



**VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES**

**April 21, 2021**

**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  
Clement Nadeau  
Donald Needham  
Pete Zahn  
Charles Cino, Board Attorney**

**MEMBERS ABSENT**

**Vikki Leonard  
Rick Dwyer**

**STAFF PRESENT**

**Chris Hutchison, Code Compliance Manager  
Margaret Godfrey, Code Compliance Coordinator  
Isiah Pitts, Code Compliance Officer  
Peter Hinson, Code Compliance Officer  
Fred Eastwood, Code Compliance Officer  
Debbie Zechnowitz, Code Compliance Officer  
Sebrina Slack, Assistant County Attorney  
Todd Hannah, Environmental Specialist II  
Samantha West, Environmental Specialist III  
Julie McCrystal, Environmental Specialist II  
Kerry Leuzinger, Chief Building Official  
Scott Ashley, Senior Zoning Manager  
Ramona Jones, Code Board Clerk  
Tom Legler, Deputy Building Official**

**\* \* \* \* \***

**APPROVAL OF MINUTES**

**Member Nadeau moved to approve the minutes from the March 17, 2021 hearing. 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.**

**April 21, 2021**

**IX. Unfinished Business**

**CEB2019199 - Jacqueline M Daniel**

**Posted**

Complaint No. 20181011019

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

Property Location: 1421 W New York Ave, Orange City 32763

**Parcel No. 800401710150**

**Zoning: R-4**

**Code Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on Nov 05, 2018

\*Order of Non-Compliance issued at the July 17, 2019 hearing:

\*1st Amended Order of Non-Compliance issued at the September 18, 2019 hearing:

\*2nd Amended Order of Non-Compliance issued at the December 18, 2019 hearing:

\*3rd Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

\*4th Amended Order of Non-Compliance issued at the September 16, 2020 hearing:

\*Final Order Imposing Fine Lien issued at the December 16, 2020 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 31, 2021:

**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.

**CEB2020019 - SOARES LONETH & GAUDENCIO**

Complaint No. 20190225049

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) Added to the back of the house.

Property Location: 124 Hibiscus Rd, Edgewater 32141

**Parcel No. 841305003330**

**Zoning: R-4W**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Feb 28, 2019

\*Order of Non-Compliance issued at the September 16, 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:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 6, 2021:

**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 21, 2021

**CEB2020023 - LAYNE TAMARA**

**Posted**

Complaint No. 20190516007

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 to be the enclosure of existing residential porch to enclosed living space. New block work, windows. Possible electrical, HVAC, covered work. This may not be a complete list.

Property Location: 1435 2nd St, Orange City 32763

**Parcel No. 800401620130**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

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

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

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 20, 2021:

**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.

**CEB2020086 - BRISCOE SANDRA J**

**Served**

Complaint No. 20200107044

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: 1839 Linda Ave, Ormond Beach 32174

**Parcel No. 424213010310**

**Zoning: R-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Feb 15, 2019

\*Order of Non-Compliance issued at the July 15, 2020 hearing:

\*1st Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 20, 2021:

**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 21, 2021

**CEB2018521 - REDDIN CORREAN**

**Posted**

Complaint No. 20181129009

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: 725 Parque Dr, Ormond Beach 32174

**Parcel No. 424220290040**

**Zoning: R-5**

**Code Compliance Officer - Robert Chayer**

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

\*Order of Non-Compliance issued at the February 19, 2020 hearing:

\*1st Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

\*3rd Amended Order of Non-Compliance issued at the December 16, 2020 hearing:

**Hearing to Impose Fine/Lien**

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated that he spoke with the owner at the end of March. There is a hearing because the owners are suing the contractor because they took the money and ran without completing the work.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 4th 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 16, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2019299 - AVELLINO MARK DAVID**

**Posted**

Complaint No. 20190722009

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). (accessory structures

Property Location: 875 Tater Rd, New Smyrna Beach 32168

**Parcel No. 820200100240**

**Zoning: A-1,A-2,RC**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on July 29, 2019

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

\*1st Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 8, 2021:

**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 21, 2021

**CEB2019346 - SWIFT DONALD E & BIBI**

**Served**

Complaint No. 20190531022

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) Replacement of doors/windows, interior / exterior structural framing, subflooring, siding, enclosure of porch / non-living space, removal / rework of plumbing, new HVAC ductwork and mechanical equipment, new electric wiring / circuits / system, may not be a complete list. Residence is unoccupied.

Property Location: 2963 N Shell Rd, Deland 32720

**Parcel No. 791505000020**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Oct 10, 2019

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

\*1st Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

**Hearing to Impose Fine/Lien**

Donald Swift was present at the hearing for this case. Nika Husseni from CobbCole

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated the permit has been issued and valid until September 19, 2021. Nika is happy with the recommendation for a Third Amended Order.

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 October 20, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020042 - COLLINS BRIAN M**

**Served**

Complaint No. 20191007032

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). Additional structure/house built near south east corner of the property

Property Location: 460 Guise Rd, Osteen 32764

**Parcel No. 92160000410**

**Zoning: A-1**

**Code Compliance Officer – Margaret Godfrey**

Property owner was first notified of the violation on 3-16-20

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

**Hearing to Impose Fine/Lien**

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

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret stated that she received a voice mail from Mr. Collins saying that he is working on drawings and that the shipping container has been removed but she has not been able to get out there to verify it.

After discussion and based on the testimony and evidence presented, Member Zahn **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 June 16, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020233 - COLLINS BRIAN M**

**Served**

Complaint No. 20200925051

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 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. (shipping container

Property Location: 460 Guise Rd, Osteen 32764

**Parcel No. 92160000410                      Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 10-5-20

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

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021



**CEB2020058 - AMARAL MARIA**

**Served**

Complaint No. 20191125046

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

Property Location: 1301 Wright St, Daytona Beach 32117

**Parcel No. 423306000010**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on 5-13-20

\*Order of Non-Compliance issued at the July 15, 2020 hearing:

\*1st Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

\*3rd Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*4th Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated there was a court hearing on March 30 for eviction and the owner now has access to the property and we are setting up a meeting to go on site to do an inspection.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 5th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020059 - AMARAL MARIA**

**Served**

Complaint No. 20191125045

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). House is divided into 2 dwellings, but has only 1 electric meter.

Property Location: 1301 Wright St, Daytona Beach 32117

**Parcel No. 423306000010**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on 5-13-20

\*Order of Non-Compliance issued at the July 15, 2020 hearing:

\*1st Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

\*3rd Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*4th Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

**Hearing to Impose Fine/Lien**

April 21, 2021

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 5th 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 May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020085 - WIRTH DAVID & BOBBI**

**Served**

Complaint No. 20200122010

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, electrical, plumbing, lighting, structures and change of use without a permit;

Property Location: 1441 S Us Hwy 1, Oak Hill 32759

**Parcel No. 944302000025**

**Zoning: A-1W**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Mar 13, 2020

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

**Hearing to Impose Fine/Lien**

Bobbi Wirth 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 she has been in contact with Bobbi and has been told she has a new lawyer helping her with the violation issues.

