



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

May 19, 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
Vikki Leonard
Donald Needham
Pete Zahn
Rick Dwyer
Charles Cino, Board Attorney**

MEMBERS ABSENT

STAFF PRESENT

**Chris Hutchison, Code Compliance Manager
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
Samantha West, Environmental Specialist III
Julie McCrystal, Environmental Specialist II
Kerry Leuzinger, Chief Building Official
Ramona Jones, Code Board Clerk
Tom Legler, Deputy Building Official**

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APPROVAL OF MINUTES

Member Needham moved to approve the minutes from the April 21, 2021 hearing. Member Nadeau seconded the motion which carried unanimously by voice votes.

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

May 19, 2021

IX. Unfinished Business

CEB2015166-SMITH, LESLIE ANNE

Sheriff Served

Complaint No. 20150701035

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

Property Location: 2089 Avocado Dr., Port Orange 32128

Parcel No. 622201000860

Zoning: RA

Zoning Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on October 15, 2015

*Order of Non - Compliance issued at the December 16, 2015 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of April 28, 2021:

Order of Compliance

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

CEB2016102-768 OLD MISSION RD, LLC

Posted

Complaint No. 20100818038

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). (Renovations)

Property Location: 768 Old Mission Rd., Edgewater 32132

Parcel No. 843804000040

Zoning: RA

Building Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on January 6, 2014

*Order of Non-Compliance issued at the August 17, 2016 hearing:

*Final Order Imposing Fine Lien issued at the September 21, 2016 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 24, 2021:

Order of Compliance

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

May 19, 2021

CEB2019357 - RESIDENTIAL REDESIGN INC

Served

Complaint No. 20180510033

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). Electrical work done w/o the required building permits & inspection approvals.

Property Location: 946 Seminole Rd, Osteen 32764

Parcel No. 922804000150

Zoning: R-4A

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Oct 21, 2019

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

*Final Order Imposing Fine Lien issued at the December 18, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 13, 2021:

Order of Compliance

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

CEB2020024 – MORK ELDON BRUCE & JOSEPHINE GOME

Served

Complaint No. 20190617014

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 Living in RV or RV connected to water, sewer or electric lines, where not permitted

Property Location: 175 West St, Oak Hill 32759

Parcel No. 950600011480

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Dec 05, 2019

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

*The Board continued this case from the September 16, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the October 21, 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 5, 2021:

Order of Compliance

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

May 19, 2021

CEB2020034 - MORK ELDON BRUCE & JOSEPHINE GOME

Served

Complaint No. 20190614061

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

Property Location: 175 West St, Oak Hill 32759

Parcel No. 950600011480

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Dec 05, 2019

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

*The Board continued this case from the September 16, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the October 21, 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 April 22, 2021:

Order of Compliance

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

May 19, 2021

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 April 7, 2021

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

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case. The county also provided a Russian Translator, Irina, whom was present for the hearing of the cases

Robert Chayer, code compliance, presented the 3 cases together. Robert went over the case details, showing photos.

Chairman Lingenfelter asked if the case would need to be continued since Mr. Pavlov was not present. Sebrina Slack said that we have received communication from Mr. Pavlov that leads us to believe he will not be complainant.

Robert said that our orders of Non Compliance were returned and his reply are in red ink with Not Accept, No Contract, No Trust, etc. Mr. Pavlov sent an email asking what specifically we are wanting to inspect. Robert sent an email stating that we would need to inspect the construction site. Robert showed the email response from Mr. Pavlov. Sebrina Slack added that the red markings indicate he is a possible sovereign citizen and that the laws don't apply to his land. Robert said that he researched the Property Appraisers site and the property is listed as land only.

Kerry Leuzinger said the permit expired in January 2021 and the impact fees of \$6,198.01 are due, and that additional inspections are required and that he will not extend the permit until we are allowed a site visit to get the status of the property and construction. Kerry added we have asked numerous times to come on site and have been denied access. He is an owner builder and has not upheld his responsibilities as an owner builder contractor, so we are most likely going to revoke his permit, unless he can within the next month or so, show he can finish the work, which he is not demonstrating he can, so based on that we will require him to hire a contractor to finish the home. Member Hall asked that at the last meeting there was discussion about him getting a third party inspection. Kerry said that's out the window, you can do third party inspection to begin prior to the permit being issued.

There was discussion on the process of Orders Imposing Fines and when they are typically scheduled to start.

