with deliveries to Insane Cycles.

Member Wild asked if they're still painting.

Ms. Olsen said that they are.

Joseph Fioretti gave his name and address for the record. He provided testimony as a witness. He said that he lives behind Insane Cycles and that he has to pick up the trash that has blown in his yard, on a daily basis. Mr. Fioretti said that it's starting to look like a salvage yard on the side of the building because they're throwing old scrap tires on the side. He described all the other items that can be seen by the side of the building. He said that it's an ongoing occurrence that I have to go on the side of the building and clean up after them.

Mr. Fioretti said that his tenant lives upstairs and that he has to listen to the constant noise. He said that the tenant is just trying to make ends meet. He comes home late at night, he's got to get up early and go right back to work; he's not getting any sleep. Mr. Fioretti said that when he spoke to Mr. Burch, he was told that they paid a lot of money for the building

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and it's going to get a whole lot louder around here. He said that Mr. Burch did talk about building a box around the compressor but that nothings been done yet.

The Chairman asked Margaret if there was a business tax receipt on the property.

Margaret said yes for A and C; not for B. She said B is for the reconditioning of vehicles.

Margaret said that she wanted to point out that the vehicles that they're talking about are actually in the City of Ormond Beach. She said that's why that's not here. She elaborated that the vehicles in the vacant lot, are within the City of Ormond Beach's jurisdiction.

Margaret showed her pictures to the board and explained that they can work on vehicles there; they just can't paint them there.

Barbara Reid served as council for David Burch, the tenant. When asked if she wanted to contest or provide information for the violation, Ms. Reid said both.

Ms. Reid said that she wanted to point out that, that's not a violation that was noticed for this hearing, as far as any issue with the vehicles. Ms. Reid said that she wanted to briefly respond and then let Mr. Burch explain since he's the business owner and knows more than I do, about what goes on there.

She said that we've confirmed that the lift is gone; the county's confirmed that. The County Fire Marshal was on site and found that there was no painting and it was an impromptu visit. So far I understand that these neighbors don't enjoy living near an automotive sales and service shop but nothing that they've said establishes that this is a type B business; that's prohibited under the ordinance. I just want to state that position up front.

Mr. Burch said that we've been there about 8 months now, it was a furniture store previously. He said that it was in very bad condition, with awnings up front, which were not permissible per the county.

Margaret said that they were referencing it for clarification; that it belongs to the city.

He said that there's bikers all over the area. He said that our bikes are inside the showroom and that bikes are riding around constantly up and down the road. He said that we do sales; we sell a lot of motorcycles and cars. He said that we do repair and service as well. He said that we do have a dyno machine to do dyno tuning for motorcycles; we do not run that dyno machine after 6 pm. As far as the compressors are concerned, they are turned on at 9 and they're on a switch. Mr. Burch said that he had a talk with my lead guy because he has forgotten to turn them off. He said that Mr. Fioretti came over because the air compressor had been left on. He said that he immediately apologized and turned it off.

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He said that the switch is now near the light switch, so that no one forgets to turn it off. He said that they're not open on Sunday so, as far as noise goes on a Sunday, we're not even there. He said Saturdays we do work. He said that they had been painting on site, but that after speaking with Ms. Godfrey they have moved their paint department off site. As far as advertising, I talked to Margaret if we had a banner with pin striping or airbrushing if we could put an off-site location. Mr. Burch said that Margaret said that she didn't see a problem with that. He said that he went ahead and took the banner down anyway, because he wanted to rectify the violations immediately. He said that they took down the lift and move the paint area. He said if they do any painting it's a spray bomb, which you can find in all the garages. He said that if we were doing anything that we weren't supposed to do, that the Fire Marshal would have given him a violation because he was very thorough.

He said that they have multiple trash cans around the property, as far as trash flying around the neighborhood is concerned. He said that the cans are on the side of the building where the lift was. He said that when the garbage man comes that they bring them out to the curb. He said that he talked to his workers because they were throwing the cans everywhere, once the trash had been picked up; he said that the cans were in the tenant's yard blocking the mailbox and driveway. He said that he apologized to the tenant and the tenant said it was no problem. He said that they're really out to get us in this neighborhood, and we're just trying to make a living. He said that we're not doing anything out of the ordinary. Mr. Burch said that they're very clean and professional, as the inspector saw. He said that they have over 3 million in inventory. He explained why the banner was put up in lieu of a sign. He explained the process for getting a sign.

