



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

April 20, 2022

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

MEMBERS PRESENT

**Chad Lingenfelter, Chair
Andrew Hall, Vice-Chair
Clement Nadeau
Vikki Leonard
Harry Wild
Clay Meek, Board Attorney**

MEMBERS ABSENT

**Donald Needham
Pete Zahn**

STAFF PRESENT

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

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APPROVAL OF MINUTES

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

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

April 20, 2022

IX. Unfinished Business

CEB2016086 - K1J6-LLC WALKER LANDING LLC

Served

Complaint No. 20160323031

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: 4111 Airport Rd, Deland 32724

Parcel No. 601700000050 Zoning: A-2

Code Compliance Manager – Debbie Zechnowitz

Property owner was first notified of the violation on Mar 24, 2016

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

*Final Order Imposing Fine Lien issued at the November 16, 2016 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 17, 2022:

Order of Compliance

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

CEB2019120 - DAVID DR LLC

Posted

Complaint No. 20190114017

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: 1235 David Dr., Daytona Beach 32117

Parcel No. 523703050170 Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jan 16, 2019

*Order of Non-Compliance issued at the June 19, 2019 hearing:

*Final Order Imposing Fine Lien issued at the July 17, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 21, 2022:

Order of Compliance

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

April 20, 2022

CEB2019121 - DAVID DR LLC

Posted

Complaint No. 20190114021

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: 1235 David Dr., Daytona Beach 32117

Parcel No. 523703050170

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jan 16, 2019

*Order of Non-Compliance issued at the June 19, 2019 hearing:

*Final Order Imposing Fine Lien issued at the July 17, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 21, 2022:

Order of Compliance

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

April 20, 2022

CEB2019092 - ROSS TIMOTHY CHARLES

Posted

Complaint No. 20180816051

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). Have built a shop as well as put in/put up a pool. Is living in shop. Has converted into living quarters. This may not be a complete list

Property Location: 2795 Big John Dr., Deland 32724

Parcel No. 613001070280

Zoning: A-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sep 17, 2018

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

Hearing to Impose Fine/Lien

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

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated this case has been going on since 2018. Margaret said that we received a letter from Allen Plumbing that addresses the septic tank and stated that a camera was used everything appeared to be operational. The letter was titled affidavit but was not notarized. Margaret added the plumbing affidavit was a requirement per the prevention inspection, however this submittal is not an affidavit and there have been no other submittals to date and also no inspection requests to date. Margaret said the RES permit is valid until 10-20-2022 and added that staff was recommending an order imposing fine/lien to start 10-20-22. Margaret also stated she has not had contact with the owner but has been in contact with Mike. Mike said we had to get a variance and then building plans. Mike added that there has been some delays and he is working with Allen Plumbing on issues. Mike said that Mr. Ross's goal is to have everything wrapped up by July.

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 commencing October 20, 2022 and to continue until compliance is achieved, but not to exceed \$15,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021057 – Tangerine Inn, Woodland Trust, Hoffman Frederick Tr. Served

Complaint No. 20200731019

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Appears renovation or remodel with no evidence of required permits / inspections or approvals. Construction without permits and inspections; unsafe electrical wiring, circuits and devices. O.H. Garage door; Windows; Roof framing, sheathing, roofing; Plumbing; May not be a complete list.

Property Location: 3870 N Us Hwy 17, Deland 32720

Parcel No. 601903000240

Zoning: B-4CA

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 24, 2020

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

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

*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

Hearing to Impose Fine/Lien

Frederick Hoffman was present at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case in Robert's absence. Debbie went over the case details, showing photos. Debbie stated the last inspection was on 4-5-2022 and said a permit was issued and has passed the electrical and plumbing rough in inspections. Debbie said the permit now expires in June 2022 and recommends a 3rd amended order be issued with a hearing to impose fine set for 7-20-2022. Mr. Hoffman said he spoke with the fire inspector and has a few things to do and plans to call for another inspection soon.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021079 – ANTHONY COOPER

Served

Complaint No. 20210214003

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: 494 Old Daytona Rd, Deland 32724

Parcel No. 603304000010

Zoning: I-1A

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on Feb 15, 2021

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

*1st Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

*3rd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

*4th Amended Order of Non-Compliance issued at the February 16, 2022 hearing:

Hearing to Impose Fine/Lien

Anthony Cooper, Kenneth Ashley and Danny Williams was present at the hearing for this case.

