

Volusia County Code Enforcement Board



Members

Chad Lingenfelter, Chair
Andrew Hall, Vice-Chair
Clement Nadeau
Clay Meek, Board Attorney

Donald Needham
Pete Zahn

April 19, 2023
Agenda for Hearing at 9:00 a.m.

Thomas C. Kelly Administration Center
County Council Chambers - Second Floor
123 West Indiana Avenue, DeLand, Florida

NOTICE OF RECORD REQUIRED FOR APPEALS

Pursuant to Section 286.0105, Florida Statutes, you are hereby notified if an you decide to appeal any decision made by a board, agency or commission of the County of Volusia, including the Code Enforcement Board, with respect to any matter considered at this meeting, you will need a record of the proceedings for your appeal, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Accordingly, you must provide a reliable method for recording or transcribing the proceedings.

REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the County's ADA Title II Coordinator at (386) 248-1760, as soon as possible but no later than 2 business days before the scheduled event or meeting, or immediately upon receiving this notification if the time before the appearance is less than 2 days; if you are hearing or voice impaired, call 711.

ADDITIONAL INFORMATION REGARDING THE AMERICANS WITH DISABILITIES ACT IS LOCATED ON THE FINAL PAGE OF THIS AGENDA.

I. Roll Call

II. Agenda Changes

III. Disclosure of Ex Parte Communications

Members of the Volusia County Code Enforcement Board are asked to please disclose, for the record, the substance of any ex parte communications that have occurred before or during the public hearing at which a vote is to be taken on any quasi-judicial matters.

IV. Approval of Minutes – March 15, 2023

V. Orders of Compliance

VI. Roll Call of Cases

VII. Swearing in of Witnesses

VIII. Explain Process for:

- A. Unfinished Business**
- B. New Cases**
- C. Discussion of Accumulated Fines**

IX. Unfinished Business

DOUGLAS S AND KRISTY M HARRELL

Property Location: 1350 Hamilton Ave, Orange City 32763

Parcel No. 800304040010 Zoning: R-4

1: CEB2020154 Served

Complaint No. 20200603055

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

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Kristy Harrell August 20, 2023

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

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

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

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

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

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

*6th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*7th Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*8th Amended Order of Non-Compliance issued at the October 19, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 12, 2022:

Order of Compliance

BARRY NEAL

Property Location: 1190 Gopher Slough Rd, Mims 32754

Parcel No. 031602000970 Zoning: FR

1: CEB2021361 Posted

Complaint No. 20210726052

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

Code Compliance Officer - Debbie Zechnowitz

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

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

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

*2nd Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

*3rd Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*4th Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 6, 2023:

Order of Compliance

MICHAEL J AND MARGARET M SECA

Property Location: 3030 John Anderson Dr, Ormond Beach 32176

Parcel No. 322100020010 Zoning: R-3

1: CEB2022077 Served

Complaint No. 20220401011

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

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on April 4, 2022

*Order of Non-Compliance issued at the May 18, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the October 19, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 29, 2023:

Order of Compliance

FRANK D & DORIS JESKE ETAL

Property Location: 3216 S Peninsula Dr, Daytona Beach 32118

Parcel No. 533501100230 Zoning: R-3

1: CEB2020237 Served

Complaint No. 20200821017

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

Environmental Specialist III – Todd Hannah

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

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

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

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

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

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

*5th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*6th Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*7th Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

Hearing to Impose Fine/Lien

2: CEB2020239 Served

Complaint No. 20200626026

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

Code Compliance Officer - Debbie Zechnowitz

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

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

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

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

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

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

*5th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*6th Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*7th Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

Hearing to Impose Fine/Lien

JANETTE K PELL

Property Location: 250 N Sr 415 , Osteen 32764

Parcel No. 920700000110 Zoning: OCV

1: CEB2021151 Served

Complaint No. 20210318026

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

Environmental Specialist II - Julie McCrystal

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

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

Hearing to Impose Fine/Lien

ARTHUR JOSEPH ROCKWELL

Property Location: 123 N Cucumber Ln, New Smyrna Beach 32168

Parcel No. 722401020080 Zoning: A-1C

1: CEB2021275 Served

Complaint No. 20210713007

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

Environmental Specialist III – Todd Hannah

Property owner was first notified of the violation on September 17, 2021

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

*1st Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

Hearing to Impose Fine/Lien

2: CEB2021291 Served

Complaint No. 20210712057

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

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on September 17, 2021

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

*1st Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

Hearing to Impose Fine/Lien

SEAN HUGHES

Property Location: 1373 Beacon Dr, Daytona Beach 32117

Parcel No. 523729000380 Zoning: R-6A

1: CEB2021380 Served

Complaint No. 20210922072

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

Code Compliance Officer - Peter Hinson

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

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

*1st Amended Order of Non-Compliance issued at the April 20, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