Mr. Burch explained that his business is mostly in sales. He explained the cleanliness of the business. He said that there is no burn-out marks. He said that he does not want to make the neighbors mad at them, as he signed a 5 year lease with the option to renew. Mr. Burch said that there is no more parking on the sidewalk. He said that he thought Ms. Godfrey had dismissed that two weeks ago, as she had been to the property and had taken pictures.

He said that the tires in the pictures have been removed.

Ms. Reid said that she is looking at the pictures being presented and none of that speaks to whether there is a Type B business going on this space; which is really the issue you're here to consider.

The Chairman said and the sign.

Ms. Reid agreed. She said as far as the trash and the tires, that's not a violation that's been noticed.

Member Wild asked if Margaret had the definition of a Type B again. He asked for the April 18, 2018

page in the book.

Margaret read the ordinance for Type B business, into the record. She explained that the reconditioning of a vehicle was allowed in B-5 zoning but not B-4.

The Chairman said so there possibly there was some reconditioning going on, but since then it has been moved off site.

Mr. Burch said that is correct. He explained that they do repairs but the paint work is done off location. He said they have a paint booth but they don't set it up on this property. He said the paint booth won't fit inside the building, even if he wanted to.

The Chairman said that the sign is going to be in violation, until you work with the property owner to get something different.

Mr. Burch said yes, and that's why they have the banner.

Member Zahn said that it's going to be a permit and it will be as simple as that. He said that the permit requirements are very specific.

Member Wild asked to go back to the first violation. He asked Margaret where specifically she has vehicle restoration; paint work where not permitted.

Margaret pointed to her picture and said right there.

Member Wild said the picture is from December.

Margaret said yes but it's also still being advertised; that you can get airbrushing and body reconditioning at that address.

Member Wild said that he's hearing their testimony that they're no longer doing painting on site and that they don't do body repair.

Margaret said there's the advertisements right there.

Member Zahn said that it appears to them that painting was going on in December, but since then you have stopped and now in compliance. He said if we find you in violation and we dismiss and there are inspections in the future and they see that those violations have occurred, then it's a repeat and the consequences are much greater than the first time.

Mr. Burch said yes sir.

The board discussed whether CEB2017418 was dismissible. Staff explained that painting  
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is still being advertised on the radio.

Ms. Reid said regardless of advertising, there is no painting going on.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance and an Order of Dismissal; recognizing that at the present time that the violation has been rectified.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017419-BOWE DOROTHY JEAN**

**Posted**

Complaint No. 20171110058

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, and CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-298.13 Sign erected without proper permit(s)

Property Location: 691 S Yonge St, Ormond Beach 32174

**Parcel No. 424220310010**

**Zoning: B-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 16, 2017

The respondent was present for the hearing.

Margaret Godfrey, Compliance Officer, 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 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-298.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2017420-BOWE DOROTHY JEAN**

**Posted**

Complaint No. 20171110059

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

Property Location: 691 S Yonge St, Ormond Beach 32174

**Parcel No. 424220310010**

**Zoning: B-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 16, 2017

The respondent was present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case.

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Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance and an Order of Dismissal; recognizing that at the present time that the violation has been rectified.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018005-EMTYAZ MOHAMMAD TR**

**Served**

Complaint No. 20171110034

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

Property Location: 1363 Hurst St, Daytona Beach 32117

**Parcel No. 52020000530**

**Zoning: R-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 13, 2017

The respondent was present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. On November 10, 2017, staff received a complaint for a shed being rented out as a private room, for \$450.00 a month. On that same date, research did confirm the violation. While conducting research for that violation on the property appraiser's website, it was shown that a 12 x 12 masonry storage shed was being assessed on the property, since 2006 and there is no evidence of the required permits or inspection approvals.

On November 13<sup>th</sup>, Mr. Emtiaz did receive the notice of violation. On December 15<sup>th</sup>, Margaret received a phone call from Mr. Emtiaz; she explained that he needed an after the fact permit. He was also told to speak with the permitting department, about what was required for the permit. On January 19<sup>th</sup>, Margaret saw no activity so she referred it to code board. There have been no permit applications to date, and the site and conditions remain unchanged. Staff is recommending a finding of non-compliance with, with a compliance date of May 2<sup>nd</sup> and a hearing to impose fine scheduled for May16, 2018.

Mr. Emtiaz asked the board if it was possible to save the shed. He asked if he could be grandfathered in. He said that he knocked down one shed and when he was doing it, his workers got into a fight with the tenants. He said that it was a lot of hassle. He said that they didn't pay three months of the rent.

The Chairman asked Mr. Emtiaz if he lived on the property.

Mr. Emtiaz said no tenants.