Todd Hannah, Environmental Specialist, presented the 3 cases together with Debbie Zechowitz in Robert’s absence. Todd went over the case details, showing photos. Todd stated we are waiting on plans and as of yesterday there was nothing received. Debbie said Robert’s recommendation was for fines to start due to nothing being submitted. Kenneth Ashley passed around plans from Bechton Engineering. Mr. Williams, Engineer, said the plans that were passed out are the site plans and as soon as the drainage calculations are verified they should be almost finished. Mr. Williams asked if there could be a little more time. Kenneth added that everything is ready and the reason it wasn’t turned in is that he was wanting everything done at the same time. There was discussion on what the date should be for the recommendation.

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 commencing June 16, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021128 - ANTHONY COOPER

Served

Complaint No. 20210220006

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291. Contractor storage yard with no final site plan

Property Location: 494 Old Daytona Rd, Deland 32724

Parcel No. 603304000010

Zoning: I-1A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 15, 2021

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

*1st Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

*3rd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

*4th Amended Order of Non-Compliance issued at the February 16, 2022 hearing:

Hearing to Impose Fine/Lien

April 20, 2022

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 commencing June 16, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021129 - ANTHONY COOPER

Served

Complaint No. 20210220007

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

Property Location: 494 Old Daytona Rd, Deland 32724

Parcel No. 603304000010

Zoning: I-1A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 15, 2021

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

*1st Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

*3rd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

*4th Amended Order of Non-Compliance issued at the February 16, 2022 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day commencing June 16, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021195 - JESSE ROY MCKINNON PHILIP B DWINAL

Served

Complaint No. 20210520050

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

Property Location: 120 South St, Oak Hill 32759

Parcel No. 95060000170

Zoning: MH-5

Code Compliance Manager - Chris Hutchison

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

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

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

Hearing to Impose Fine/Lien

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

Chris Hutchison, code compliance, presented the case. Chris went over the case details, showing photos. Chris stated as of 4-6-22 there has been no changes and no contact with the owner and is recommending fines to start.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing May 19, 2022 and to continue until compliance is achieved, but not to exceed \$2,500.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C).** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021221 - BALDINO CONCRETE & BOBCAT INC

Served

Complaint No. 20201229026

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

Property Location: 2550 Old New York Ave, Deland 32720

Parcel No. 791304000169

Zoning: I-1

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said the last inspection was on 4-19-2022 and the property remains in violation. Chairman Lingenfelter asked Isiah if he has had communication with the Mr. Baldino. Isiah said he did submit the conceptual plans but nothing further. Mike said he plans to have his final site plan submitted by Friday. Mike said the process takes a minimum of 6 months. Chairman Lingenfelter asked Mike if there has been discussion as far as the millings that are being brought to the property. Mike said he is going to be using that once the plans are approved. There was discussion on the time frame for the order.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day commencing July 21, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021283 - BUSBEE ROSEMARY SUE

Posted

Complaint No. 20210729063

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

Property Location: 1315 San Jose Blvd, Daytona Beach 32117

Parcel No. 424219140090

Zoning: R-5

Code Compliance Officer - Peter Hinson

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

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

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

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

Hearing to Impose Fine/Lien

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

Peter Hinson, code compliance, presented the 2 cases together. Peter went over the case details, showing photos. Peter said on 4-14-22 he met with Kelly Anderson on the property and there have been more improvements made and said she plans to move to this home in 2023 as it was her mother's home. Peter said he recommends some more time.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the June 15, 2022 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2021285 - BUSBEE ROSEMARY SUE

Posted

Complaint No. 20190627038

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34 Vehicle(s) that is inoperative and/or without current state license tag

Property Location: 1315 San Jose Blvd, Daytona Beach 32117

Parcel No. 424219140090

Zoning: R-5

Code Compliance Officer - Peter Hinson

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

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

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34, with a Hearing to Impose Fine set for the April 20, 2022 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021322 - JOHN WILSON PLUMBING & SEPTIC **Posted**

Complaint No. 20210831084

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

Property Location: Lakeview Dr., Deland 32720

Parcel No. 791304000168 **Zoning: I-1**

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said his last inspection was on 4-19-2022 and the property remains in violation. Mike said this is a little more complicated and he plans to submit the site plan next week.