Chairman Lingenfelter asked if this was a homestead property, Robert said correct it is not homesteaded.

May 19, 2021

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 total for all 3 cases for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 111.1.** After Member Nadeau **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 April 7, 2021

*Order of Non-Compliance issued at the April 21, 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 \$50.00 per day/per case commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 total for all 3 cases 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.

May 19, 2021

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

*Order of Non-Compliance issued at the April 21, 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 \$50.00 per day/per case commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 total for all 3 cases 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.

May 19, 2021

CEB2018528 - NORONHA LORRAINE

Served

Complaint No. 20180305014

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 windows, roof, door, may not be a complete list

Property Location: 1440 Primrose Ln, Daytona Beach 32117

Parcel No. 423311000220

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Mar 08, 2018

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

*1st Amended Order of Non-Compliance issued at the November 18, 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 said in November the REZ permit was issued to address the windows and it expired 5-10-21. There was a final inspection scheduled for 5-11-21 that partially failed and the inspector could not gain access to the property.

Chairman Lingenfelter asked if the building department would extend the permit. Robert said he is unsure. Robert also added that just like the last case they have until the 17th before fines would start.

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 \$100.00 per day commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$12,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2019208 - ABC DEMOLITION INC.

Served

Complaint No. 20190514005

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 unpermitted use of vacant lot

Property Location: Lakeview Dr., Deland 32720

Parcel No. 791304000165 Zoning: I-1

Code Compliance Officer – Margaret Godfrey

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

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

*1st Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the June 17, 2020 hearing:

*4th Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

Hearing to Impose Fine/Lien

Ed Grimes, GC, was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos.

Sebrina Slack, County Attorney, said that Mr. Grimes Corporation is still in an active bankruptcy and we would be asking for an amended order.

Mr. Grimes asked if anyone knew an Engineer to start the process, he said he hired Mike from EPI and gave a deposit and that they are not returning phone calls.

Member Zahn recommended to speak with a Civil Engineer and Land Planning to see if they can help since there is not a principal structure.

After discussion and based on the testimony and evidence presented, Member Zahn **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 November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 19, 2021

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). Appears renovation and or remodel with no evidence of required permits / inspections or approvals. Window(s); Door(s); Building; Plumbing / rework / fixtures; Electrical / re-work / devices; Mechanical equipment; Interior renovation in progress. Access to interior will be required to determine extent of renovation and permit(s) required. May not be a complete list.

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

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

Hearing to Impose Fine/Lien

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

Peter Hinson, code compliance, presented the case. Peter went over the case details, showing photos. Peter said the permit that is the system has since expired. There has been no communication with the owners and the tenants that stay at the property stated they have had no contact as well. Chairman Lingenfelter asked if they just cash the checks, Peter said yes and added the tenants said they are moving out in June.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2020011 - ACOSTA ENTERPRISES INC

Served

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

*Order of Non-Compliance issued at the April 21, 2021 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 his last inspection was on 4-19-21 and the property remains in violation. Robert added that he had several emails back and forth and they met on site. They seemed like they had good intentions to get things done but then all communication just stopped.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$13,800.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2020032 - ANDERSON KELLY

Served

Complaint No. 20191010044

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: 1612 Granada Ave, Daytona Beach 32117

Parcel No. 424219100120

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Oct 23, 2019

*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.

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated his last inspection was 5-17-21 and the property has been cleaned up some but the truck is still there. Robert said he had contact with the owner on the 17th and they had neighbors at the property helping them in getting into compliance and that he would like to give more time.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34, with a Hearing to Impose Fine set for the August 18, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020033 - ANDERSON KELLY

Served

Complaint No. 20191008042

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

Property Location: 1612 Granada Ave, Daytona Beach 32117

Parcel No. 424219100120

Zoning: R-5

Code Compliance Officer - Robert Chayer

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

*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 Leonard **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 August 18, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2020038 - PHANEUF DONALD J

Served

Complaint No. 20200218017

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

Property Location: 301 Harbor Tr., Enterprise 32725

Parcel No. 910804000010

Zoning: R-3(1) EA, RCEA

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on 2-27-20

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

Hearing to Impose Fine/Lien

Robert Foster, Attorney, was present at the hearing for this case.

Robert Chayer, code compliance, presented the case in Margaret's absence. Robert went over the case details, showing photos. Robert stated there is a PLDRC meeting for variances and we won't know exactly how long it will be to get the permits until after the hearing.