The Chairman asked Mr. Emtiaz if he owned the property since 2006.

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Mr. Emtiaz said no. He explained that he bought the property in 2015.

The Chairman asked if Mr. Emtiaz bought the property with the building on it.

The Chairman explained what grandfathering meant to Mr. Emtiaz and it explained that it wouldn't apply to this property as it only applied before 1980.

The board asked where the shed was on the property and Margaret showed them, using her pictures.

Member Zahn said that it doesn't matter and said that it's permissible, so long as it meets requirements for the building code and it meets setback requirements. Member Zahn explained the process to Mr. Emtiaz.

Mr. Emtiaz asked the board for more time. He asked for 3 months.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 10, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the July 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018046-HENDRIX WILLIAM L JR**

**Sheriff Served**

Complaint No. 20180126018

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

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

**Parcel No. 600500000406**

**Zoning: A-1**

**Zoning Compliance Officer - Christopher R. Hooper**

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

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. The complaint was received on July 10, 2017. The notice of violation was sheriff served on January 29, 2018. The notice of hearing was also sheriff served. The last inspection was on April 4, 2018 and the site and conditions remain unchanged.

Staff is recommending a finding of non-compliance with a compliance date of May 2, 2018 and a hearing to impose fine scheduled for May 16, 2018.

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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 May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-298. After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018047-HENDRIX WILLIAM L JR**

**Sheriff Served**

Complaint No. 20180126019

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: 1210 Night Owl Ct, Deleon Springs 32130

**Parcel No. 600500000406**

**Zoning: A-1**

**Zoning Compliance Officer - Christopher R. Hooper**

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

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, 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 May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec. 118.34. After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018055-DOTSON NINA SKAGGS**

**Posted**

Complaint No. 20171212056

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: 152 Evergreen Ter, Deland 32724

**Parcel No. 603812000840**

**Zoning: MH-5A**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on January 9, 2018

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. The complaint was received August 18, 2017, regarding a junkyard. The certified notice of violation was returned undeliverable; the property was posted with the violation on November 15, 2017.

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The property was posted with the notice of hearing on February 5, 2018. The most recent inspection occurred on April 3, 2018; the site and conditions remain unchanged.

Chris went over the inspection pictures with the board. Staff is recommending a finding of non-compliance, with a compliance date of June 5, 2018 and a hearing to impose fine scheduled for June 20, 2018.

The tenant gave his name and address for the record. He explained that he would be purchasing the property. The tenant explained that he had been in contact with Christopher Hooper and that they've played phone tag quite a bit. He explained that there is a neighbor that wants a home owner's association and every time they deny him, this starts up.

He pointed to the orange car in the picture and said that it's no longer there. He said that the white van is in the yard but that it's up for sale. He said it runs but he has no use for it. He said that the yard was cut the day before and that he has been taking care of it. He said that Christopher said that he could have his R.V parked on the side of the house, and that he would put a fence up, per his recommendation. He said that all the vehicles are parked on the concrete U shape drive on the property.

The Chairman asked if everything had license plates. The tenant said that they do.

Member Wild asked how long it would take to get the property cleaned up. The board discussed what would need to be done with the tenant. They agreed that 60 days would be enough time.

Based on the evidence and testimony provided, Member Wright **MOVED to issue an Order of Non-Compliance with a compliance date of June 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-287 (E).** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018056-DOTSON NINA SKAGGS**

**Posted**

Complaint No. 20171106042

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

Property Location: 152 Evergreen Ter, Deland 32724

**Parcel No. 603812000840**

**Zoning: MH-5A**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on January 9, 2018

The respondent was not present for the hearing.

April 18, 2018

Chris Hutchison, Code Administration Manager, presented the case.

Based on the evidence and testimony provided, Member Wright **MOVED to issue an Order of Non-Compliance with a compliance date of June 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018057-DOTSON NINA SKAGGS**

**Posted**

Complaint No. 20171212055

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: 152 Evergreen Ter, Deland 32724

**Parcel No. 603812000840                      Zoning: MH-5A**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on January 9, 2018

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case.

Based on the evidence and testimony provided, Member Wright **MOVED to issue an Order of Non-Compliance with a compliance date of May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec. 118.34.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018059-EISENHAUER DANIEL J**

**Served**

Complaint No. 20180102039

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: 1424 Jackson Av, Daytona Beach 32117

**Parcel No. 423301030190                      Zoning: R-4**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Feb 03, 2018

The respondent was not present for the hearing.