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 \$250.00 per day commencing July 21, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021331 - LINDSEY P GONZALEZ

Served

Complaint No. 20190702040

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

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

Parcel No. 631204004340

Zoning: R-3(S)

Zoning Compliance Officer - Debbie Zechnowitz

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

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

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

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

Hearing to Impose Fine/Lien

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

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated a permit application was received on 4-4-2022 and is recommending more time.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the October 19, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021344 – TERESA ANTHONY

Served

Complaint No. 20211005006

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

Property Location: 206 Evergreen Ter., Deland 32724

Parcel No. 603812000280

Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

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

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

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

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

Hearing to Impose Fine/Lien

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

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated there has been communication with Teresa and she is now able to start getting contractors. Margaret added on 4-14-2022 a Mechanical permit application was submitted to address that violation and is valid until October. Margaret said she recommends a 3rd amended order to 7-20-22.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021346 - OPENDOOR PROPERTY TRUST I

Served

Complaint No. 20211029019

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

Property Location: 316 N Blue Lake Ave, Deland 32724

Parcel No. 701000000080

Zoning: R-4A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 11-3-2021

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

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

Hearing to Impose Fine/Lien

Josh Devinney and Attorney, Scott Baker were present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated on 4-18-2022 a permit application was submitted and cannot be processed due to the application being incomplete. Margaret said the property has been taken off the market and that she has had no contact with anyone. Mr. Baker said they have engaged contractors, and not sure why the applications are incomplete. Mr. Baker asked if they can be given 45 days to get things completed. Kerry Leuzinger asked Mr. Baker if he heard that work is continuing at this property. Chairman Lingenfelter said that what he heard was, Mr. Baker has a report with items that need to be taken care of. Kerry said did you say an electrician was in the house correcting items and that an AC contractor was there resetting an A/C unit. Kerry said if what he heard was correct then we still have work taking place without a permit issued and if that is the case it should stop immediately. Mr. Baker said yes that is correct. Member Leonard asked Kerry if that work would need to be re inspected. Kerry said everything needs to be inspected. Member Hall asked Mr. Baker if was able to put a stop to anymore work being done. Mr. Baker said yes and believes there might be communication issues and as soon as they are done today they will get the contractors on the phone and tell them to stop.

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 commencing June 16, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

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:

Hearing to Impose Fine/Lien

Josh Devinney and Attorney, Scott Baker were present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated on 4-15-2022 a demolition permit application was submitted and added that it does not address all the violations, there was work done in the interior of the home that was not addressed. Margaret said the property is now listed as "Off Market". Chairman Lingenfelter said there was a demo application and asked if it included plans. Mr. Baker said Margaret read the exact same thing as he was going to read and is asking for a little more time. Member Hall said this sounds like the other property and recommends Mr. Baker get the team together so everyone is on the same page as it seems there is a big lack of communication.

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 commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021379 - OPENDOOR PROPERTY TRUST I

Served

Complaint No. 20211209022

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

Property Location: 2119 Eau Claire Ave, Deland 32724

Parcel No. 701111120082

Zoning: R-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 12-18-21

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

Hearing to Impose Fine/Lien

Josh Devinney and Attorney, Scott Baker were present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated the permit application was submitted on 4-14-22 and was in the review process but is also an incomplete application. Margaret said this property is for sale and is listed as pending. Margaret said this is another that needs a whole set of plans. Mr. Baker said a master permit will be pulled to address the violations and plans will be submitted showing the full floor lay out. Mr. Baker said that they are also getting a plumbing contractor. Mr. Baker said this home was bought with this work done. Chairman Lingenfelter asked Kerry Leuzinger when applying for a permit and it is incomplete could that still get a prevention inspection. Kerry said not until the permit is issued. Member Leonard asked what the plan was with the sale pending. Mr. Baker said that needs to be changed because there is not a sale pending.

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 commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021360 – MARKS BRETT TR/SEA EIGHT DYASTY TRUST

Posted

Complaint No. 20210810084

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

Property Location: 325 N Putnam Grove Rd, Oak Hill 32759

Parcel No. 953701000141

Zoning: A-1

Code Compliance Manager - Chris Hutchison

Property owner was first notified of the violation on 12-10-21

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

Hearing to Impose Fine/Lien

Darren Marks and Dustin Anglin, GC, was present at the hearing for this case.