Mr. Foster said he agrees with the September timeframe.

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 September 15, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2020137 - PHANEUF DONALD J

Served

Complaint No. 20200727051

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: 301 Harbor Tr., Enterprise 32725

Parcel No. 910804000010

Zoning: R-3(1) EA, RCEA

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on D Phaneuf 8-3-20

*The Board continued this case from the August 19, 2020 hearing:

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

Hearing to Impose Fine/Lien

Robert Foster, Attorney, was present at the hearing for this case.

Julie McCrystal, Environmental Specialist, presented the case in Todd's absence. Julie went over the case details, showing photos. Julie said her recommendation was the same as Robert's since there is a PLDRC meeting. Chairman Lingenfelter asked what the variance was being asked for. Mr. Foster said it was for a whole list of things.

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 September 15, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 19, 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:

*5th Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

Hearing to Impose Fine/Lien Order of Compliance

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

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:

*5th Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

Hearing to Impose Fine/Lien Order of Compliance

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

May 19, 2021

CEB2020098 - FERGUSON MICHAEL A & DONNA S

Served

Complaint No. 20191230002

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). There are 2 accessory structures that are misc. improvements but no sign of a permit.

Property Location: 6180 Winning Wood Tr., Deleon Springs 32130

Parcel No. 592600000180

Zoning: FR (4)

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on Dec 30, 2019

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

Hearing to Impose Fine/Lien

Michael Ferguson was present at the hearing for this case.

Peter Hinson, code compliance, presented the case. Peter went over the case details, showing photos. Peter stated the owners have hired Efird Surveying Group and the survey was done Monday morning. Peter added the owners were having some financial issues, but progress is being made.

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

May 19, 2021

CEB2020140 - HANSON CHARLES E

Served

Complaint No. 20200519048

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

Property Location: 5301 Michelle Dr., Deleon Springs 32130

Parcel No. 600700000490

Zoning: A-1A, A-3A

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on May 22, 2020

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

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

Hearing to Impose Fine/Lien

Charles Hanson was present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated his last inspection was 5-12-21 and the property remains the same. Isiah also added that Charles Hanson sent an email on 5-17-21 stating that he does have an Engineer now.

Mr. Hanson said they got the survey done with Efirid late December and they hired a different Engineer but they backed out and left him hanging and that's when he contacted EPI and Mr. Hanson is asking for more time. Chairman Lingenfelter asked if he was given a timeline from EPI and Mr. Hanson replied that it didn't seem like it would be a long process. Mr. Hanson showed a letter from EPI that was asking for 180 days to correct the problem. Sebrina Slack added that we would recommend 60 day extension with a progress update from EPI. Member Zahn agreed with the 60 days to have a permit issued.

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 72 ARTICLE II DIVISION 7 SECTION 72-241, 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.

May 19, 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:

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

Hearing to Impose Fine/Lien

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

Robert Chayer, code compliance, presented the 3 cases together in Margaret's absence. Robert went over the case details, showing photos. Robert stated there have been no permit applications for the roof and other cited conditions remain unchanged. Robert added that he was with Margaret at an inspection and there was a pile of shingles in the yard and evidence shows they have already started working on the roof.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$6,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

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:

*1st Amended Order of Non-Compliance issued at the April 21, 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 \$50.00 per day/per case commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$6,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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:

*1st Amended Order of Non-Compliance issued at the April 21, 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 \$50.00 per day/per case commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$6,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 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:

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

Hearing to Impose Fine/Lien

Mavis Williams was present at the hearing for this case.

Robert Chayer, code compliance, presented the case in Margaret's absence. Robert went over the case details, showing photos. Robert stated that Tom Legler recommends this go to CLCA for demolition. Chairman Lingenfelter asked if Tom was recommending both structures. Chris Hutchison said he believed it was for both. Robert stated that Mrs. Williams is still working with the insurance company.

Mrs. Williams said that the church does not look the way it does in the photos, she is maintaining the grass. She is in the process of getting another lawyer and has filed paperwork with the state board insurance and she is waiting on them to get back with her. She also added that she is trying to get a loan herself. She added that the church was built by her father and she doesn't want to lose the church.

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 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.