Margaret Godfrey, Compliance Officer, presented the case. The complaint about vehicles April 18, 2018

parked all over the yard, was received on October 6, 2017. An onsite inspection confirmed the violation. On October 14, 2017, the certified notice of violation was signed for by Susan; who is Mr. Eisenhower's girlfriend. On November 2, 2017, Margaret spoke to Susan about moving the truck. She said that the truck was moved. The certified notice of hearing was signed for on November 18, 2017. Margaret spoke with Mr. Eisenhower who said that they would have it tagged by the first of the year. Margaret said that he didn't.

Margaret said that she researched the truck and took pictures and it's still not tagged. Staff received a phone call from Mr. Eisenhower stating that he had some health issues and might not be able to get the truck tagged, until Friday of this week. Staff is recommending a finding of non-compliance, with a compliance date of May 2, 2018 and a hearing to impose fine scheduled for May 16, 2018.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of May 2, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec. 118.34.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018077-COLLINS DAWN M**

**Posted**

Complaint No. 20170830038

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: 1220 Avenue E, Ormond Beach 32174

**Parcel No. 422901110150**

**Zoning: MH-5**

**Zoning Compliance Officer - Margaret Godfrey**

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

This case was **WITHDRAWN.**

**CEB2018078-COLLINS DAWN M**

**Posted**

Complaint No. 20171218027

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

Property Location: 1220 Avenue E, Ormond Beach 32174

**Parcel No. 422901110150**

**Zoning: MH-5**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Dec 29, 2017

This case was **WITHDRAWN.**

April 18, 2018

**CEB2018080-JONES JAMES C**

**Served**

Complaint No. 20171026023

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: 678 Orange Camp Rd, Deland 32724

**Parcel No. 702801300010**

**Zoning: R-3**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Feb 20, 2018

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael explained the possible violation, using his inspection pictures. On October 25, 2017, Michael conducted an onsite inspection. On November 13, 2017, the notice of violation was received and signed for. On April 3, 2018, the violations were still present. Staff recommends a finding of non-compliance, with a compliance date of May 1, 2018 and a hearing to impose scheduled for May 16, 2018.

The Chairman asked if Michael had seen any progress since his initial inspection. Michael said very little.

Member Wild asked if the vehicles were inoperable.

Michael said that they are inoperable.

The respondent gave his name and address for the record. Mr. Jones said that they junk is about 75% removed. He said that he spoke with Mr. Mazzola the day before and was given a list of things to do. He said that the truck is to be sold. He said that he had to obtain a replacement title and that he has a battery. He said that he's going to get it running and get whatever he can get for it. He said as far as the junkyard goes, he has a job which he goes out on deployment for six months at a time. He said that a lot of it has grown up with him absent.

Mr. Jones explained what plant-life he would pull up for a permanent solution. He explained what he would need to do to make the Jeep operational. He said that he's going to turn his carport into a garage and keep it there. He explained his health issues to the board. He asked for two months so that he could do as much work as his health will allow and then an additional two months after that so complete the job.

Member Wild asked if Mr. Jones could have the work done by the middle of July.

Mr. Jones said that by that time the truck could be sold, the Jeep moved and the shingles

April 18, 2018

gone. He said that the yard is going to be a longer term project.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of July 10, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the July 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec. 118.34.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018084-JONES JAMES C**

**Served**

Complaint No. 20171026020

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

Property Location: 678 Orange Camp Rd, Deland 32724

**Parcel No. 702801300010                      Zoning: R-3**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 13, 2017

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, 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 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018087-JONES JAMES C**

**Served**

Complaint No. 20171026017

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: 678 Orange Camp Rd, Deland 32724

**Parcel No. 702801300010                      Zoning: R-3**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Feb 20, 2018

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, 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 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Sec. 58-36 Article II.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018103-LORD & COLLETT, INC**

**Served**

**\*\*REPEAT VIOLATION\*\***

Complaint No. 20180219024

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

Property Location: 6458 Engram Rd, New Smyrna Beach 32169

**Parcel No. 850501590250**

**Zoning: R-9W**

**Zoning Compliance Officer - Debbie Zechnowitz**

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

The respondent was present for the hearing. The respondent contested and gave information for the violation.

Chris Hutchison, Code Administration Manager, presented the case. We received a complaint of construction on the property without permits. The property owner was found in violation previously on September 21, 2016, for the same violation; making this a repeat violation. On February 14<sup>th</sup>, Dale Smith, a building inspector found the violation and reported it back to code enforcement. On February 26<sup>th</sup>, a notice of violation and a notice of hearing was mailed to the property owner; they were signed for.