After discussion and based on the testimony and evidence presented, Member Zahn **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 21, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020157 - CARDONA LESLIE & WILKINSON VIRGINIA MARY Served**

Complaint No. 20200319043

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

Property Location: 156 Mae St, Oak Hill 32759

**Parcel No. 950600011390 Zoning: MH-5**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 04, 2020

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

**Hearing to Impose Fine/Lien**

Leslie Cardona was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 3 cases together. Margaret went over the case details, showing photos. Margaret stated there has been some contact with Ms. Wilkinson as the property is a purchase under contract. Margaret said she did receive a voice mail from Ms. Cardona saying she has cleaned up and Margaret needs to have a chance to get out there to take a look.

Ms. Cardona said Mark Kaufman came to the house and told her she needed to move the RV to the side of the trailer and it has been there for 2 years and has now sunk into the ground. She said she didn't put up a fence that she only put up 3 panels to connect to the neighbors. Margaret said the RV is not 5 feet from the side property line. Ms. Cardona said the RV is 5 feet from the property line. Margaret also said that you can't use the RV for storage. Ms. Cardona said that this was all taken care of when Mark was here. Margaret said she inherited the case when Mark left and it was still open in violation status.

Chairman Lingenfelter said that as long as we see progress we would allow more time to get into Compliance.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020158 - CARDONA LESLIE & WILKINSON VIRGINIA MARY Served**

Complaint No. 20200602014

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

Property Location: 156 Mae St, Oak Hill 32759

**Parcel No. 950600011390 Zoning: MH-5**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 04, 2020

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

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C), with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2021008 - CARDONA LESLIE & WILKINSON VIRGINIA MARY Served**

Complaint No. 20210107059

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: 156 Mae St, Oak Hill 32759

**Parcel No. 950600011390 Zoning: MH-5**

**Code Compliance Coordinator - Margaret Godfrey**

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

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

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b), with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020192 - RILEY SHANE E**

**Served**

Complaint No. 20200302041

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: 1050 W Blue Springs Ave, Orange City 32763

**Parcel No. 801000000220**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 9-21-20

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

**Hearing to Impose Fine/Lien**

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

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret stated she has no contact and the conditions remain unchanged.

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 \$50.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020193 - RILEY SHANE E**

**Served**

Complaint No. 20200911015

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). (Accessory structures, porches, may not be a complete list

Property Location: 1050 W Blue Springs Ave, Orange City 32763

**Parcel No. 801000000220**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 9-21-20

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

**Hearing to Impose Fine/Lien**

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 \$50.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 per case 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 21, 2021

**CEB2020205 - GARROW NATHAN LEE**

**Served**

Complaint No. 20200414041

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. Interior / exterior renovation; Asphalt roof cover; Structural roof framing; Siding; Windows - (canceled permit applications # 20130925021 / 20131219002). Plumbing; Electrical; Mechanical. May not be a complete list.

Property Location: 280 W Minnesota Ave, Orange City 32763

**Parcel No. 800302000013**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 15, 2020

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

\*1st Amended Order of Non-Compliance issued at the February 17, 2021 hearing:

**Hearing to Impose Fine/Lien**

Nathan Garrow and Jim 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 she has spoken to Jim the GC and the application is still in new status and has not hit the review process and valid until July 27<sup>th</sup>. Jim said that it has taken a long time to get an engineer and has finally met one and is in the process of getting the plans.

Jim said he hopes to have everything turned in by the end of next week.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an 2nd 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 August 18, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020217 - ABOOD ROBERT CHASE**

**Served**

Complaint No. 20191219026

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Interior renovations. Kitchen, interior partition re-work including new electrical devices, wiring or circuits. Plumbing. May not be a complete list.

Property Location: 1095 S Ridgewood Ave, Deland 32720

**Parcel No. 701900000492**

**Zoning: A-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jan 17, 2020

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

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 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 the expired issue is in compliance and there is a permit application that is valid until the end of September for the other issues.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 2nd 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 20, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020218 - ABOOD ROBERT CHASE**

**Served**

Complaint No. 20200921007

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 roof permit #20191210007

Property Location: 1095 S Ridgewood Ave, Deland 32720

**Parcel No. 701900000492**

**Zoning: A-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 9-25-20

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

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 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 21, 2021

**CEB2020225 - ROUT HOLLY**

**Served**

Complaint No. 20200219087

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: 284 Lemon Bluff Rd, Osteen 32764

**Parcel No. 911300000099**

**Zoning: A-1, OTR-2**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 9-26-20

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

**Hearing to Impose Fine/Lien**

Holly Rout was present via Webinar at the hearing for this case.

Margaret Godfrey, code compliance, presented the 3 cases together. Margaret went over the case details, showing photos. Margaret stated this started in January of 2019, she said that a couple of weekends ago she was out there and the junk was still there. Margaret also said she has had no contact since right now with the owner.

Chairman Lingenfelter asked Holly what the status of the roof and cars with no license plate are? Holly lost connection or had a technical issues and was not able to respond.

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 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34, with a Hearing to Impose Fine set for the May 19, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020226 - ROUT HOLLY**

**Served**

Complaint No. 20200219090

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

Property Location: 284 Lemon Bluff Rd, Osteen 32764

**Parcel No. 911300000099**

**Zoning: A-1, OTR-2**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 9-26-20

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

**Hearing to Impose Fine/Lien**

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 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the May 19, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021



**CEB2021005 - ROUT HOLLY**

**Served**

Complaint No. 20210107030

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

Property Location: 284 Lemon Bluff Rd, Osteen 32764

**Parcel No. 911300000099**

**Zoning: A-1, OTR-2**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 1-9-21

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

**Hearing to Impose Fine/Lien**

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 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the May 19, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020234 - GREAT DELIVERANCE PENTECOSTAL**

**Served**

Complaint No. 20191105032

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: 425 W Lisbon Pkwy, Deland 32720

**Parcel No. 702007020600**

**Zoning: R-5**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Nov 8, 2019

\*Order of Non-Compliance issued at the December 16, 2020 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 she original had a lot of contact with the owner but has not the past couple of months and the property is getting worse.

Member Hall asked if this could be a case for CLCA. Margaret said that if it does go to CLCA we could come back next month for a dismissal.

Tom Legler said he needs to do a site visit as he is not aware of this issue.

After discussion and based on the testimony and evidence presented, Member Zahn **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 May 19, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020235 - PINTO FRANKLIN**

**Posted**

Complaint No. 20200210095

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

Property Location: 605 Miles St, Deland 32720

**Parcel No. 702006050070**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jul 08, 2020

\*Order of Non-Compliance issued at the January 20, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the March 17, 2021 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 they have a lot of work that needs to be done. An electrical permit has been issued and that this owner has not caused this, they purchased the property with these issues and we are wanting to give more time.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd 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 June 16, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020243 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200207031

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

Property Location: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 26, 2020

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

**Hearing to Impose Fine/Lien**

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

Margaret Godfrey, code compliance, presented the 4 cases together. Margaret went over the case details, showing photos. Margaret stated she has had several conversations with Mrs. Pittman and a lot of work has been done on the property.