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

*4th Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

Hearing to Impose Fine/Lien

2: CEB2021381 Served

Complaint No. 20210923050

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

Code Compliance Officer - Peter Hinson

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

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

*1st Amended Order of Non-Compliance issued at the April 20, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

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

*4th Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

Hearing to Impose Fine/Lien

MICHAEL J AND MARGARET M SECA

Property Location: 3030 John Anderson Dr, Ormond Beach 32176

Parcel No. 322100020010 Zoning: R-3

1: CEB2022079 Served

Complaint No. 20220331077

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.

Environmental Specialist II - Julie McCrystal

Property owner was first notified of the violation on April 02, 2022

*Order of Non-Compliance issued at the May 18, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the October 19, 2022 hearing:

Hearing to Impose Fine/Lien

LISA KILGORE

Property Location: 4151 Swamp Deer Rd, New Smyrna Beach 32168

Parcel No. 820101060290 Zoning: RA

1: CEB2022196

Complaint No. 20211025025

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

Code Compliance Officer - Fred Eastwood

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

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

Hearing to Impose Fine/Liens

2: CEB2022197

Complaint No. 20210208020

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

Code Compliance Officer - Fred Eastwood

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

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

Hearing to Impose Fine/Liens

LUCIO RAMIREZ

Property Location: 100 E Gardenia Dr, Orange City 32763

Parcel No. 801403070010 Zoning: B-4

1: CEB2022241

Complaint No. 20220913083

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

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on September 13, 2022

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

Hearing to Impose Fine/Lien

PLAKON INVESTMENTS LLC

Property Location: 227 E Fern Dr, Orange City 32763

Parcel No. 801412010060 Zoning: R-4

1: CEB2022131 Served

Complaint No. 20220411021

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

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on May 27, 2022

*The Enforcement Official continued this case from the September 21, 2022 hearing:

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

Hearing to Impose Fine/Lien

CHRISTOPHER E ROMERO

Property Location: 2170 E Dale Cir, Deland 32720

Parcel No. 703206000250 Zoning: RA

1: CEB2022153

Complaint No. 20220616058

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-293 A landfill without the required permits, exemptions, and or approvals

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on April 18, 2022

*The Enforcement Official continued this case from the November 16, 2022 hearing:

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

Hearing to Impose Fine/Lien

FLOYD HUFFMAN

Property Location: 231 W Gardenia Dr, Orange City 32763

Parcel No. 801508000740 Zoning: R-4

1: CEB2022161 Served

Complaint No. 20220418060

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 8 SECTION 72-293 A landfill without the required permits,
exemptions, and or approvals

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

DAYTONA SEA BREEZE 3299 LLC

Property Location: 4043 S Atlantic Ave, Port Orange 32127

Parcel No. 631202000870 Zoning: R-9(S)

1: CEB2022195

Complaint No. 20220629029

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

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on June 29, 2022

*Order of Non-Compliance issued at the September 21, 2022 hearing:

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

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

Hearing to Impose Fine/Lien

CORY BRESKI

Property Location: 241 W Gardenia Dr, Orange City 32763

Parcel No. 801508000730 Zoning: R-4

1: CEB2022199

Complaint No. 20220408075

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

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on April 22, 2022

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

Hearing to Impose Fine/Lien

CHRISTOPHER RICHARD DIAZ

Property Location: 4629 Kola Rd, New Smyrna Beach 32168

Parcel No. 723100001590 Zoning: A-1

1: CEB2022234

Complaint No. 20220614069

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.

Environmental Specialist II - Julie McCrystal

Property owner was first notified of the violation on June 21, 2022

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

Hearing to Impose Fine/Lien

URSULA A MOCCIA

Property Location: 251 Bissit Bay Rd, Oak Hill 32759

Parcel No. 853801000072 Zoning: MH-5W

1: CEB2022270

Complaint No. 20220103011

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.