A permit application was submitted on April 12, 2018 and is currently in review. The application is for drywall and electrical in the bedroom, however the HVAC change-out still needs to be addressed.

The Chairman asked if the previous violation was for a window.

Chris said a window and a deck.

Member Wild asked when the original violation was issued.

Chris said February 14, 2018.

Member Wild said so, two months earlier.

Chris said yes.

April 18, 2018

Susan Housom gave her name and address for the record. She said that the last time she was here, she pulled a permit. Part of that permit was for doors going into what is a garage area; French doors. She said that there had been a garage there 30 years ago and part of the garage was taken as a living area. She said this happened before she bought the house. She said that a 12x10 area of the garage was used as a storage area. She said that she decided to turn it into a living area too. She said there was a tenant there, so she just put the doors in.

She said that the tenant left and she hired a contractor. She said that she told him what she wanted to do and he started a notice of commencement. She said that he got sick, but ordered the materials. The materials were stored in the empty space. She said that contractor was in the hospital for two weeks and the engineer did the drawings. She said that the contractor went into rehab, so she had to hire another contractor. She said that she the new contractor and he did a notice of commencement, turned in the drawings and applied for a permit.

She said that at no time, was any construction done; she said that the materials were just delivered. Ms. Housom explained to the board the type of construction that would need to be done. She explained that Dale Smith, never gave her a stop work order.

The Chairman went over the pictures provided by staff.

Ms. Housom explained that no construction was done.

The Chairman said that the HVAC was done and he said that the compressor is brand new.

Ms. Housom said that it may be new, but she pulled a permit for it.

The Chairman said that staff didn't find a permit for that.

The board established that the photographic evidence, did not show a stop work order.

Member Zahn said that Ms. Housom's testimony, is that no construction was taking place. He said that the materials were ordered and the contractor got sick and everything stopped.

She said that a wall was taken down but that wasn't construction.

Member Zahn said as far as the HVAC unit, you hired a licensed company but no permit was applied for.

Mike Nelson, Building and Zoning Director, explained the code for and HVAC change out.  
April 18, 2018

He explained that you're not supposed to start work until a permit is issued.

Member Zahn said technically it is a repeat violation because you didn't get a permit. He said that he believes there is special circumstances based on how things happened. He said that if the extenuating circumstances wouldn't have occurred, then it would have been done properly. He said that it is a minimum violation, which should have a minimum cost on it.

Member Zahn asked if the violation was repeat because of the property address.

Chris said the repeat was due to the fact that, work was done without permit on the property.

Assistant County Attorney, Russ Brown explained what a repeat violation is. He said that it's more about the property owner, he went on to say that it could occur on a different property but in this case, it's on the same one.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$2.00 per day to begin on February 14, 2018, until compliance is achieved or a maximum fine of \$100.00 is reached.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018104-MURGIA JOSE & MARIA O**

**Served**

Complaint No. 20180116073

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s).  
220 square foot open porch, and all detached accessory structures

Property Location: 240 Quebec Av, Deleon Springs 32130

**Parcel No. 694003110040**

**Zoning: R-3**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on Jan 23, 2018

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. The complaint was received on January 11, 2018. The notice of violation was received on January 23, 2018. The notice of hearing was received on February 26, 2018. On April 2, 2018, staff performed an onsite inspection; the site and conditions remain unchanged. Staff is recommending a finding of non-compliance, with a compliance date of June 5, 2018 and a hearing to impose fine scheduled for Jun, with a compliance date of June 5, 2018 and a hearing to impose fine scheduled for June 20, 2018.

April 18, 2018



Chris showed Member Wild were the construction is on the property, using the inspection pictures.

Based on the evidence and testimony provided, Member Smith **MOVED to issue an Order of Non-Compliance with a compliance date of June 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018106-ORANGE CITY REALTY LLC**

**Served**

Complaint No. 20180103004

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

Property Location: 2437 Enterprise Rd, Orange City 32763

**Parcel No. 801409020020                      Zoning: PUD**

**Zoning Compliance Officer - Michael Mazzola**

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

\*The Board continued this case from the March 21, 2018 hearing:

The respondent was present for the hearing. Attorney Kelly Mathis represented the property owner. He gave his name and address for the record. Mr. Mathis contested the violation.

Michael Mazzola, Compliance Officer, presented the case. On December 20, 2017, the complaint came in from the Sheriff's Department, regarding a business that isn't allowed in the shopping center. On January 8, 2018, the certified notice of violation was received. On January 8, 2018, Michael spoke with Anne Freelane about the zoning of the property and referred her to Scott Ashley, Planning and Development Department. On January 8, 2018, Michael spoke with attorney, Kelly Mathis and referred him to Assistant County Attorney, Russ Brown.