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 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the July 21, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020244 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200615045

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: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 26, 2020

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

**Hearing to Impose Fine/Lien**

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 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34, with a Hearing to Impose Fine set for the July 21, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020245 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200615047

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 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.

Property Location: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 26, 2020

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

**Hearing to Impose Fine/Lien**

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 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the July 21, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020246 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200615046

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: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 26, 2020

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

**Hearing to Impose Fine/Lien**

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 72 ARTICLE II DIVISION 8 SECTION 72-287(B), with a Hearing to Impose Fine set for the July 21, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020280 - FLORIDA ACQUISITIONS LLC**

**Posted**

Complaint No. 20190614040

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). New window(s) / door(s); Window removal w/ CMU in-fill exterior wall; New plumbing / plumbing rework; New electrical / electrical re-work; May not be a complete list.

Property Location: 705 Temple Ave, Orange City 32763

**Parcel No. 800307000950**

**Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Feb 08, 2020

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

**Hearing to Impose Fine/Lien**

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated on his last inspection was on April 6, 2021 and the property remains in violation.

Paul Traider said he noticed the work being done there and the house was completely renovated with no permits, a prevention inspection was done to determine all the work that was done and informed the owner of what needed to be done.

Isiah said the owner did email him yesterday saying he pulled a permit and it is in zoning review.

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 May 19, 2021 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020284 - Smith Tammy & William**

**Served**

Complaint No. 20200806073

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 deck and gazebo permit

Property Location: 7035 S Atlantic Ave, New Smyrna Beach 32169

**Parcel No. 850501180350**

**Zoning: R-9W**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Aug 11, 2020

\*Order of Non-Compliance issued at the January 20, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

**Hearing to Impose Fine/Lien**

Tammy Smith was present via Webinar 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 has been reopened and valid until July 5<sup>th</sup>.

Ms. Smith said she is working on getting inspections done.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd 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 21, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020298 - ACTION MORTGAGE OF CENTRAL FLORIDA INC**      **Posted**

Complaint No. 20201006036

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). The bathroom is being remodeled. Addition was done to the house so it is now a 4 bedroom

Property Location: 1112 S Parsons Ave, Deland 32720

**Parcel No. 702000000180**                      **Zoning: R-5**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Oct 6, 2020

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

**Hearing to Impose Fine/Lien**

There was no one 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 showed the property remains in violation and looked like demo work has been done.

Paul Traider added that there were many issues, in addition to the unsafe and unpermitted work there was a bathroom constructed at some point and has been demoed by the owner and the rest of the safety issues and unpermitted work has not been addressed.

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 \$50.00 per day commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$11,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 21, 2021



**CEB2020318 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20191213009

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: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jan 18, 2020

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

**Hearing to Impose Fine/Lien**

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

Margaret Godfrey, code compliance, presented the 10 cases together. Margaret went over the case details, showing photos. Margaret stated that she has had no contact other than someone responding back to contact a property management company which she has not been able to get into contact with. The violations still remain.

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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case 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.

**CEB2020319 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20191213010

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

Property Location: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jan 18, 2020

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2020321 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20191213012

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (A) Parking truck tractor, semi-trailer, commercial bus, cutaway van, or chassis cab, truck where not permitted

Property Location: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jan 18, 2020

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (A).** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020322 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20201228009

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: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES Chapter 58, Health & Sanitation SEC. 58-36:.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2021030 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20191213013

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: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

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

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B).** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021031 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20191213014

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: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Feb 4, 2021

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case 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.

April 21, 2021

**CEB2021032 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20210204038

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (Unpermitted accessory structures that are in disrepair)(The principal structure is also unmaintained

Property Location: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Feb 4, 2021

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021033 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20210204036

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: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Feb 4, 2021

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b).** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2021034 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20210204035

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

Property Location: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Feb 4, 2021

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021035 - US BANK TRUST NATL ASSOC TR**

**Sheriff Served**

Complaint No. 20210204032

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). Accessory structures without permits

Property Location: 281 W Davis St, Deleon Springs 32130

**Parcel No. 694301270171**

**Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Feb 4, 2021

\*Order of Non-Compliance issued at the March 17, 2021 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 \$25.00 per day/per case commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case 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 21, 2021

**CEB2020299 - BONGARD RYAN**

**Served**

Complaint No. 20200830001

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: 4101 Swamp Deer Rd, New Smyrna Beach 32168

**Parcel No. 820101060370**

**Zoning: RA**

**Environmental Specialist III - Samantha West**

Property owner was first notified of the violation on Aug 31, 2020

\*Order of Non-Compliance issued at the January 20, 2021 hearing:

**Hearing to Impose Fine/Lien**

Ryan Bongard was present via Webinar at the hearing for this case.

Samantha West, Environmental Specialist III, presented the case. Samantha went over the case details, showing photos. Samantha stated she received an email from the owner back in March and they were requesting an extension for the hearing. Samantha then asked for an update but never received a response. Samantha said she was copied on an email from DEP to the owner back in March. The owner then emailed asking for another extension but he had no paperwork to provide as he has not hired a consultant yet. Samantha said she did talk to Jason with DEP and he discussed compliance issues. Samantha showed there has not been a permit applied for yet.

Ryan said he has had trouble hiring a consultant. Ryan said he didn't have anything to show and that's why he hasn't reached out to Samantha.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, Member Needham stepped out and did not vote, it **then CARRIED** by voice vote.

April 21, 2021

**CEB2021012 - Jacqueline M Daniel**

**Served**

Complaint No. 20201202022

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

Property Location: 1421 W New York Ave, Orange City 32763

**Parcel No. 800401710150**

**Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Jan 13, 2021

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

**Hearing to Impose Fine/Lien**

There was no one 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 April 20<sup>th</sup> and the violation remains. Isiah said they did move a lot of the stuff off the lawn and consolidated it in another location on the property.

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 \$50.00 per day commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$10,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 21, 2021

**CEB2021037 - ROLAND RANDALL L**

**Posted**

Complaint No. 20210114025

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: 124 Joseph Dr., Edgewater 32141

**Parcel No. 840242030110**

**Zoning: MH-5**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on

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

**Hearing to Impose Fine/Lien**

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

Fred Eastwood, code compliance, presented the case. Fred went over the case details, showing photos. Fred stated there has been no further progress on the property and his last inspection was 2 days ago.

Chairman Lingenfelter asked if there has been any contact with the owner and Fred said he was deceased and has no information on family members.

Sebrina Slack added research was done and the owner was married 5 times and the last resident seemed to be a stepson but can't identify other family members.

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 \$50.00 per day commencing May 20, 2021 and to continue until compliance is achieved, but not to exceed \$30,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

April 21, 2021



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

### **CEB2019399 – PMC SFR BORROWER 2 LLC**

**Served**

Complaint No. 20190815049

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) Window(s); Door(s); Building; Plumbing / rework / fixtures; Electrical / re-work / devices; Mechanical equipment; Interior renovation in progress.

Property Location: 220 Valencia Ct, Deland 32724

**Parcel No. 700433000390**

**Zoning: R-4A**

**Code Compliance Officer - Peter Hinson**

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

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 that a Stop Work Order was put on the property in the summer of 2019. Peter said that the previous owners sold the property in May of 2020. All paperwork was redone and sent to the new owners. Peter said that there are tenants there and they have no contact with the property owners and has never met them and sends his rent payments to an address.