May 19, 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). Appears renovation and or remodel with no evidence of required permits / inspections or approvals. 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:

*1st Amended Order of Non-Compliance issued at the April 21, 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 on 5-3-21 and the property remains in violation. He added that they do have a final prep permit in process. Isiah said this brought to us by Paul Traider. Isiah added he has had no contact with the owners.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$8,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2020283 - HOYT BRYAN

Posted

Complaint No. 20201008009

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Accessory use or Structure

Property Location: Herin Dr., New Smyrna Beach 32168

Parcel No. 72300000580

Zoning: A-1

Zoning Compliance Officer - Debbie Zechnowitz

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

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

Hearing to Impose Fine/Lien

Bryan Hoyt was present at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated a compliance date of May 12, 2021 was issued at the last meeting and the property remains in violation. Debbie had a letter from a concerned neighbor which was shown on the overhead projector.

Chairman Lingenfelter asked what his plan was with the property. Mr. Hoyt said he hired a surveyor and had biological services come to the property and marked off all the wetlands. He is now working with the surveyor on where a house and septic could be put. Mr. Hoyt said there is not a place he can move the camper to and does not have the money to live somewhere else, he added that he is looking to get this all done within the next few months. Chairman Lingenfelter asked where he was at with house plans. Mr. Hoyt said he plans to work on that in the next few months. Mr. Hoyt said he has made a ton of progress.

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 July 21, 2021 hearing.** After Member Needham **SECONDED** the motion, Member Dwyer Opposed and it **CARRIED** by voice vote.

May 19, 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: Swamp Deer Rd, New Smyrna Beach 32168

Parcel No. 820101060370

Zoning: RA

Environmental Specialist II – Julie McCrystal

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

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

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

Hearing to Impose Fine/Lien

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

Julie McCrystal, Environmental Specialist, presented the case. Julie went over the case details, showing photos. Julie stated on May 3rd we received an email stating he hired Zev Cohen as his consultant. On May 13th the consultant submitted a draft restoration plan for review by staff and the owner will be applying for a building permit for a single-family dwelling, permitting the wetland impacts needed for the dwelling with FDEP and Volusia County, and restoring the remaining areas.

Mr. Bongard said he was good with Julie's recommendation and he is working on getting everything 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 72, ARTICLE III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the August 18, 2021 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2020303 - JEFFERS ROY D

Served

Complaint No. 20200901054

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

Property Location: Sharp Rd, New Smyrna Beach 32168

Parcel No. 723100001520

Zoning: A-1

Zoning Compliance Officer - Debbie Zechnowitz

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

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

Hearing to Impose Fine/Lien

Mr. Roy Jeffers and Daughter Melissa Jeffers was present via Webinar at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated that a few weeks after the March meeting she had a voicemail from Mr. Jeffers' son threatening that we should not go back to the property and if we did to bring police. Debbie said that after speaking with Mrs. Jeffers and Melissa they were unaware that the son had did that. Debbie said she did not feel comfortable with going to the property for anymore inspections.

Melissa said that she apologizes for her brothers actions and was unsure why he got involved in the situation and that she would personally escort Debbie on the property and that the brother would not be there if an inspection is needed. Chairman Lingenfelter asked if there was a power of attorney for her to handle her parents' affairs. Mr. Jeffers said they would do whatever necessary for that to be done. Melissa said that she didn't know about the issues and once she found out she has been working hard to help them. There are financial issues as her parents are both disabled and she herself has a large family too. Melissa said they have a guy who is out of state that purchased the trailer and it should be removed between June 28 and July 4, 2021. Melissa said she has a new location for her parents to be moved to and it would be a little longer to get them moved in.

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 72-277(1)(C), with a Hearing to Impose Fine set for the August 18, 2021 hearing.** After Member Hall **SECONDED** the motion, Member Dwyer Opposed and it **CARRIED** by voice vote.

May 19, 2021

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). Appears renovation and or remodel with no evidence of required permits / inspections or approvals. 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

*Order of Non-Compliance issued at the April 21, 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 on 5-3-21 and the property remains in violation and there has been no contact with the owners. Isiah added that we had the pool secured.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$9,500.00 per case 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.