Chris Hutchison, code compliance, presented the case. Chris went over the case details, showing photos. Chris stated on 1-26-22 he received word that the property may receive an Ag exemption which would cover the pond, but it would be after March. On 2-1-2022 a site inspection was conducted with engineers and county staff. On 3-24-22 an email was received from Keith Stewart in regards to the pond, stating they were waiting for a lease but would be putting the Ag classification on the parcel and said they have not processed the application or added the Ag because of this delay. Chris added that as of 4-7-22 there has been no contact with the owners and no permits have been applied for. Chris said his recommendation was for a fine to start on May 19, 2022 at \$100.00 per day with a cap of \$34,000.00. Chairman Lingenfelter asked if there was a life safety issue and Chris said no. Member Leonard asked to see slide 11 that shows the Kitchen and added that the photos look like a commercial kitchen. Chris then said that it was his opinion that this was going to be one of those Wedding Barns. Mr. Marks said this is the way we bought this property. Mr. Marks said that he has been updating Paul with things and thought they were being communitive. Dustin said they just received a full list of things that needed to be corrected and this morning a permit was submitted and reiterated that Mr. Marks purchased this property this way. Paul Traider than said they are on the right track with getting things submitted. Chairman Lingenfelter asked Chris if he would be willing to change his recommendation and Chris said yes. Member Leonard asked what the intentions are with the property. Dustin said it was bought with the intention of the wedding barns but after investigation it was determined this would not work and now they are using it as a 2nd residence.

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

April 20, 2022

CEB2021369 - LANGDON PEGRAM

Served

Complaint No. 20210524034

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: 1151 W New York Ave, Deland 32720

Parcel No. 700707000020

Zoning: R-4C

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Oct 14, 2021

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

*Report and Affidavit of Compliance submitted with a Compliance date of April 12, 2022:

Hearing to Impose Fine/Lien Order of Compliance

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

CEB2021370 - LANGDON PEGRAM

Served

Complaint No. 20210524035

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: 1151 W New York Ave, Deland 32720

Parcel No. 700707000020

Zoning: R-4C

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Oct 14, 2021

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

Hearing to Impose Fine/Lien

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

Debbie Zechowitz, code compliance, presented the case in Robert's absence. Debbie went over the case details, showing photos. Debbie stated the last inspection was on 4-11-2022 and cleanup is mostly complete and there is 1 trailer left. Debbie said Robert wants to give a little more time.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021380 – SEAN HUGHES

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). Renovations

Property Location: 1373 Beacon Dr., Daytona Beach 32117

Parcel No. 523729000380

Zoning: R-6A

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on 12-22-21

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

Hearing to Impose Fine/Lien

Sean Hughes and Louis Vigliotti, LEV Engineering were present at the hearing for this case.

Peter Hinson, code compliance, presented the 2 cases together. Peter went over the case details, showing photos. Peter stated there are no permits applied for as of April 6th. Peter also said he spoke with Mr. Hughes right before this meeting and was told he hired a contractor and engineer. Peter said the power is still off at the property. Peter said his recommendation is to impose the fine. Mr. Hughes said he has run into nothing but brick walls on getting help with this. Mr. Hughes said that he now has help from Mr. Vigliotti. Mr. Vigliotti said he just learned of this yesterday and he is to perform a site visit soon and has contractors available to help with this project. Member Wild asked if the recommendation from staff was okay to change. Peter said yes. Member Nadeau asked Mr. Vigliotti when he thought a permit would be applied for. Mr. Vigliotti said that he should have everything ready within 30 days, but that's for getting the plans. Member Leonard asked if the building was secured. Mr. Hughes said yes no one can get in it and added he drives by this every day.

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

CEB2021381 – SEAN HUGHES

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)

Property Location: 1373 Beacon Dr., Daytona Beach 32117

Parcel No. 523729000380

Zoning: R-6A

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Coates 12-22-21

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the July 20, 2022 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021383 – VIJAY LUTHRA

Served

Complaint No. 20210824057

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

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

Parcel No. 743504020050

Zoning: R-4W

Code Compliance Manager - Chris Hutchison

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

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

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

Hearing to Impose Fine/Lien

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

Chris Hutchison, code compliance, presented the case. Chris went over the case details, showing photos. Chris stated there was communication with a representative of the owner on 3-28-2022 and they were advised on what to do to be in compliance. Chris said as of 4-7-2022 there has been no action or further contact and recommends fines to start.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing June 16, 2022 and to continue until compliance is achieved but not to exceed \$115,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021387 - AMY C & JOHN CARTER

Served

Complaint No. 20210331059

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). Construction of a residential addition with no evidence of required permits, inspections or approvals. Construction docs & engineering required. Building, mechanical, Electrical, Plumbing permitting & inspections required. New structure has been deemed UNSAFE by the deputy Building official. May not be a complete list.