Paul Traider said he was at the property to check on some roofing and the progress and during his visit it was discovered that renovation was going on in the interior of the home. He was not allowed access. Paul Traider said that work has proceeded without any permits and/or inspections.

Peter said the tenant moved in between June and July of 2020 and that's when he signed the 12 month lease.

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 11, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.**

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

April 21, 2021

**CEB2020011-ACOSTA ENTERPRISES INC**

Complaint No. 20191009023

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: 170 Holland Rd, Ormond Beach 32176

**Parcel No. 324107020360                      Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Oct 15, 2019

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

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated that his last inspection was April 19, 2021 and the owner of the property actually lives in California. He said the owner had some people at the property to do work but has not heard anything more. Robert added that the power is off at the house.

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 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE With a compliance date of May 7, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2020175 - DOWD LINDA C**

**Served**

Complaint No. 20200415002

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

Property Location: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jun 18, 2020

Linda Dowd and Jessie Combs was present at the hearing for this case.

Robert Chayer, code compliance, presented the 4 cases together. Robert went over the case details, showing photos. Robert stated that his last inspection was April 19<sup>th</sup>. Robert showed photos of the shed in the front of the house, the junkyard and trailer. Robert said when he was doing his last inspection he noticed a dumpster and they have been doing a great job on the cleanup and he still has to check into the permit for the shed.

Mr. Combs said he is working on everything.

Member Hall asked if CEB2020176 can be dismissed, Robert said they have started cleaning up but it's not completely in compliance yet.

Member Hall made a separate motion on case CEB2021048.

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 11, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020176 - DOWD LINDA C**

**Served**

Complaint No. 20200415001

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: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jun 18, 2020

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 58, Health & Sanitation SEC. 58-36 With a compliance date of July 11, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.**

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

April 21, 2021

**CEB2021048 - DOWD LINDA C**

**Served**

Complaint No. 20200415004

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Shed with no permits

Property Location: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jun 18, 2020

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 11, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.**

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

**CEB2021049 - DOWD LINDA C**

**Served**

Complaint No. 20200611047

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

Property Location: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jun 18, 2020

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 72-287 (C) With a compliance date of July 11, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.**

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

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**CEB2021001 - 2728 W NEW YORK AVE LLC**

**Served**

Complaint No. 20201021015

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). Commercial interior / exterior construction. Construction of new accessory structure; Interior office/showroom build-out; Framing; Siding; Roofing; Building, Plumbing, Mechanical, Electrical – permitting required. May not be a complete list.

Property Location: 2728 W SR 44, Deland 32720

**Parcel No. 791402000090**

**Zoning: B-4C**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Nov 06, 2020

Giovanni, GC for project, 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 that his last inspection was yesterday and that a permit has been pulled for Commercial and it expires on October 12, 2021.

Paul Traider said that it appeared there was renovation going on at the above property and a complete new building was constructed on the side yard, where previous aerial photos show a carport. Paul added that the Fire Marshal also had some concerns with the fire codes at this property too.

Giovanni said that they have had a hard time finding an engineer and then he was fired from the company and has started his own firm and that the digital plans should be submitted to the County within the next few days.

Paul Traider said that a prevention inspection will need to be performed before the Stop Work Order can be lifted.

Chairman Lingenfelter asked Isiah if this was the first time they have had communication and Isiah said yes and that he is willing to work with Giovanni to give some time to come into compliance.

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of July 11, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.**

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

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**CEB2021002 - VIZIER INVESTMENTS CORP**

**Served**

Complaint No. 20190626041

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Window(s); Interior walls / insulation; Plumbing / rework / fixtures / HWH; Electrical / re-work / devices; Mechanical equipment / ductwork; Open unsecured swimming pool. Aluminum roof / canopy. Structural repair(s). Power on. Pool equipment / plumbing. Siding. Soffit. Access to interior will be required to determine extent of renovation.

Property Location: 875 W Lansdowne Ave, Orange City 32763

**Parcel No. 800307001150**

**Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Jul 03, 2019

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated that his last inspection was 4-20-21 and remains in violation. Paul Traider said that he stopped the job and someone was working on the inside and he was not allowed access, he posted a Stop Work Order in May 2020. He said he did do a prevention inspection and the owner was advised of the issues.

Isiah said he has had no contact with the owner.

Tom Legler said he remembers meeting the property owner and they did get a permit and it failed for the underground plumbing.

Tom said the permit is now expired and did cover the scope of the work that needed to be done.

After discussion and based on the testimony and evidence presented, Member Nadeau **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 11, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.**

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

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**CEB2021022 - TATE JOSEPH MORTON**

**Served**

Complaint No. 20201125047

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Hotel/Motel where not permitted and use of premises where not permitted

Property Location: 6525 Turtle mound Rd, New Smyrna Beach 32169

**Parcel No. 850501340500**

**Zoning: R-9W**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on Nov 27, 2020

Joseph Tate and Angelica Jones, Attorney, were present at the hearing for this case.

Fred Eastwood, code compliance, presented the case. Fred went over the case details, showing photos. Fred showed photos from Airbnb that show the property has a minimum stay of 5 nights. Fred said on January 15<sup>th</sup> Peter Hinson was with him at an inspection and noticed a car at the property, they spoke to the tenants and advised they were renting for 4 days, Friday to Monday. Fred said he received another complaint on March 30<sup>th</sup> he noticed a car with out of state plates and he spoke with the tenants and they stated they had rented for a week. On April 9<sup>th</sup> another complaint was received and Fred spoke with the tenants and they stated they had rented the property for a week.

Angelica asked who did the search and Fred said he pulled the ad up on Airbnb at the beginning of March. Margaret Godfrey confirm that she sat with Fred when looking this up. Angelica asked Mr. Tate if he recalled receiving a notice of the violation in November of 2020. She then asked him if he then made alterations to the Airbnb site. Mr. Tate said he had to get with the other owners of the property and as quickly as they could they made the adjustments. Angelica asked if he was made aware of the moratorium that was issued. Mr. Tate said yes. Angelica then asked if during that time period you had people that actually booked a stay. Mr. Tate said yes we had a number of bookings and that was why he retained counsel for this. Angelica asked how far in advance can people book your Airbnb. Mr. Tate said months. Angelica then asked if that booking occurred prior to your first notice and Mr. Tate said yes.

Sebrina Slack added that the ordinance was still in effect and that the only thing the moratorium did was abate of enforcement of the ordinance, the ordinance was not rescinded, the ordinance was still in full force and effect the entire time, the only thing County Council directed was that we not have any Short Term Rental Code Enforcement Officers investigating at the time. The moratorium was lifted on March 16<sup>th</sup>. She added the ordinance has always been the same and it was not changed.

Margaret Godfrey added that last July they were notified and she spoke with Chase Tate on July 28<sup>th</sup> and he wanted to know what the restrictions were on the property and it was explained that they were not allowed to do Rentals of less than 30 days.

