



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

April 19, 2023

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
Andrew Hall, Vice-Chair
Donald Needham
Pete Zahn
Clement Nadeau
Clay Meek, Board Attorney

MEMBERS ABSENT

STAFF PRESENT

Kerry Leuzinger, Chief Building Official
Chris Hutchison, Code Compliance Manager
Isiah Pitts, Code Compliance Officer
Fred Eastwood, Code Compliance Officer
Robert Chayer, Code Compliance Officer
Peter Hinson, Code Compliance Officer
Debbie Zechnowitz, Code Compliance Officer
Sebrina Slack, Assistant County Attorney
Julie McCrystal, Environmental Specialist II
Todd Hannah, Environmental Specialist II
Danielle Gadzala, Environmental Specialist II
Paul Traider, Contractor Licensing Investigator
Nicole Weiss, Sea Turtle Lighting Specialist
Nicholas Ventura

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APPROVAL OF MINUTES

Member Nadeau moved to approve the minutes from the March 15, 2023. Member Needham seconded the motion which carried unanimously by voice votes.

* * * * *

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

Audio from this meeting can be found at <https://www.volusia.org/services/growth-and-resource-management/code-enforcement/code-enforcement-board.stml>

April 19, 2023

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

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 by the rest of the Board Members.

April 19, 2023

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

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 by the rest of the Board Members.

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

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 by the rest of the Board Members.

April 19, 2023

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

There was no one present for this case.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue a 8th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 with a Hearing to Impose Fine is set for the July 19, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

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

There was no one present for this case.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue a 8th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the July 19, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

Mark Pell was present for the hearing

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

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834 with a Hearing to Impose Fine is set for the June May 17, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

AJ Rockwell was present for the hearing.

Todd Hannah, Environmental Specialist III, presented the case. There was a discussion between Todd Hannah, AJ Rockwell and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing July 20, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

Order of Compliance

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

April 19, 2023

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 5th Amended Order of Non-Compliance of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 5th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I SECTION 58-3 with a Hearing to Impose Fine is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, with no cap, commencing November 16, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

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

April 19, 2023

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

Lucio Ramirez was present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details, showing photos. There was a discussion between Isiah, Lucio and the Board.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, with a cap of \$10,000.00, commencing July 20, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

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

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

Hearing to Impose Fine/Lien

There was no one present for this case.

Isiah Pitts, Code Compliance Officer, presented the case. Isiah went over the case details, showing photos. A discussion was had between Isiah and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a hearing date of May 17, 2023. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

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

Hearing to Impose Fine/Lien

Order of Compliance

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

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

Floyd Huffman was present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details,
showing photos. There was a discussion between Isiah, Floyd Huffman and the Board.

**After discussion and based on the testimony and evidence presented, Member
Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County
Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-293 with a
Hearing to Impose Fine is set for the May 17, 2023, hearing. After Member Zahn
SECONDED the motion, it CARRIED unanimously by voice vote.**

April 19, 2023

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 3rd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the June 21, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, with a cap of \$18,000.00, commencing May 18, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, with no cap, commencing July 20, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing October 19, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 with a Hearing to Impose Fine is set for the May 17, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

There was no one present for this hearing.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the May 17, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

Michael Shay, Attorney, Karen Young, a neighbor, were present for this case.

Robert Chayer, Code Compliance Officer, presented the case. Robert went over the case details, showing photos. A discussion was had between Sebrina Slack, Clay Meek, Mr. Shay and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing July 20, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72 ARTICLE II 7 SECTION 72-241 After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

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

There was no one present for this case.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$500.00 per day, with no cap, commencing May 18, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(1). After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

AJ Rockwell was present for this case.

Todd Hannah, Environmental Specialist presented the case. Todd went over the case details, showing photos. A discussion was had between Todd, AJ Rockwell and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE III DIVISION 11 SECTION 72-884 With a compliance date of June 15, 2023 and a Hearing to Impose Fine is set for the June 21, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

ELIZABETH SCHESKIE

Property Location: 841 Cavedo St, New Smyrna Beach 32168

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

1: 20221114069 Posted

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

Code Compliance Officer – Debbie Zechnowitz

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

CONTINUED 5-17-23

April 19, 2023

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

Lisa Kilgore and Robert Kupkey were present for this case.