Property Location: 1385 Glenwood Rd, Deland 32720

Parcel No. 603100000578

Zoning: RR

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Apr 15, 2021

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

Hearing to Impose Fine/Lien

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

Debbie Zechowitz, code compliance, presented the case in Robert's absence. Debbie went over the case details, showing photos. Debbie stated the last inspection was on 4-6-2022 and said there has been no further contact with the owner since the ONC was issued and no permit applications to date and recommends fines to start.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing May 19, 2022 and to continue until compliance is achieved but not to exceed \$26,000.00 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 20, 2022

CEB2021392 - YUNISLEYDIS RODRIGUEZ VELZAQUEZ

Posted

Complaint No. 20211229015

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

Property Location: 711 Cypress Ave, Orange City 32763

Parcel No. 800900000290

Zoning: A-3

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

Nike Hosseini from Cobb/Cole was present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated his last inspection was on 4-19-2022 and the property was still in violation. Isiah said there was a site inspection done on 4-11-22 and the fuel depot was noticed next to the storage building. Isiah said he recommends fines to start at \$250.00 per day with no cap. Chairman Lingenfelter asked Isiah if the owner has done a pre application meeting. Isiah said yes he believes its next week. Nika said regarding the site plan in the residential zone property the contractor storage yard won't be allowed and the only option is to move all the equipment and machinery off the property. Member Leonard asked if there was an environmental issue now that there are gas tanks there. Isiah said he is notifying them off this. Member Nadeau asked Nika if she thought all the equipment would be moved by 5-19. Nika said that a month should be more than enough time to move the equipment. Member Hall asked if the daily fine amount can be more than \$250.00. Sebrina Slack said yes the max amount is \$500.00 per day.

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 commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2022022 - 222 PROPERTIES LLC

Served

Complaint No. 20211111002

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

Property Location: 1907 Woodcrest Dr., Ormond Beach 32174

Parcel No. 422802000290

Zoning: MH-5

Code Compliance Officer - Peter Hinson

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

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

Hearing to Impose Fine/Lien

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

Peter Hinson, code compliance, presented the case. Peter went over the case details, showing photos. Peter stated his last inspection was on 4-14-22 and the accessory structure remains on the lot. Peter added the lot combination application remains incomplete and recommends fines to start.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing May 19, 2022 and to continue until compliance is achieved but not to exceed \$3,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2022033 – VIVENE BONNICK

Posted

Complaint No. 20210126002

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

Property Location: 1521 East Pkwy, Deland 32724

Parcel No. 700105090190

Zoning: R-4A

Environmental Specialist II - Danielle Gadzala

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

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

Hearing to Impose Fine/Lien

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

Danielle Gadzala, Environmental Specialist, presented the 2 cases together. Danielle went over the case details, showing photos. Danielle said as of 4-18-2022 there has been no contact and no permit applications and recommends fine to start. Chairman Lingenfelter said the options are, get a house permit or a restoration plan. Danielle said correct.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing May 19, 2022 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.

CEB2022034 - VIVENE BONNICK

Posted

Complaint No. 20210126003

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

Property Location: 1521 East Pkwy, Deland 32724

Parcel No. 700105090190

Zoning: R-4A

Environmental Specialist II - Danielle Gadzala

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing May 19, 2022 and to continue until compliance is achieved for violation of VOLUSIA COUNTY CODE OF ORDINANCES , CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2).** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

X. Hearings and Presentation of Filed Notices of Violations

CEB2021024 - E B & LORRAINE B CONOLEY

Served

Complaint No. 20201203030

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). Single Family Residence

Property Location: 965 Bunnell Rd, Seville 32190

Parcel No. 383500000040 Zoning: A-1

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Dec 10, 2020

Continued to June 15, 2022

CEB2021276 - BERRYS RIDGE HOA INC

Served

Complaint No. 20180314034

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

Property Location: 3861 N Spring Garden Ave, Deland 32724

Parcel No. 602002000002 Zoning: A-3A,B-2A,RPUDA

Environmental Specialist II - Julie McCrystal

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

*The Board continued this case from the March 16, 2022 hearing:

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

Julie McCrystal, Environmental Specialist, presented the case. Julie went over the case details, showing photos. Julie said the case was heard last month but the HOA Attorney requested the case be continued. Julie said as of 4-19-2022 there has been no further contact and no permit submittal on file. Chairman Lingenfelter asked if Julie thought the owners understood what needed to be done. Julie said yes everything has been sent to them and she has done everything she can to get this process moving along.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2) With a compliance date of June 13, 2022 and a Hearing to Impose Fine is set for the June 15, 2022 hearing.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

CEB2021296 - JEFFERY ALAN WALLACE ETAL, DANIEL KEITH WALLACE, JAMES DENNIS WALLACE II & LINDA LYNN TAYLOR Served

Complaint No. 20200316043

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 storage sheds

Property Location: 1112 Carmen Ave, Daytona Beach 32117

Parcel No. 424219400190 Zoning: B-5

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on 10-4-21

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

Peter Hinson, code compliance, presented the case. Peter went over the case details, showing photos. Peter stated this case was inherited this case and it has been going on since 2020. Peter said he has spoken with the Wallace brothers and has been working with them the whole year of 2021, he provided permitting information. Peter said Jeff spoke to him on 2-17-2021 and he was requesting an extension so he could seek a variance, in September there was no contact or permits on file so this case was created. Peter said the property owner called asking for more time to get the sheds removed on 3-17-2022 the sheds were still on the property. On 4-5-2022 Peter said he spoke with Jeff Wallace who told him he was financially unable to remove the sheds or pull the permits. Peter told him at that time the case would be going before the Board at this meeting. Peter's last inspection was 4-14-22 and the 2 sheds remain on the property.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 3, 2022 and a Hearing to Impose Fine is set for the May 18, 2022 hearing.**

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

April 20, 2022

CEB2021314 - DOUGLAS H COOMBS EST

Served

Complaint No. 20210707020

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s).renovation/remodel without permits and inspection approvals. Siding, windows, bathroom, room off the porch, carport, roof, may not be a complete list

Property Location: 128 N 1st St, Oak Hill 32759

Parcel No. 950600000720

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

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

Continued to June 15, 2022

CEB2021348 – FERDINANDO ACEVEDO JR & IDETTE GALARZA GONZALEZ

Complaint No. 20201012039

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

Property Location: 1455 15th St, Orange City 32763

Parcel No. 800401750100

Zoning: R-4

Code Compliance Officer - Isiah Pitts

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

WITHDRAWN

CEB2022003 - MICHAEL L & GLENN V BENNETT

Served

Complaint No. 20211206018

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 Contractor storage yard w/o a final site plan

Property Location: 351 Yorkshire Dr., Lake Helen 32744

Parcel No. 713300000028

Zoning: A-2

Code Compliance Officer - Isiah Pitts

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

WITHDRAWN

CEB2022037 - GREGGORY J CORUM

Served

Complaint No. 20201102030

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). Demo of rear addition and carport

Property Location: 34 Alamanda Dr., Ormond Beach 32176

Parcel No. 420313000510

Zoning: R-5

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Nov 07, 2020

Continued to August 17, 2022

April 20, 2022

CEB2022038 - GREGGORY J CORUM

Served

Complaint No. 20211013042

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: 34 Alamanda Dr., Ormond Beach 32176

Parcel No. 420313000510

Zoning: R-5

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Oct 18, 2021

Continued to August 17, 2022

CEB2022041 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220217030

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

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 3-3-22

*The Board continued this case from the March 16, 2022 hearing:

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

Margaret Godfrey, code compliance, presented the 8 cases together. Margaret went over the case details, showing photos. Margaret stated what each case was for and showed the warranty deed that shows who the owners are. Margaret showed a slide with the final site plan development order and added this was sent to the engineer of record Pete Zahn and it listed the requirements prior to starting any site work. Chairman Lingenfelter asked if the development order expire. Samantha West said they expire in 2 years upon issuance. Margaret then went through each page of the approved development order and the approved storm water plan. Margaret showed photos of the RC zone from 2017 to 2022, you are able to see drive isles and trees that have been removed. There was a photo of a drainage ditch that was created. Margaret then showed the Council Rendition letter for the Special Exception that detailed 17 conditions. Scott Ashley said that this was granted in 2018 and is good until 2028. Margaret added Pursuant to Condition #1 of special exception case S-17-054, the temporary campsite shall be limited to the areas as April 20, 2022