On January 24, 2018, a corrected notice of violation was received by Preview Solutions LLC and Orange City Realty. On February 19, 2019, Chris Hutchison, Scott Ashley, Russ Brown and Kelly Mathis had a meeting to discuss the violation. On February 26, 2018, the notice of hearing was received by Orange City Realty. The notice of heating was sent to Mr. Mathis, via e-mail by Russ Brown. On April 13, 2018, applications were submitted to the planning department. Staff recommends a finding of non-compliance, with a compliance date of May 1, 2018 and a hearing to impose fine scheduled for May 16, 2018.

Member Wild asked what kind of business is on the property.

Michael said it's a sweepstakes business on the property. He said it's not zoned for it.

April 18, 2018

Member Zahn asked what a sweepstake business is.

Michael said a game of chance to win money.

The Chairman said so the Sheriff's office, contacted you about a business that's not permitted in the shopping center and you found that to be true; so you sent the violation.

Michael said yes.

Member Wild asked if this business is zoned anywhere in the county.

Michael said this property is not zoned for it.

Member Wild said he is still unclear what a sweepstakes business is.

Mr. Mathis said that he could explain it, if that's okay with the board.

The board agreed.

Mr. Mathis said what the business is; it's not a sweepstakes, it's a game room. He said game rooms are permitted under B-3; sweepstakes centers too. We have some disagreement, but it is a game room with computer games; that you can play and win prizes, including cash prizes. It's not gambling; obviously, if it were gambling the Sheriff's Office would have shut them down, instead of having a zoning issue.

So the issue that we have here is, this is a game room; this PUD was established in 1974 and the permitted uses were under the old zoning code, in effect at that time. That provision and we have the meeting, in which we agree to disagree, but the zoning permitted then was called C-1. One of the uses is any retail business or personal service establishment. So the county's position is that doesn't include a game room; it's our position that it does. So it's a difference in interpretation. If this were zoned today, to my understanding, it would fall under B-3 which is the shopping center designation and it would comply to zoning. Because this PUD in 1974, did not incorporate future amendments to the zoning code, it's the county's position that the use of a game room isn't specifically permitted.

What we've done, and again agreeing to disagree with the county as to whether a game room falls under a retail business, we have filed an amendment to the PUD in an attempt to work with the county. Although we don't agree, we filed the amendment to clarify the zoning of the established uses on this PUD.

Member Zahn said that the respondent is attempting to resolve the issue, the only way that you really can. He asked how long it will take.

April 18, 2018

Mr. Mathis said the application is in and it's been filed.

Russ Brown gave the definition for a sweepstakes center. He said whether it's a game room or a sweepstakes it's not permitted, we believe under the definition. We've had these discussions and agreed to disagree, but Mr. Mathis representing his client, submitted the application. We believe he is in violation of the Breezewood PUD, and that's why we're here today.

Member Zahn asked how long the process would take.

Mr. Brown said the county's perspective is that Mr. Mathis has gotten his application in, it is a violation, we believe as any process does it needs time to run its course. I don't want to speak for staff, but I don't think they would be opposed to a reasonable amount of time to allow the process to take place.

Member Zahn said that he doesn't see any danger, it's not like a building code violation where people could get hurt, but it is going to be a zoning issue that is going to take a while. Member Zahn explained what he thought the timeframe would be and asked staff what their thoughts were.

Member Needham asked if the respondent needed to stop business.

Mike Nelson said that they're going through the process, there's no safety issues or life safety issues; so the county is fine because it's a simple zoning issue.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 10, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the August 15, 2018 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.

**CEB2018107-CONFIDENTIAL DATA F.S. 119.07**

**Posted**

Complaint No. 20180123046

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Excavation without the required permits, exemptions and/or approval

Property Location: 1060 Country Ranch Rd, Deleon Springs 32130

**Parcel No. 600700000224**

**Zoning: A-3**

**Zoning Compliance Officer - Christopher R. Hooper**

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

April 18, 2018

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. Staff received complaints on January 16, 2018 and on March 21, 2018, for excavation and storage. The notice of violation was posted on the property on March 27, 2018. The notices of hearing for both violations were returned undeliverable, so the property was posted with the notices on March 27, 2018. The most recent inspection was on April 3, 2018.

Chris explained the pictures to the board. He explained that according to the property owner's ex-wife he removes the dirt from the property and uses it at Daytona Park Estates; so he's excavating off of the property.