Environmental Specialist II - Danielle Gadzala

Property owner was first notified of the violation on January 3, 2022

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

Hearing to Impose Fine/Lien

LLOYD GLYNN BARNARD

Property Location: 3866 S Atlantic Ave, Daytona Beach 32118

Parcel No. 630205070340 Zoning: R-9

1: CEB2022274

Complaint No. 20221006038

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

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on September 26, 2022

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

*1st Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

Hearing to Impose Fine/Lien

2: **CEB2022275**

Complaint No. 20221006036

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

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on September 26, 2022

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

Hearing to Impose Fine/Lien

RAINFOREST POOLS

Property Location: 5797 Lake Winona Rd, Deleon Springs 32130

Parcel No. 693801210010 Zoning: I-1

1: **20230220015** **Posted**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted in I-1 zoning.

Compliance Officer - Robert Chayer

Property owner was first notified of the violation on February 21, 2023

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

Hearing to Impose Fine/Lien

LENNAR HOMES LLC

Property Location: 4130 Clifden Dr, Ormond Beach 32174

Parcel No. 310208000220 Zoning: R-3

1: **20230224053** **Posted**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(1) Description: Removal of any historic tree without first obtaining approval from the Development Review Committee.

HTR Historic tree removal without permit

Environmental Specialist III – Todd Hannah

Property owner was first notified of the violation on February 23, 2023

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

Hearing to Impose Fine/Lien

X. Hearings and Presentation of Filed Notices of Violations

ARTHUR ROCKWELL

Property Location: 125 Cucumber Ln, New Smyrna Beach 32168

Parcel No. 722401020070 Zoning: A-1, A-1C

1: 20221028022 Posted

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

Environmental Specialist III – Todd Hannah

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

ELIZABETH SCHEKIE

Property Location: 841 Cavedo St, New Smyrna Beach 32168

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

1: 20221114069 Posted

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) Using a recreational vehicle for residential purposes on vacant land zoned R-3 is an accessory use(s) without a completed principal structure. Automobiles, watercraft, tents, trailers and campers are all accessory uses not permitted without a completed principal use. Article I Section 72-2 Definitions: Accessory use or structure: Any use or detached structure clearly incidental, subordinate and related to the principal use or structure and located on the same lot with such principal use or structure. Provided however, a recreational vehicle; motor vehicle; mobile home; trailer or semi-trailer; railroad car; bus, truck or automobile body, or other similar unit shall not be used as an accessory structure or converted into an accessory structure even when altered, stripped or otherwise rebuilt. Permitted principal uses and structures: In the R-3 Urban Single Family Residential Classification, no premises shall be used except for the following uses and their customary accessory uses and structures: Single-family standard, or manufactured modular dwelling APS Accessory Structures w/o Principal Structure

Code Compliance Officer – Debbie Zechowitz

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

LISA KILGORE

Property Location: 4151 Swamp Deer Rd, New Smyrna Beach 32168

Parcel No. 802101060290 Zoning: RA

1: 20221116068

CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7, SECTION 72-241 Contractor storage yard with office located on the property which is not permitted in zoning classification.

Code Compliance Officer – Fred Eastwood

Property owner was first notified of the violation on November 16, 2022

KENNETH R JACOBS JR

Property Location: 405 Stacy Grove Rd, Oak Hill 32759

Parcel No. 944304000072 Zoning: A-1,FR,RC

1: 20221222054 Posted

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE III DIVISION 8 SECTION 72-776 Stormwater Management

MIS Miscellaneous Violations No site alteration shall cause siltation of wetlands, pollution of
downstream wetlands or reduce the natural retention or filtering capabilities of wetland

Code Compliance Coordinator – Fred Eastwood

Property owner was first notified of the violation on December 23, 2022

2: CEB2023021

Complaint No. 20221006027

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

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on October 6, 2022

3: CEB2023022

Complaint No. 20230119085

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.

Environmental Specialist II - Julie McCrystal

Property owner was first notified of the violation on January 19, 2023

4: 20230405058

Complaint No. 20230405058

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

Code Compliance Officer - Fred Eastwood

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

5: 20230405059

Complaint No. 20230405059

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

Code Compliance Officer - Fred Eastwood

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

BRIAN L CARWILE TR

Property Location: SR 415, New Smyrna Beach 32168

Parcel No. 721400000034 Zoning: A-4

1: 20230313005 Served

Complaint No: 20230313005

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291. excavation- (borrow pit) no permit.