May 19, 2021

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). Metal Roof with no 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

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

Hearing to Impose Fine/Lien Order of Compliance

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

May 19, 2021

CEB2021052 - SMITH TERRY L JR & AMY E

Posted

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 15th St, Orange City 32763

Parcel No. 800402150070

Zoning: R-4

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on

*Order of Non-Compliance issued at the April 21, 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 5-18-21 and still in violation. Isiah said they do have a permit for 1 shed but there are 2 in the rear yard and there is no permit for the AC work that was done. Member Hall asked if there was any contact since last Code Board. Isiah said there has been no contact since.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing June 17, 2021 and to continue until compliance is achieved, but not to exceed \$14,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

X. Hearings and Presentation of Filed Notices of Violations

CEB2020075 - Robert Charron

Posted

Complaint No. 20200313005

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). Metal structure being installed on a cement slab

Property Location: 1411 Alden St, Deland 32720

Parcel No. 694413001040

Zoning: RR

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on 3-22-21

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 the resident put in a permit for the violation that expires on 6-19-21. Isiah said he has had no contact since the hand delivery of the Notice of Hearing. Member Hall asked how do you do an after the fact permit for concrete slab. Kerry Leuzinger said that's a good question, you would have to core a hole, X-Ray or they may have to tear it up and start over.

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 11, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

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

May 19, 2021

CEB2020114 - William F Bohlen

Served

Complaint No. 20191212011

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). Appears renovation and or remodel with no evidence of required permits / inspections or approvals. Appears work continuing with no active permits and appears interior renovations. Roofing, structural opening/coil door at rear elevation, soffit/overhang, and interior renovation. May not be a complete list.

Property Location: 1585 N Kepler Rd, Deland 32724

Parcel No. 602601000681

Zoning: I-1A

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Jul 14, 2020

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 on 5-18-21 and remains in violation. Paul Traider said the background on the initial stop work order was he sent an email to William Bohlen inquiring about the expired permit on 12-4-20 and didn't get any response. A week later Paul went to the property and it appeared that work was in progress inside the building and he was denied access, since that time the rear coil door that wasn't included had a permit and it was completed. Paul said what's in question now is the interior renovations that were done.

Member Hall asked if there has been contact with the owner and Isiah said no none at all.

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 11, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

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

May 19, 2021

CEB2021003 - MARTINEZ CELSO & DEPAZ MARICELA

Served

Complaint No. 20200518030

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

Property Location: 601 S Brooks Ave, Deland 32720

Parcel No. 701701060010 Zoning: R-4

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on May 21, 2020

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 on 5-18-21 the property remains in violation. There are no permits for the structure that was built. Isiah added there was a roof permit that expired but not a permit for the shed. Isiah also said there has been no contact with the owner.

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 11, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

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

May 19, 2021

CEB2021013 – ROBERT LOUIS DOLLARD IV

Served

Complaint No. 20200430030

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

Property Location: 1475 Kettledrum Tr., Enterprise 32725

Parcel No. 910805000640 Zoning: R-4

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on April 30, 2020

Robert Louis Dollard IV 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 there are 2 permits in the review status for the metal roof, over pool equip, concrete slab and a 6 and 3 foot metal fence but there is not a pool permit. Mr. Dollard said that he didn't know about the pool permit because he only owned the house for 2 years and the pool was done back in 1991. Chairman Lingenfelter suggested going to the permit center to get more information and to talk with them about getting the permit completed. Mr. Dollard said that he believes he could get this figured out by the next meeting.

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 11, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

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

May 19, 2021

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

*The Board continued this case from the April 21, 2021 hearing:

Clayton Benio was present at the hearing for this case.

Robert Chayer, code compliance, presented the 5 cases together. Robert stated that he just had a conversation in the hall with Clayton and some new information was given so he is requesting a continuance to the next meeting.

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 June 16, 2021 hearing.** After Member Hall **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

*The Board continued this case from the April 21, 2021 hearing:

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 June 16, 2021 hearing.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

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

*The Board continued this case from the April 21, 2021 hearing:

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 June 16, 2021 hearing.** After Member Hall **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

*The Board continued this case from the April 21, 2021 hearing:

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 June 16, 2021 hearing.** After Member Hall **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

*The Board continued this case from the April 21, 2021 hearing:

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 June 16, 2021 hearing.** After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2021054 - WOOTON THOMAS MITCHEL

Posted

Complaint No. 20201125018

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: 180 Mae St, Oak Hill 32759

Parcel No. 950600011330

Zoning: MH-5

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on 2-26-21

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

Fred Eastwood, code compliance, presented the 2 cases together. Fred went over the case details, showing photos. Fred stated he did an inspection on 12-22-20 and noticed work had begun to clean up the property, he went back a month later and no further work had been done and that when it was noticed there were 2 hogs on the property, which the tenant stated they were his therapy animals. Fred instructed him to get a letter from his Family Physician stating his claim. Fred said he received an email from the tenant giving the Federal Dog Registration Number however it is not a letter from his primary doctor stating the reason he needs the support animal.