Member Zahn said you can excavate on your property but if you export it, then you need a permit.

Chris discussed with the board, whether other sales business was taking place on the property.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 10, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the August 15, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018187-CONFIDENTIAL DATA F.S. 119.07**

**Posted**

Complaint No. 20180321074

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Automobile, bicycle, boat, motorcycle, recreational vehicle, trailer, light and heavy truck sales, rental storage (not including salvage or junkyards) and/or service establishments where not permitted

Property Location: 1060 Country Ranch Rd, Deleon Springs 32130

**Parcel No. 600700000224**

**Zoning: A-3**

**Zoning Compliance Officer - Christopher R. Hooper**

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

**THE BOARD CONTINUED THIS CASE.**

April 18, 2018

**CEB2018108-WALKER FAMILY REVOCABLE TRUST**

**Served & Posted**

Complaint No. 20170811045

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

Property Location: 1275 Spring Garden Ranch Rd, Deleon Springs 32130

**Parcel No. 600505030010**

**Zoning: I-1**

**Zoning Compliance Officer - Christopher R. Hooper**

Property owner was first notified of the violation on Aug 14, 2017

The respondent was not present for the hearing.

Chris Hutchison, Code Administration Manager, presented the case. The complaint was received on May 25, 2017. The notice of violation was received on August 14, 2017. The notice of hearing was signed for on February 26, 2018. The most recent inspection was on April 2, 2018, and the site and conditions remain unchanged. Staff is recommending a finding of non-compliance, with a compliance date of June 5, 2018 and a hearing to impose fine scheduled for June 20, 2018.

The Chairman asked if you could have a junkyard in I-1.

Chris said I don't believe you can have a junkyard anywhere.

Mike Nelson explained the process for having a junkyard.

Member Zahn said it's a permitted use with an approved site plan.

Mike Nelson said yes. He said it's a permissible use in this zoning, but it's not a business and it can't be like this.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of June 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018152-EMANUEL JAMES & LISA**

**Served**

Complaint No. 20171114015

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: 390 Clark St, Enterprise 32725

**Parcel No. 900105160013**

**Zoning: R-4E,R-4EA**

April 18, 2018

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 25, 2017

The respondent was not present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. We have an abandoned vehicle and a junkyard. Michael explained his evidence to the board.

Member Zahn asked how long you can work on a vehicle.

Michael said they left it out there for three days and never took it inside.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of May 1, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec. 118.34.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018153-EMANUEL JAMES & LISA**

**Served**

Complaint No. 20171114016

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

Property Location: 390 Clark St, Enterprise 32725

**Parcel No. 900105160013                      Zoning: R-4E,R-4EA**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 25, 2017

The respondent was not present for the hearing.

Michael Mazzola, Compliance Officer, 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 5, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the June 20, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018156-DUNN INN LLC**

**Served**

Complaint No. 20170831008

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

April 18, 2018

Property Location: 4623 Van Kleeck Dr, New Smyrna Beach 32169

**Parcel No. 743502090030**

**Zoning: R-4W**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Jan 20, 2018

This case has been **WITHDRAWN.**

**CEB2018160-LOEWEN GEORGE H TR**

**Served**

Complaint No. 20180112025

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: 1150 E New York Av, Deland 32724

**Parcel No. 701510000010**

**Zoning: R-4CA**

**Zoning Compliance Officer - Michael Mazzola**

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

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. What we have here is abandoned vehicles and a junkyard. Michael explained his pictures to the board. The violations were observed on the property on January 10, 2018. On January 11<sup>th</sup>, Michael called the tenant; the tenant said that she would clean the yard up and get the cars tagged and running. On January 30, 2018, the certified notice of violation was received and signed for. On March 19, 2018, the certified notice of hearing was received and signed for. An onsite inspection on March 22, 2018, revealed that the violation still exists.

On April 2, 2018, Michael spoke with Mr. Loewen and told him about the hearing and the violations. Staff recommends a finding of non-compliance with a compliance date of May 1, 2018 and a hearing to impose fine scheduled for May 16, 2018.

Michael Burget gave his name and mailing address for the record. He said the truck, all the cars and everything motorized has been removed from the yard. He said that the only thing that he hasn't done, is the Monte Carlo is still there, as he is using it for parts for his daughter's car. He said that he plans on having the car gone, by the weekend. He indicated the truck in the picture and explained that it is legal and registered.

Michael asked if Mr. Burget was running a business.

Mr. Burget said no.

Michael asked why the auto trailer is on the property.