Chris Hutchison said that just so everyone knows on the whole issue of when we stopped enforcement. It wasn't a Moratorium it was just direction from Council and that very same day all staff was called in and advised we are not doing any enforcement on short term rentals from this point forward until directed different. When we got direction from Council

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on March 16<sup>th</sup> to resume we resumed.

Chairman Lingenfelter asked if it was Angelica's clients' testimony that he was first made aware of this in November. Angelica had Mr. Tate explain what exactly happened in the July incident. Mr. Tate said he was actually using his property on the July 4<sup>th</sup> weekend and a complaint was made and in addition to that another family was out there and another complaint was made on his car.

Margaret added that it was explained what you can or can't do in that zoning in July.

Angelica said she understands that but his testimony today is when he was instructed to that he changed his Airbnb to the 30 days.

Chairman Lingenfelter asked if it was their testimony that the people that were staying Martin Luther King weekend that the booking occurred before the 4<sup>th</sup> of July weekend because come July he gained understanding that there was a 30 day minimum and that the January booking was booked before that and since July there have been no bookings for less than 30 days. Angelica said her clients' position on that is that he did not switch it until November when he got the notice. Angelica said her concern is that property owners don't understand and are confused on the short term rental rules and this is hazy. Member Zahn said he doesn't understand how this is pertinent evidence and that's like saying ignorance is an excuse for violating the law and just because it's hazy that it's not an excuse to be in violation.

Sebrina Slack added this particular ordinance has been upheld since 2007 in court rulings in both local and federal courts.

Chairman Lingenfelter asked how long the Tate's owned the property and when were they first aware that 30 days or less was not allowed. Mr. Tate said January of 2020 and he can't recall clearly but in November is when they made the correction. Mr. Tate said he has been very confused on this and they have cancelled all of the bookings.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance and Order of Dismissal for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021042 - Clayton Benio**

**Served**

Complaint No. 20200522050

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Roof with no permits

Property Location: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on May 28, 2020

Clayton Benio and Michael Pelton, Attorney, were present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated that his last inspection was April 19, 2021. Robert showed photos of the fence and sign that are in the front yard. Robert said a permit was applied for the roof that expired and when they applied for a new permit it was voided due to the expired permit. Robert said he could not tell if the setbacks for the sign were in violation since he didn't have a survey. Robert also said this is the first contact he has had with the owner.

Mr. Pelton said they have hired Mike with EPI Engineering and is setting up a meeting.

Mr. Pelton said the history of the property is a little convoluted with the zoning, in 2012 there was a business B4 overlay and the way its described in the C1 certification was 300 feet from the center line of US 17 and when looking at the map it would put the property in the C1 classification, there was an overlay there because issues with split zoning B4 and Residential. Mr. Pelton handed out a packet to each member that shows zoning maps. Mr. Pelton said if you look at the proposed zoning map it would have this property in B4 zoning.

Member Zahn asked if some of the cases should be continued so they can research more on the zoning issues. Robert said he has no problem with that.

Chairman Lingenfelter asked Scott Ashley about the zoning. Scott said the zoning that was issued was R4 since 1980. Scott said that this property along with 4 others were taken off the map because the properties were not split zoned. County Council did not approve the B Zoning, the maps were corrected. Scott said after looking at the history only residential permits have been applied for, and the BTR that was approved was for a home based business.

Member Zahn asked so the business was approved and how does it relate to the truck. Scott said you are allowed 2 vehicles that are associated with the home occupation.

Chairman Lingenfelter asked Scott Ashley when he corrected the map was there a legal description and how did you determine this was not a B4 and R4. Scott said based on the map and the information from the planner that took this and 5 other parcels out that did not meet the criteria.

After discussion it was decided to continue all the cases except for the roof with no permit so staff can go over the zoning issues.

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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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 9, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021043 - Clayton Benio**

**Served**

Complaint No. 20200522049

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

Property Location: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on May 28, 2020

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a Continuance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277 The case will be heard in its entirety at the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021044 - Clayton Benio**

**Served**

Complaint No. 20200522046

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

Property Location: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on May 28, 2020

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a Continuance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-298. The case will be heard in its entirety at the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021045 - Clayton Benio**

**Served**

Complaint No. 20200522045

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-283 Violation of home occupation regulations, specifically  
Property Location: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130                      Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on May 28, 2020

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a Continuance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-283. The case will be heard in its entirety at the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021046 - Clayton Benio**

**Served**

Complaint No. 20200522044

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: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130                      Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on May 28, 2020

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a Continuance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b). The case will be heard in its entirety at the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021047 - Clayton Benio**

**Served**

Complaint No. 20200522043

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-282 fence, wall or hedge over the maximum height allowed  
Property Location: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130                      Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on May 28, 2020

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue a Continuance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-282. The case will be heard in its entirety at the May 19, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021050 - WALKER DAVID H**

**Posted**

Complaint No. 20201204046

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). Pole with electrical outlet boxes for R/V's

Property Location: 162 H H Burch Rd, Oak Hill 32759

**Parcel No. 853813000450**

**Zoning: MH-6W**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on 2-18-21

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

Fred Eastwood, code compliance, presented the case. Fred went over the case details, showing photos. Fred stated that the initial report was people were staying in the RV's and when he went to do an inspection he noticed 2 RV's and they ran electrical from the house to the RV which was about 80 or 90 yards from the house. He also noticed a drain line running into 55 gallon drums that are in the ground and Fred notified the Health Department. Fred said he was there on Friday and the owner is having a hard time finding work to come up with money to get the permits. Fred said the RV's were unplugged and the water lines were taken off.

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of June 6, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

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

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**CEB2021052 – SMITH TERRY L JR. & AMY E**

**Served**

Complaint No. 20191122017

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). Sheds, garage conversion, may not be a complete list

Property Location: 1875 15<sup>th</sup> St, Orange City 32763

**Parcel No. 800402150070          Zoning: R-4**

**Code Compliance Officer – Isiah Pitts**

Property owner was first notified of the violation on 11-22-19

Terry Smith 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 that his last inspection was on February 25, 2021 and TJ allowed him on the property and the property was still in violation. Isiah showed pictures of the conversion of the garage.

Mr. Smith said that this started a while ago and has had several complaints and dealt with Mike Mazzola previously. Mr. Smith said the only thing that was added was a wall, they have 4 children they have a large family and they are trying to get in compliance but things they thought were corrected are coming up as having issues again.

Chairman Lingenfelter asked to be in compliance he would have to remove the wall and return it back to a garage or get a permit. Isiah said yes.

Sebrina Slack said the house was in a foreclosure process and there was a final judgement that was recently reversed and a modification of a loan was done.

Tom Legler said that a permit was applied for yesterday for an after a fact permit on the just the shed. Isiah added he was just advised that there is not a permit for the A/C.

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 11, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.**

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

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**CEB2021057 – Tangerine Inn, Woodland Trust, Hoffmann 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). 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 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

Fred Hoffmann was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated that his last inspections was on April 7, 2021. Robert said that Paul Traider had taken the photos.

Paul Traider said he attended a safety meeting at the property with the Deputy Building Official, Fire Marshal and a Code Officer and identified areas that needed permitting and inspections and addressed those items with a list that was given the owner.