shown on the revised special exception site plan. The subject property is zoned A-1 Prime Agriculture and RC Resource Corridor. By ordinance, the temporary campsite special exception is restricted to the A-1 zoned portion of the property. However, as shown on current 2022 aerial photos, the property owner has impacted RC zoned portions of the property with campsite related improvements outside of the designated campsite area. Therefore, the property is not in compliance with the approved special exception rendition. The newly impacted areas must be restored to previous conditions as these areas cannot be used for temporary campsite purposes. Property owner has admitted that he was trying to keep the area dry for his primitive campsites. These campsites would be outside of the approved area, per comments made by county staff that have inspected the subject property and 2022 aerial photos, the Cackleberry temporary campsite use is not in compliance with all conditions of approved special exception case S-17-054. Conditions #2 states that the temporary campsite shall only be open for operation no more than three days before a regularly scheduled racing event at the Daytona Beach International Speedway. The Speedweeks event dates for 2022 run from February 15-20. The campsite was accepting campers as early as February 8, 2022. The Bike Week event dates are from March 4, 2022 through March 13, 2022. Several RV's remained from Speedweek, as well as the portable toilets and accessory structures. Staff was on site February 25, 2022, the date that the lot should have been completely cleared, and saw more RV's coming in. There were also tents set up for the vendors and those can only be set up 5 days before the event, according to the outdoor entertainment permit. Margaret then showed photos of construction that was done with no permits and added that the property has an Ag exemption but the pole barn was not being used for Ag purposes. Margaret said the junkyard case is in reference to all the blue barrels and port a potties that are on the property. Margaret said staff recommendation is for Orders of non-compliance with a compliance date of immediately and a hearing to impose fine set for 5-18-22. Member Hall asked if some of these cases could be complied with immediately. Samantha added that there was an inspection done in the beginning of February and at that time they noted the issues of the roadways and the buildings that were not permitted and a letter was sent out and nothing has been received back to comply with those issues. Darren Elkind said that the clearing that was shown was done at the end of 2017. Mr. Elkind added that he was contacted due to issues with the site plan in 2021. Mr. Elkind said he was contacted again thinking this was all taken care of and asked for the continuance. Mr. Elkind said he has requested a meeting and added that there will be no more camping during the racing events and added that the owners are requesting more primitive camping areas on the site plan. Mr. Elkind said they do have an engineer but is currently out of time and said that this would not be done by the next meeting, trees have been planted and materials have been moved off the property. Mr. Elkind also added that the recommendation of compliance now is difficult but some things are in compliance as of right now since there are not people there camping. Mr. Elkind has also asked for 30 day continuance so they can work through the process. Mr. Elkind also expressed that he has told his clients that they have to live by the rules otherwise he will not be here and was told to do whatever it takes to be in compliance. There was discussion on revisions to the site plans and compliance dates. Member Wild then asked if each case should be handled separately. Member Hall said his thoughts are to set the order of non-compliance and set the next meeting date for 3 months down the road.

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After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE III Division 3 Section 72-576 With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022042 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223041

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

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 3-3-22

*The Board continued this case from the March 16, 2022 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 CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-776 With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022043 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223037

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

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

*The Board continued this case from the March 16, 2022 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 CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-293 With a**
April 20, 2022

compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing. After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022044 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223036

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

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

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

*The Board continued this case from the March 16, 2022 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 CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing.**

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

CEB2022045 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223029

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

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

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

*The Board continued this case from the March 16, 2022 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 CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing.**

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

CEB2022046 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220223028

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

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

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

*The Board continued this case from the March 16, 2022 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**

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of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing. After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022047 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220225040

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

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

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

*The Board continued this case from the March 16, 2022 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 CHAPTER 72, ARTICLE III DIVISION 6 SECTION 72-691(B) With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2022066 - R & R LAND HOLDINGS LLC

Served

Complaint No. 20220318034

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA, CHAPTER 10 AMUSEMENTS & ENTERTAINMENT ARTICLE II, OUTDOOR ENTERTAINMENT. Outdoor Entertainment Violation - Specifically Section 10-37 (5)(6) Erecting temporary structures (tents) and not removing the temporary structures (tents) within the required time frame. Temporary structures cannot be erected before 5 days before the event and have to be removed within 3 days of the end of the event

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

Parcel No. 721100000100

Zoning: A-1,A-2,RC

Code Compliance Coordinator - Margaret Godfrey

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

*The Board continued this case from the March 16, 2022 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 CHAPTER 10 AMUSEMENTS & ENTERTAINMENT ARTICLE II, OUTDOOR ENTERTAINMENT With a compliance date of July 15, 2022 and a Hearing to Impose Fine is set for the July 20, 2022 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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XI. Requests for Discussion of Accumulated Fines

CEB2009149 – JOHN MOLHEM

Served

Complaint No. 20090506034

Violation of Volusia County Code of Ordinance, Chapter 22-2, Florida Building Code Sections 105.1 and 109.3 for construction without the required permit(s) and inspection approvals

Property Location: 130 North Boulevard Ct, DeLand 32720.