April 18, 2018

Mr. Burget explained that it's used to transport vehicles for Friendly Motors in Orange City. He explained that they have nowhere to park it.

Michael explained that it can't be on the property.

Mr. Burget explained that it's gone.

Member Wild asked if there was a BTR.

Michael said no.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of May 10, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Sec. 118.34.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018161-LOEWEN GEORGE H TR**

**Served**

Complaint No. 20180112022

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

Property Location: 1150 E New York Av, Deland 32724

**Parcel No. 701510000010                      Zoning: R-4CA**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Jan 30, 2018

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, 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 May 10, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the May 16, 2018 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.

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**CEB2018162-LOEWEN GEORGE H TR**

**Served**

Complaint No. 20180313009

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

Property Location: 1150 E New York Av, Deland 32724

**Parcel No. 70151000010                      Zoning: R-4CA**

**Zoning Compliance Officer - Michael Mazzola**

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

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance and an Order of Dismissal; recognizing that at the present time that the violation has been rectified.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018174-POTTER JANICE Q & BRIAN C**

**Served**

Complaint No. 20171117018

Violation of FLORIDA BUILDING CODE SECTIONS 105.1 AND 109.3. ALL CONSTRUCTION REQUIRES BUILDING PERMIT (S) AND INSPECTION APPROVAL(S).

The aforementioned violation would require a building permit and/or inspection approvals

Property Location: 679 Yale Rd, Deland 32724

**Parcel No. 702801240170                      Zoning: R-3**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 20, 2017

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael explained his pictures to the board. On November 11, 2017, Michael inspected the property and the violations were confirmed. No November 22, 2017, the certified notice of violation was received and signed for. On November 28<sup>th</sup>, Michael spoke to Mr. Potter about the violations; Mr. Potter asked for a couple months to take care of the building violations.

On March 13, 2018, Michael spoke to Mr. Potter about the violations. There were no permits for the cabana or the shed and he was still parking on the front yard.

The respondent gave his name and address for the record. On March 17, 2018, certified notice of hearing was received. On March 21, 2018, Michael inspected the property and the violations were still present. As of April 2, 2018, there are no permits on file. Staff

April 18, 2018

recommends a finding of non-compliance, with a compliance date of May 1, 2018 with a hearing to impose fine scheduled for May 16, 2018.

The respondent gave his name and address for the record. He said that he does have plans for the shed. He said that he hired an engineer; he came out January 1, 2018. Mr. Potter said he wasn't sure when to get the permit. He said his intention is to get the permit. He said that he didn't know if he had to wait to address the board.

The board said that he didn't have to wait.

Mr. Potter said that he will get the permit immediately, he just didn't know what the proper time frame was.

The Chairman asked if there were any issues modifying it to building code.

Mr. Potter said that it's to code. He said that he has an affidavit from the engineer that inspected it. He said that he has to do the same thing for the gazebo. He asked the board for a little more time, for the gazebo.

The board discussed time and what needed to be done with Mr. Potter.

The board asked if there were any life/safety issues.

Michael said that there is a T.V in the gazebo.

Mike Nelson said that they would like the wiring to get checked out by a licensed electrician within 10 days, but other than that, I'm fine with giving him whatever time he needs.

Mr. Potter said what if I just removed it.

Mike Nelson said that works too.

Mr. Potter explained it's just an extension cord around the T.V.

Michael asked if the shed has electric.

Mr. Potter said yes.

Michael said that the shed needs to be inspected.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of July 10, 2018 and a Hearing to Impose**

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**Fine/Lien to be scheduled for the July 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3. The board further ordered that an electrical affidavit certifying that the electrical work is safe, be submitted no later than 10 days after this hearing.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2018175-POTTER JANICE Q & BRIAN C**

**Served**

Complaint No. 20171117026

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: 679 Yale Rd, Deland 32724

**Parcel No. 702801240170                      Zoning: R-3**

**Zoning Compliance Officer - Michael Mazzola**

Property owner was first notified of the violation on Nov 20, 2017

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance and an Order of Dismissal; recognizing that at the present time that the violation has been rectified.** After Member Wright **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**

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**ADJOURNMENT**

April 18, 2018

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

**Respectfully submitted,**

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

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**CERTIFICATE**

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

I, Margaret C Godfrey, Acting Code Enforcement Board Clerk, do hereby certify that the foregoing pages constitute a true and accurate transcript of the minutes of the Volusia County Code Enforcement Board taken on \_\_\_\_\_, at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in the City of DeLand, County of Volusia, State of Florida.

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**Margaret C Godfrey  
Acting Code Board Clerk**

April 18, 2018