Fred Eastwood, Code Compliance, presented the case. Fred presented the case showing photos. There was a discussion between Fred, Lisa Kilgore, Mr Kupkey and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7, SECTION 72-241 With a compliance date of June 16, 2023 and a Hearing to Impose Fine is set for the June 21, 2023 hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

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

Kenneth Jacobs was present at the hearing for this case.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE III DIVISION 8 SECTION 72-776 With a compliance date of October 15, 2023 and a Hearing to Impose Fine/Lien is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

Kenneth Jacobs was present at the hearing for this case.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 With a compliance date of October 15, 2023 and a Hearing to Impose Fine/Lien is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

Kenneth Jacobs was present at the hearing for this case.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 With a compliance date of October 15, 2023 and a Hearing to Impose Fine/Lien is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 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

Kenneth Jacobs was present at the hearing for this case.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTION 105.1 AND 110.1 With a compliance date of October 15, 2023 and a Hearing to Impose Fine/Lien is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

Kenneth Jacobs was present at the hearing for this case.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7, SECTION 72-241 With a compliance date of October 15, 2023 and a Hearing to Impose Fine/Lien is set for the October 18, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

BRIAN L CARWILE TR

Property Location: SR 415, New Smyrna Beach 32168

Parcel No. 72140000034 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

Withdrawn

April 19, 2023

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

Christopher Romero was present at this hearing to contest the findings.

Isiah Pitts, Code Compliance presented the case. Isiah went over the case details, showing photos. There was a discussion between Isiah, Mr Romero and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7, SECTION 72-241 Sec. 72-2 With a compliance date of May 12, 2023 and a Hearing to Impose Fine is set for the May 17, 2023 hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

William Frederick Diaz was present for the hearing of this case.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-842 with a with a compliance date of June 16, 2023 Hearing to Impose Fine is set for the June 21, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

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

Continued to 5-17-23

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

There was no one present for this hearing

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, With a Hearing to Impose Fine/Lien set for the May 17, 2023 hearing. After Member Zahn SECONDED the motion, and it CARRIED unanimously by voice vote.

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

There was no one present for this hearing

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, With a Hearing to Impose Fine/Lien set for the May 17, 2023 hearing. After Member Zahn SECONDED the motion, and it CARRIED unanimously by voice vote.

April 19, 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

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, backdated to February 14, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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

Sandy Isaac and Gayle LittleJohn, neighbors, were present at the hearing for this case.

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. There was a discussion between Peter, Sandy Isaac, Gayle LittleJohn and the Board

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance and Order of Dismissal and be referred to the Contractor Licensing and Constructions Appeals Board for violation of Volusia County Code of Ordinances CHAPTER 58-3, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 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

Property Manager was present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details. There was a conversation between Margaret, the Property Manager and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Deny the request for Reduction for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

April 19, 2023

CEB2021355 - OPENDOOR PROPERTY TRUST I

Posted

Complaint No. 20211116012

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

Property Location: 903 Camphor Ln, Deland 32720

Parcel No. 701702190120

Zoning: R-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Dec 2, 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:

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

Request for Partial Release of Lien

1951 Marsh Hen Village and 3316 Yule Tree Dr

Rachel Aucrum was present for the hearing for this case

Sebrina Slack provided information for this case.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to approve the Request for Partial Release of Fine/Lien for 1951 Marsh Hen Village and 3316 Yule Tree Dr, Deland. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

EDELGARD B PIERCE

Property Location: 6468 River Rd, New Smyrna Beach 32169

Parcel No. 850501720110 Zoning: R-9W

1: CEB2021385 Served

Complaint No. 20211214002

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Code Compliance Coordinator - Margaret Godfrey

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

*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 June 15, 2022 hearing:

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

*4th Amended Order of Non-Compliance issued at the September 21, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 12, 2023:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance.

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

April 19, 2023

**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.

April 19, 2023

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 1:02 p.m.

There being no further business to discuss before the Board, the meeting adjourned at 12:36 p.m.

Respectfully submitted,

Jacque Fleming
Code Enforcement Board Clerk

March 15, 2023

CERTIFICATE

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

I, Jacquie Fleming, Code Enforcement Board Clerk, do hereby certify that the foregoing pages constitute a true and accurate transcript of the minutes of the Volusia County Code Enforcement Board taken on March 15, 2023 at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 15th day of March, 2023, in the City of DeLand, County of Volusia, State of Florida.

**Jacquie Fleming
Code Board Clerk**

January 18, 2023