Chairman Lingenfelter asked what work was performed without permits in the photo.

Paul Traider said there was some framing, open electrical junction box and in the laundry room area there was some safety issues and the new overhead garage door and there was also a door that was blocked. Paul added it was a long list with safety concerns and issues.

Robert said this is the first time he has contact with the owner.

Mr. Hoffmann said that a permit was applied for and he has people to do different things but has not done anything until they get the permit.

Robert looked in the system and said the permit was applied for and is in zoning review now.

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of July 11, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.**

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

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**CEB2021078 - EDAN INVESTMENTS GROUP LLC TR / LAND TRUST #380 Served**  
Complaint No. 20210204031

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Interior/exterior renovation of a (3) BR (1) bath residence. Building, Plumbing, Electrical, Mechanical permitting and inspections required. May not be a complete list.

Property Location: 380 Katrina St, Deleon Springs 32130

**Parcel No. 694311070050 Zoning: R-3**

**Code Compliance Coordinator - Margaret Godfrey**

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

Eduardo Santos and Eduardo Elsave, Owner and Manager 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 that staff received an email from Paul Traider after Paul observed work being done without a permit. A stop work order was issued. Margaret showed photos that the realtor put online showing the improvements to the house. Margaret said she has had no contact with the owners. Chairman Lingenfelter asked what permits are in the system and Margaret responded none.

Mr. Santos said they purchased the property to fix and resale. Mr. Santos said they hired a General Contractor to help with the work and they are working with an engineer. Mr. Santos asked if they could get more time to get the permits pulled.

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 June 6, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021090 – PAVLOV ALEXEI & LILIA**

**Served**

Complaint No. 20210405075

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 111.1 Certificate of Occupancy Required. Occupying a dwelling without an issued Certificate of Occupancy

Property Location: 240 Old Bubbly Rd, Pierson 32180

**Parcel No. 483202000841                      Zoning: RC**

**Code Compliance Officer - Robert Chayer**

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

Alexei Pavlov was present at the hearing for this case. The county also provided a Russian Translator, Irina.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated that the last inspection on the property was April 7, 2021. Robert showed a screen shot from Amanda 7 showing the status of the permits as expired. Robert also showed a slide that included the 10 permit extensions that were given between 2014 to 2020. Robert said the original house permit was pulled in 2013. Mr. Pavlov asked what the status of his permits right now, Robert replied they show expired. Robert showed a screen shot of the original plans showing the monolithic slab, the inspection conducted by the building department revealed a retaining wall. At an inspection on May 30, 2018 it was said the retaining wall needed to be addressed. February 8<sup>th</sup>, 2019 there were engineering plans submitted for the retaining wall but no inspections were made to date. Robert showed slides from the Property Appraisers, David and Election websites showing he has listed the address of 240 Old Bubbly Rd as his residence.

Member Zahn asked what is the normal procedure is to come into compliance. Robert said he would have to come in and get his permit reinstated and then get them Finaled. Robert also stated he received an email yesterday that was regarding the engineering but didn't get specific information.

Member Zahn said he noticed on the detail for the retaining wall, there wasn't a flur and it showed fill behind the wall and he didn't see any fill in any of the pictures, Member Zahn asked if that was accomplished. Robert stated the only way to build the monolithic slab is to build the retaining wall first, and showed a slide that shows some fill behind it. Member Zahn said that there may need to be some revision to the plan.

Kerry Leuzinger said that Mr. Pavlov has requested extensions on his permits but we held off on approving them until this hearing. Mr. Pavlov applied for his permit as an owner builder, and when you apply as an owner/builder you are attesting to the county that you know what you are doing and you can get the job done. This job has gone on far too long and some of the construction has not been right and we have been out many times for inspections and guidance, more guidance than what should have been given. Kerry said what we want is for him to finish the home and get a CO. Member Hall asked if there were any life safety issues on the property, Kerry said he can't say if there are any but there is a lot of non-compliant work that needs to be address and we have not been given access

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to the property to see. Kerry said that the retaining wall was built with no inspections.

Thomas Legler added that the retaining wall was in place before the monolithic slab was done. Once it was determined that it was not inspected, we required a revision and we allowed the project to continue and Alex informed us that he was working on the revision and would submit it and correct the issue, so it came to a point where we could no longer wait and we put a hold on the permit. Tom also added that there is a life safety issue because it's a fall, fall protection, you can walk out the back door and fall 5 feet to the ground. He said we were allowing extensions but due to no progress they were denied. Member Hall asked if 2018 was the last time you were on the property and to your knowledge it is sitting as it is in the photos from 2018. Member Zahn said that if he is living in it, who knows how much further along it has come and since you have been denied access it can't be verified. Robert stated that Mr. Pavlov did let Julie McCrystal on the property.

Julie said that she was only allowed on site but to the very front very right corner, she said she was there to make sure he was still in compliance with the issued Wetland Alteration Permit, she added that he is not in violation, however Mr. Pavlov does understand that before addition fill can go in for the retaining wall he has to submit a revised plan showing and quantifying that additional impact.

Chairman Lingenfelter said what is possible is after this Board takes action is the permits could be extended, but the county wants this house done and get the Certificate of Occupancy.

Irina translated, Mr. Pavlov said he would like to know what the basis of the violation is. Chairman Lingenfelter said the basis of the violation is the home was started in 2013 and it has been 6 years and we want the home finished and it needs to be finished per the Florida Building Code. Mr. Pavlov asked if we are discussing the complaints or something else. Chairman said what we are discussing, is that he is living in a structure that does not have a certificate of occupancy. Mr. Pavlov asked to be shown the proof. Member Hall asked the proof that he is living in it? Chairman Lingenfelter said you have shared this address with multiple agencies that this is where you live. Mr. Pavlov said this doesn't mean anything. Chairman asked is it your testimony that you don't live there. Mr. Pavlov said no he does not live there. Chairman Lingenfelter asked if this address has a home under construction that hasn't been finished. He said yes. It was asked where he lives. Mr. Pavlov said he lives next to Pierson. It was asked where he receives mail and Mr. Pavlov said at this address. Member Zahn asked if there's no CO and no one living at the address can you have the meter removed. Robert stated he has Solar and is living off the grid. Member Zahn said the evidence that was presented shows he is registered to vote at that address, his vehicles are registered at this address and that is clear evidence that he lives there.

Mr. Pavlov said the reason why he changed the address was to save the property, in 2018 he had a bankruptcy on a previous house.

Member Hall asked if he was contesting the other 3 violations as well. Mr. Pavlov said of April 21, 2021

course yes and that at this present moment he is working every day at this property. Member Hall said does he understand that he needs inspections to proceed with building processes, that in order to get to another step he has to have an inspection. Mr. Pavlov said yes he understands. Member Hall said then by proceeding with building without the inspections being made you are in violation on 1092 and 1094. Mr. Pavlov said he doesn't think so. Member Hall asked if he understood the violation of the junk yard, Mr. Pavlov said there is no junk yard.