Chairman Lingenfelter asked if the owner was on this property and Fred told him the person that is occupying the property is actually a transient and that Mr. Wooton daughter had been in jail and when she got out she was told she had to go through the steps of eviction since the transient has been there for 6 months. She is now starting that process. Sebrina Slack added that the Federal Dog Registry is just a website that you can register your animal through the internet. She explained the ADA definition of a service animal and added it wouldn't be eligible to be a service animal. Member Hall asked if a comfort animal meet the criteria of allowing it under our ordinance. Sebrina said an emotional support animal under the Fair Housing Act would require certain documentation to substantiate your need for the animal and under the Fair Housing Act you can ask for that information and that's what we have done, but the information has not been provided yet. Fred Eastwood added that Mr. Wooton cannot get on the property until the transient is off the property, and that the paperwork has been started for eviction.

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 19, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.**

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

May 19, 2021

CEB2021082 - WOOTON THOMAS MITCHEL

Served

Complaint No. 20210122038

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

Property Location: 180 Mae St, Oak Hill 32759

Parcel No. 950600011330

Zoning: MH-5

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on Feb 04, 2021

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 19, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2021072 - HOCQUARD AXEL G II

Served

Complaint No. 20201210020

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

Property Location: 108 Douglas St, Edgewater 32141

Parcel No. 853809003760

Zoning: MH-5W

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on Feb 24, 2021

Axel Hocquard was 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 he received the complaint from a neighbor who took him to the back yard to see all the debris. Fred said he was at the property on 1-12-21 for an inspection and the tenant stated that the property may be up for auction. On 2-18-21 the property remained the same and there was no auction. The last inspection was on May 14th and the property remains in violation.

Chairman Lingenfelter asked if he received any of the notices. Mr. Hocquard said not if they were sent to 108 Douglas St. The records show the notices were sent to the correct address. Sebrina Slack added that we would send the notices to the owner of record that shows on the Property Appraisers site.

Mr. Hocquard said that the tenant staying at the property has caused these issues. Mr. Hocquard said that he is in the process of getting the tenant out of there, he's not paying the rent and the tenant was already warned before the County got involved. Mr. Hocquard said there is no lease that it is a week to week rental. Sebrina Slack said the soonest you can get someone evicted is 45 days depending on the speed of the courts.

Fred Eastwood said that every conversation he has had with the tenant, he is told he is going to clean it up but nothing gets done.

After discussion and based on the testimony and evidence presented, Member Leonard **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 19, 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.

May 19, 2021

CEB2021073 - GIEHL DONALD G

Posted

Complaint No. 20210121060

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Boat and/or trailer improperly parked

Property Location: 116 Hibiscus Rd, Edgewater 32141

Parcel No. 841305002282

Zoning: R-4W

Code Compliance Officer - Fred Eastwood

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

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

Fred Eastwood, code compliance, presented the 2 cases together. Fred went over the case details, showing photos. Fred stated the problem here is this property is on a corner lot and has 2 front yards. Fred tried to give other options but he don't want options as the realtor told him he could park the trailers there on the front when he bought the property and he won't move them. Fred said on January 21 he was advised the owner had a surgery and would not be able to move them until he has recovered. Fred said on February 23 he did an inspection and the boats and trailer were not moved. Chairman Lingenfelter asked what options he had. Fred said one of the options was moving it into the back yard, but he was opposed to that because it would take up his back yard and the other option is to move them to a secure location, which he is not going to do. Chairman Lingenfelter ask if he could have all 3 on the property and Fred said he could have the boat but would have to meet the setbacks.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) With a compliance date of July 19, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2021074 - GIEHL DONALD G

Posted

Complaint No. 20210121061

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

Property Location: 116 Hibiscus Rd, Edgewater 32141

Parcel No. 841305002282

Zoning: R-4W

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on Feb 25, 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 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) With a compliance date of July 19, 2021 and a Hearing to Impose Fine is set for the July 21, 2021 hearing.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2021085 - WHITMARSH KENNETH

Posted

Complaint No. 20200820049

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

Property Location: 2412 Ben Franklin Dr., Deland 32720

Parcel No. 603100000568

Zoning: RR

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Aug 20, 2020

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 on 5-18-21 and they pulled a permit but it has since expired. Paul Traider added that when we received the complaint, he went to check into it and discovered the work in progress and he posted a Stop Work Order. Paul said he would recommended a prevention inspection with the owner.