Code Compliance Officer – Isiah Pitts

Property owner was first notified of the violation on March 14, 2023

2: 20230313025 Served

Complaint No: 20230313025

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

Code Compliance Officer – Isiah Pitts

Property owner was first notified of the violation on March 14, 2023

3: 20230405036 Served

Complaint No: 20230405036

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

Environmental Specialist III – Todd Hannah

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

CHRISTOPHER E ROMERO

Property Location: 2170 E Dale Cir, Deland 32720

Parcel No. 703206000250 Zoning: RA

1: 20230321026

Complaint No: 20230321026

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

Code Compliance Officer – Isiah Pitts

Property owner was first notified of the violation on March 15, 2022

2: 20230321006

Complaint No:20230321006

CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7, SECTION 72-241 Sec. 72-2. - Definitions. Accessory use or structure: Any use or detached structure clearly incidental, subordinate, and related to the principal use or structure and located on the same lot with such principal use or structure. Accessory uses or structures shall include, but not be limited to, sheds; storage buildings; gazebos; pergolas; carports; detached garages; bulkheads; seawalls; retaining walls; docks; wharfs; piers; floating docks; boat slips; boathouses; and moorings.***** Provided, however, a recreational vehicle, motor vehicle; mobile home; (trailer or semi-trailer); (railroad car); bus, truck or automobile body, or other similar unit (shall not) be used as an accessory building or structure, or converted into an accessory building or structure even when altered, stripped, or otherwise built*****

Code Compliance Officer – Isiah Pitts

Property owner was first notified of the violation on March 15, 2022

BRADLEY D WILES TR

Property Location: 2120 Halifax Dr, Port Orange 32128

Parcel No. 622201001120 Zoning: MH-3

1: CEB2022220

Complaint No. 20220504007

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

Code Compliance Officer - Fred Eastwood

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

2: CEB2022221

Complaint No. 20220804096

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

Code Compliance Officer - Fred Eastwood

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

WILLIAM FREDERICK DIAZ

Property Location: 1130 W New York Ave, Orange City 32763

Parcel No. 800401100400 Zoning: R-4

1: CEB2023020

Complaint No. 20220621037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-842 Description: Failure to comply with tree replacement requirements.

Environmental Specialist II - Julie McCrystal

Property owner was first notified of the violation on July 19, 2022

ROBERT KLENK

Property Location: 1911 Frank Pl, Daytona Beach 32119

Parcel No. 534101010250 Zoning: R-5A

1: **CEB2023023**

Complaint No. 20220617091

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

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on August 29, 2022

STREAM HOLDINGS LLC

Property Location: 1175 John Anderson Dr, Ormond Beach 32176

Parcel No. 420309000420 Zoning: R-3

1: **CEB2023025**

Complaint No. 20210609053

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

Code Compliance Officer - Peter Hinson

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

2: **CEB2023026**

Complaint No. 20220325051

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

Code Compliance Officer - Peter Hinson

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

DONALD JOHN CONDON

*****Repeat Violation*****

Property Location: 1112 Avenue F, Ormond Beach 32174

Parcel No. 422901140190 Zoning: MH-5

1: **CEB2023027**

Complaint No. 20210827072

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

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on September 7, 2021

CATHERINE W HENDRICKS

Property Location: 34 Plaza Dr, Ormond Beach 32176

Parcel No. 420327000320 Zoning: R-5

1: 20230329042

Complaint No. 20230329042

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58-3, Improperly Maintained structure(s) and/or system(s)

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on March 29, 2023

XI. Requests for Discussion of Accumulated Fines

BAF ASSETS 4, LLC

Property Location: 136 Grace St, Deland 32724

Parcel No. 603308000190 Zoning: R-4(3)A

1: CEB2021329 Served

Complaint No. 20210714039

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

Code Compliance Officer - Robert Chayer

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

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

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

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

*Final Order Imposing Fine Lien issued at the July 20, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 6, 2023:

Request for Reduction \$17,200.00 to \$4,300.00

XII. New Business

- 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**

XIII. Adjournment

COUNTY OF VOLUSIA
NOTICE UNDER THE AMERICANS
WITH DISABILITIES ACT (TITLE II)

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

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

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

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

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

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

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

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