Mr. Pavlov said as he mentioned before he is working there every day, he is also securing this property. Mr. Pavlov said he tries to stay all the time but not usually, he said he explained to the inspector he only has materials and supplies. Mr. Pavlov said he was not given the code that he is violation for. Chairman Lingenfelter asked you weren't given the cited code that looks like what you see on the Agenda.

Tom Legler added that we would like Alex to be compliant obviously and bring his home to finish and we can extend the permit but we need access to the property to verify the condition, and what's still remaining to be inspected. Member Hall agreed.

Mr. Pavlov said he is working right now according to code 105.2 and it was not included in the exception as 105.1

Member Needham said a lot of this would be cleared up if he allowed the county to go do an inspection and then we can proceed.

Tom said there is 3 outstanding inspections for the home itself, the work for the retaining wall, mono slab and a concrete deck inspection. Once these are done, finals can be done. Member Hall asked how you would do an after the fact slab inspection. Tom said the slab inspection is for the detail in the photo and that there are no after the fact inspections needed.

Robert asked about the email he received from Mr. Pavlov saying he needed an engineer. Mr. Pavlov said the Engineer didn't do what he wanted done and they are to revise it.

Julie McCrystal added that he has 14 feet from the retaining wall before the wetlands begin and if he goes past it would require State permitting and to stay within the wetland boundary.

Tom added there are a lot of issues that need to be address and if Alex is not capable he may need to hire a contractor to complete the work.

Member Needham stated again if the county could get access these issues would be cleared up rapidly.

Mr. Pavlov said they don't explain what exactly they want. Member Needham said these issues have been explained and they need to go in to see and determine what the situation is and if everything he has done and said is done and fine an inspection will clarify that and if you won't allow an inspection, why? Mr. Pavlov said the construction is not finished and according to the code 105.2 he does not need a permit to complete the work.

Member Zahn explained the process of what the board does in determining if there's a violation and part of the evidence is what the respondent says and so far he says he is not in violation and the evidence from the county shows a difference in opinion.

Mr. Pavlov said the board is talking a lot and doesn't allow him to speak. Mr. Pavlov said

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he is not allowing inspectors on his property because it is in their interest to take the property away. Member Needham said is that an issue? And that's certainly not an issue with the Board that we are trying to help you get over this issue.

Mr. Pavlov said he could only accept independent and friendly inspectors.

Member Zahn said there are options for independent inspector.

Tom Legler recommended Universal for the inspections.

Mr. Pavlov asked if he could be transferred to a different county for the inspection.

Member Zahn said you can use independent inspectors.

Chairman Lingenfelter asked Tom Legler if he needed an interpreter during previous visits to the site. Tom said no.

The motion was then made as below.

Member Zahn made a separate motion for the junk yard case to dismiss the case.

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 22-2, SECTIONS 111.1 With a compliance date of May 7, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021092 – PAVLOV ALEXEI & LILIA**

**Served**

Complaint No. 20210302020

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Expired Permits: GAS 20180820096, Solar 20131223041 and RES 20130830035

Property Location: 240 Old Bubbly Rd, Pierson 32180

**Parcel No. 483202000841      Zoning: RC**

**Code Compliance Officer - Robert Chayer**

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

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 7, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021093 – PAVLOV ALEXEI & LILIA**

**Served**

Complaint No. 20210405072

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

Property Location: 240 Old Bubbly Rd, Pierson 32180

**Parcel No. 483202000841          Zoning: RC**

**Code Compliance Officer - Robert Chayer**

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

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Dismissal for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021094 – PAVLOV ALEXEI & LILIA**

**Served**

Complaint No. 20210405073

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). Built residence with no permits

Property Location: 240 Old Bubbly Rd, Pierson 32180

**Parcel No. 483202000841          Zoning: RC**

**Code Compliance Officer - Robert Chayer**

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

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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of May 7, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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## XI. Requests for Discussion of Accumulated Fines

### **CEB2017209 - GUZMAN NEYZA**

Posted

Complaint No. 20170428082

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

Property Location: 3665 John Anderson Dr, Ormond Beach 32176

**Parcel No. 321601000650**

**Zoning: R-3**

**Zoning Compliance Officer - Margaret Godfrey**

Property owner was first notified of the violation on June 7, 2017

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

\*Final Order Imposing Fine Lien issued at the October 18, 2017 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 8, 2021:

\*Order of Compliance issued at the March 17, 2021 hearing:

**Request for Discussion of Fine/Lien of \$22,800.00**

Neyza Guzman was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret said that she recommends the fine be reduced to \$2,280.00.

Ms. Guzman said that due to medical issues they weren't able make sure the job was complete in a timely manner. She had workers hired and they took money but never finished the job either.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to reduce the fine to Two Thousand Two Hundred and Eighty dollars an 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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**CEB2017375 - HOMETOWN HOUSING**

**Served**

Complaint No. 20160418044

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

Property Location: 251 Evergreen Ter., Deland 32724

**Parcel No. 603812000450**

**Zoning: MH-5**

**Zoning Compliance Officer – Margaret Godfrey**

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

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

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

\*Final Order Imposing Fine Lien issued at the April 18, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 26, 2020:

\*Order of Compliance issued at the March 17, 2021 hearing:

**Request for Discussion of Fine/Lien of \$5,000.00**

Anna Paulis was present via Webinar at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret said that she recommends the fine be reduced to \$500.00.

Chairman Lingenfelter asked Ms. Paulis how she has been keeping the property cleaned up. Ms. Paulis said she a person had purchased the property and he made it difficult to go and clean the property and once he was willing to leave, she had the property cleaned up. Ms. Paulis said that Margaret’s recommendation is reasonable.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to reduce the fine to Five Hundred dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2018160 - LOEWEN GEORGE H TR**

**Served**

Complaint No. 20180112025

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

Property Location: 1150 E New York Ave, Deland 32724

**Parcel No. 701510000010**

**Zoning: R-4CA**

**Code Compliance Officer - Margaret Godfrey**

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

\*Order of Non-Compliance issued at the April 18, 2018 hearing:

\*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 20, 2020:

\*Order of Compliance issued at the May 20, 2020 hearing:

**Request for Discussion of Fine/Lien of \$3,050.00**

Kaaren Nelson was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret said that she recommends the fine be reduced to \$300.00 each case for a total of \$600.00.

Ms. Nelson said it has been a real chore cleaning the property and evicting the tenant.

Ms. Nelson said she is thrilled with Margaret's recommendation

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to reduce the fine to Three Hundred dollars an 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 Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2018161 - LOEWEN GEORGE H TR**

**Served**

Complaint No. 20180112022

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

Property Location: 1150 E New York Ave, Deland 32724

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

**Code Compliance Officer - Margaret Godfrey**

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

\*Order of Non-Compliance issued at the April 18, 2018 hearing:

\*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 20, 2020:

\*Order of Compliance issued at the May 20, 2020 hearing:

**Request for Discussion of Fine/Lien of \$3,050.00**

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to reduce the fine to Three Hundred dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2018338 - BIBEAU KELLEY ALICIA MARIE**

**Posted**

Complaint No. 20171103044

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

Property Location: 4508 Doris Dr, New Smyrna Beach 32169

**Parcel No. 743501070160**

**Zoning: R-4W**

**Code Compliance Coordinator - Margaret Godfrey**

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

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

\*Final Order Imposing Fine Lien issued at the February 20, 2019 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 3, 2019:

\*Order of Compliance issued at the August 21, 2019 hearing:

**Request for Discussion of Fine/Lien of \$10,400.00**

Alicia Bibeau was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret said she is recommending the lien be reduced to \$1,040.00.