Member Leonard asked if the application expired or the permit. Isiah said he believes the permit was issued and then later expired.

Member Dwyer asked if there was contact with the owner and why it took 8 months to be brought before Code Board. Isiah stated there was no contact and that the permit was issued and that why we gave time but once it lapsed we moved forward.

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 11, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

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

May 19, 2021

XI. Requests for Discussion of Accumulated Fines

~~CEB2018207-HUME ROBERT W~~ Working Home Real Estate LLC 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 issued at the April 21, 2021 hearing:

Request for Discussion of Fine/Lien of \$7,400.00

Carlos Caruron and Nicholas Vacera, Business Owners, were present at the hearing for this case.

Robert Chayer, code compliance, presented the 3 cases together in Margaret's absence. Robert went over the case details, showing photos. Robert said that he has seen the property and it looks great now. Robert added the liens reached the cap of \$7,400 each. Property changed hands and a roof permit was issued. However, in January of last year, the new owners were found to be doing work without the required permits and inspection approvals and a stop work order was posted along with a notice of violation. A permit was applied for on 5.6.20 and issued 6.8.20. It was finalized 3.22.21.

Chairman Lingenfelter asked if they were the new property owners. Mr. Vacera said they acquired the property as is and had a very expensive learning experience. He added that they are trying to sell it. Member Dwyer asked if they were the new owners that were doing the work without permits. They said yes but they learned the hard way and were new to the situation. Once they were told what needed to be done they got it done.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to reduce the fine to One Thousand dollars total for all 3 cases payable within 30 days and issue an Order of Dismissing and Releasing Fine/Lien once paid for violation of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2018208–~~HUME ROBERT W~~ Working Home Real Estate LLC 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 SF 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 issued at the April 21, 2021 hearing:

Request for Discussion of Fine/Lien of \$7,400.00

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to reduce the fine to One Thousand dollars total for all 3 cases payable within 30 days and issue an Order of Dismissing and Releasing Fine/Lien once paid for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 109.3.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018437–~~HUME ROBERT W~~ Working Home Real Estate LLC 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 issued at the April 21, 2021 hearing:

Request for Discussion of Fine/Lien of \$7,400.00

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to reduce the fine to One Thousand dollars total for all 3 cases payable within 30 days and issue an Order of Dismissing and Releasing Fine/Lien once paid for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 2021

CEB2019357 - RESIDENTIAL REDESIGN INC

Served

Complaint No. 20180510033

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). Electrical work done w/o the required building permits & inspection approvals.

Property Location: 946 Seminole Rd, Osteen 32764

Parcel No. 922804000150

Zoning: R-4A

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Oct 21, 2019

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

*Final Order Imposing Fine Lien issued at the December 18, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 13, 2021:

Request for Discussion of Fine/Lien of \$17,000.00

Peter Bursick, Court Appointed Receiver, was present at the hearing for this case.

Robert Chayer, code compliance, presented the case in Margaret's absence. Robert went over the case details, showing photos. Robert stated the recommendation is to reduce the fine to \$1,700.00. Member Dwyer asked why we were willing to reduce the fine since this case has been going on since 2019. Chris Hutchison said because they did bring it into compliance and that we make our recommendation at the 10%.

Member Zahn said he remembered this case and that there was a dispute with the previous owners and not getting anything done because they couldn't agree on anything. Mr. Bursick said yes that the 2 partners were very hard to work with and they just walked away from the property. Mr. Bursick said that he paid out of pocket for the insurance and all the work that needed to be done. Member Leonard asked if the property was being held up because of the fines and Mr. Bursick said yes because they can't get title insurance.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to reduce the fine to One Thousand Seven Hundred dollars payable within 30 days and issue an Order of Dismissing and Releasing Fine/Lien once paid for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Dwyer **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 19, 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 12:15 pm.

Respectfully submitted,

Ramona Jones
Code Enforcement Board Clerk

May 19, 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 May 19, 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.

**Ramona Jones
Code Board Clerk**

May 19, 2021