Parcel No. 7004-14-02-0120

Code Compliance Officer – Debbie Zechnowitz

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

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

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

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

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

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

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

Request for Discussion of Fine/Lien of \$105,825.00

John Molhem and Louis Vigliotti were present at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated the violation was the carport was enclosed and said that staff recommends the fine be reduced to \$2,000.00. Mr. Vigliotti said he was contacted about this job and understood that a contractor was hired and thought they went through the proper steps on enclosing the carport. Mr. Vigliotti added that since the contractor and engineer at that time have since both deceased and unfortunately while trying to sell the home this lien came up. Mr. Vigliotti said he has checked everything and drew up the plans and are hoping for a reduction and says \$2,000.00 is reasonable.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to Reduce the fine to \$2,000 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 109.3.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019120 - DAVID DR LLC

Posted

Complaint No. 20190114017

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: 1235 David Dr., Daytona Beach 32117

Parcel No. 523703050170

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jan 16, 2019

*Order of Non-Compliance issued at the June 19, 2019 hearing:

*Final Order Imposing Fine Lien issued at the July 17, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 21, 2022:

Request for Discussion of Fine/Lien \$3,700.00

John Dunn was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases in Robert's absence. Margaret went over the case details, showing photos. Margaret stated the property was up for sale and the liens showed up during the title search. Member Wild said that according to the prior minutes you were never present at any of the meetings. Mr. Dunn said he was completely unaware and the issues were from a tenant. Mr. Dunn said he is not selling the property he was trying to refinance and if he knew of these issues he would have taken care of it right away. Margaret added that he did not sign for any mailings.

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

CEB2019121 - DAVID DR LLC

Posted

Complaint No. 20190114021

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: 1235 David Dr., Daytona Beach 32117

Parcel No. 523703050170

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jan 16, 2019

*Order of Non-Compliance issued at the June 19, 2019 hearing:

*Final Order Imposing Fine Lien issued at the July 17, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 21, 2022:

Request for Discussion of Fine/Lien \$3,700.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars and issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances , CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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Cases from Addendum

CEB2021118 - RATHBURN WAYNE A

Served

Complaint No. 20210429006

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

Property Location: Central Pkwy, Deland 32724

Parcel No. 700103380340

Zoning: R-4A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 5-3-21

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

*Order Imposing Fine/Lien issued at the July 21, 2021 hearing:

* Report and Affidavit of Compliance with a Compliance date of April 13, 2022

Order of Compliance

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

CEB2021118 - RATHBURN WAYNE A

Served

Complaint No. 20210429006

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

Property Location: Central Pkwy, Deland 32724

Parcel No. 700103380340

Zoning: R-4A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 5-3-21

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

*Order Imposing Fine/Lien issued at the July 21, 2021 hearing:

* Report and Affidavit of Compliance with a Compliance date of April 13, 2022

*Order of Compliance issued at the April 20, 2022 Code Board Hearing:

Request for Reduction of Fine/Lien in the amount of \$5,000

Wayne Rathburn was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated there has been miscommunication on staff's part. Mr. Rathburn had sent emails while she was out of the office concerning his progress. Since staff is not sure of the exact date of the compliance and due to the missed emails, staff is recommending a reduction to zero.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars and issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances , CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C).** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 20, 2022

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

There being no further business to discuss before the Board, the meeting adjourned at 11:53 am.

Respectfully submitted,

Ramona Jones
Code Enforcement Board Clerk

April 20, 2022

CERTIFICATE

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

I, Ramona Jones, Code Enforcement Board Clerk, do hereby certify that the foregoing pages constitute a true and accurate transcript of the minutes of the Volusia County Code Enforcement Board taken on April 20, 2022, at 123 West Indiana Avenue, Deland, Florida.

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

**Ramona Jones
Code Board Clerk**

April 20, 2022