Alicia said her request was to reduce the lien to zero dollars, and the contractor she used wasn't accountable in regards to get the work done.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to reduce the fine to Zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2018493 - TINDALL DARLENE**

**Posted**

Complaint No. 20180723026

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). Replacing deck on dock. Appears this is a new structure. All new pile, framing, appears renovation and/or re-model in-progress inside SFR, electric, mechanical, plumbing. This may not be a complete list

Property Location: 1634 Juno Tr, Astor 32102

**Parcel No. 581900070720**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on

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

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

\*Final Order Imposing Fine Lien issued at the August 21, 2019 hearing:

\*CEB issued an order staying the fine

\*Final Order Imposing Fine Lien issued at the November 20, 2019 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of March 11, 2021:

\*Order of Compliance issued at the March 17, 2021 hearing:

**Request for Discussion of Fine/Lien \$17,400.00**

Darlene Tindall and William Wallace, GC was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret said her recommendation is \$1,740.00.

Mr. Wallace said that when he was hired the work was already complete and he inspected everything and got the permits completed. Ms. Tindall said she is requesting zero dollars due to all she has had to pay due to the negligence of the previous contractors that were hired.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to reduce the fine to Zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**Cases from the Addendum**

**CEB2018207-HUME ROBERT W**

**Served**

Complaint No. 20180214005

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). (Boarded up window, appears to have roof issues)

Property Location: 23 River Dr, Ormond Beach 32176

**Parcel No. 420312000940**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

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

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

\*Final Order Imposing Fine Lien issued at the February 20, 2019 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 14, 2021:

**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.

**CEB2018208-HUME ROBERT W**

**Served**

Complaint No. 20180216013

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (160 s.f. shed, roof repairs)

Property Location: 23 River Dr, Ormond Beach 32176

**Parcel No. 420312000940**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

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

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

\*Final Order Imposing Fine Lien issued at the February 20, 2019 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 14, 2021:

**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.

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**CEB2018437-HUME ROBERT W**

**Served**

Complaint No. 20181005063

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

Property Location: 23 River Dr, Ormond Beach 32176

**Parcel No. 420312000940**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Oct 5, 2018

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

\*Final Order Imposing Fine Lien issued at the February 20, 2019 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 14, 2021:

**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 21, 2021

## XI. Requests for Discussion of Accumulated Fines

**CEB2017248-MILLER ROBERT J JR & TRICIA R**

**Posted**

Complaint No. 20160923034

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

Property Location: 3845 Sr 44, New Smyrna Beach 32168

**Parcel No. 722301010100**

**Zoning: A-1C**

**Zoning Compliance Officer - Debbie Zechnowitz/Sebrina Slack**

Property owner was first notified of the violation on Sep 29, 2016

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

\*Final Order Imposing Fine Lien issued at the January 17, 2018 hearing:

**Request for Discussion of Fines - Partial Release of Lien**

Josh Wells, Attorney was present at the hearing for this case.

Sebrina Slack, County Attorney, presented the case. Sebrina said this a case with a vacant lot with an accessory structure and the parties were married at the time and they are now divorced, the multiple properties were split up and this is a property that is solely the wife's. Mr. Wells contacted us to do a partial release so the husband can sell a property that has nothing to do with this property.

2111 Waterford Estates Dr. is the property that is separately owned by Robert Miller

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Partial Release of 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.

April 21, 2021

**CEB2018332 - LUZNAR ROGER J**

**Served**

Complaint No. 20130730013

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 All construction requires building permit(s) and inspection approval(s). (Renovations/Remodel)

Property Location: 3876 Pioneer Tr, New Smyrna Beach 32168

**Parcel No. 721100000051**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Aug 28, 2013

\*Order of Non-Compliance issued at the October 21, 2020 hearing:

\*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

\*Final Order Imposing Fine Lien issued at the February 17, 2021 hearing:

**Request for Discussion of Fines**

Roger Luznar was present at the hearing for this case.

Margaret Godfrey, Code Compliance, presented the case. Margaret said this case has been going on since 2013. The permit is still expired and we are recommending the lien stay until compliance is achieved.

Mr. Luznar said most of framing work is done and needs to be finalized. Mr. Luznar said his parents were living in the house and due to Covid he stopped all work on the property. Mr. Luznar said he has been trying to get in contact with someone for 3 weeks and was placed on the agenda last minute.

Member Hall asked if a fine is accumulating can you not get a permit.

Kerry Leuzinger said he spoke to Roger yesterday and we don't have a problem extending the permit. It was explained that once he is in compliance he can have another hearing for a reduction of fines.

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

April 21, 2021

**CEB2020174 - BELL RICHARD P TR**

**Served**

Complaint No. 20200811078

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 violation of the final site plan

Property Location: 1731 S Woodland Blvd, Deland 32724

**Parcel No. 702806000010**

**Zoning: B-5C**

**Code Compliance Officer – Margaret Godfrey**

Property owner was first notified of the violation on 8-28-20

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

\*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

\*Final Order Imposing Fine Lien issued at the February 17, 2021 hearing:

**Request for Discussion of Fine Start Date**

Neil Chapman, GC was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret said that we are recommending the fine start tomorrow because it's been a long time and once he is in compliance they can come a request a reduction. Margaret also added that at the previous hearing Attorney Mike Tuma assured the board that the site plan would be accomplished by the fine start date.

Mr. Chapman said we can't get in compliance because we can't get an extension. Mr. Chapman said he can get this property in compliance within 15 days.

After some discussion it was made clear that Mr. Chapman needed to get with zoning and have another discussion on the lots, it was also explained that once compliance is achieved they could come back a request the reduction.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to Deny a Stay of Lien 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 21, 2021

**CEB2020022 - BELL RICHARD P TR**

**Served**

Complaint No. 20200109006

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: 1731 S Woodland Blvd, Deland 32724

**Parcel No. 702806000010**

**Zoning: B-5C**

**Environmental Specialist II - Todd Hannah**

Property owner was first notified of the violation on 3-11-20

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

\*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

\*Final Order Imposing Fine Lien issued at the February 17, 2021 hearing:

**Request for Discussion of Fine Start Date**

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to Deny a Stay of Lien 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 21, 2021



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

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**ADJOURNMENT**

There being no further business to discuss before the Board, the meeting adjourned at 2:31 pm.

Respectfully submitted,

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**Ramona Jones**  
**Code Enforcement Board Clerk**

April 21, 2021

**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 21, 2021, at 123 West Indiana Avenue, Deland, Florida.**

**WITNESS MY HAND this 12th day of May, 2021, in the City of DeLand,  
County of Volusia, State of Florida.**

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**Ramona Jones  
Code Board Clerk**

April 21, 2021