



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

May 20, 2020

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 (Webinar)
Harry Wild, Jr. Vice-Chair
Clement Nadeau
Donald Needham (Webinar)
Vikki Leonard (Webinar)
Pete Zahn (Webinar)
Charles Cino, Board Attorney**

MEMBERS ABSENT

Andrew Hall

STAFF PRESENT

**Chris Hutchison, Code Compliance Manager
Margaret Godfrey, Code Compliance Coordinator
Debbie Zechnowitz, Code Compliance Officer
Michael Mazzola, Code Compliance Officer
Robert Chayer, Code Compliance Officer
Isiah Pitts, Code Compliance Officer
Russ Brown, Assistant County Attorney
Kristopher Brown, Environmental Specialist
Ramona Jones, Code Board Clerk**

* * * * *

APPROVAL OF MINUTES

February 19, 2020 and May 20, 2020 Minutes will be included in the June 17, 2020 Code Enforcement Board meeting for approval

* * * * *

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

* * * * *

UNFINISHED BUSINESS

May 20, 2020

CEB2016049-GRAF GREGORY

Served

Complaint No. 20150522017

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). (Expired Permit #20140327006 for SFR

Property Location: 2900 Tangelo Rd, Edgewater 32141

Parcel No. 844301001620

Zoning: RC

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on May 26, 2015

*Order of Non - Compliance issued at the April 20, 2016 hearing:

*1st Amended Order of Non-Compliance issued at the October 19, 2016 hearing:

*2nd Amended Order of Non-Compliance issued at the April 19, 2017 hearing:

*3rd Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

*4th Amended Order of Non-Compliance issued at the April 18, 2018 hearing:

*5th Amended Order of Non-Compliance issued at the October 17, 2018 hearing:

*6th Amended Order of Non-Compliance issued at the February 20, 2019 hearing:

*7th Amended Order of Non-Compliance issued at the August 21, 2019 hearing:

*8th Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*9th Amended Order of Non-Compliance issued at the February 19, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 10, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Wild **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance.** After Member Needham **SECONDED** the motion, Member Pete Zahn Abstained, attached is the Form 8B for record, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

CEB2016145-MARSHALL, RICHARD & WAHL, THERESA

Served

Complaint No. 20160106006

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).

Property Location: 275 Wall Ave, Ormond Beach 32174

Parcel No. 423805120190

Zoning: R-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 15, 2016

*Order of Non-Compliance issued at the September 21, 2016 hearing:

*1st Amended Order of Non-Compliance issued at the January 18, 2017 hearing:

*Order Imposing Fine Lien issued at the January 18, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 27, 2020:

Order of Compliance

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

May 20, 2020

CEB2017211-TAYLOR FRED J & MARTHA P

Complaint No. 20170508047

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: 1098 George Anderson St, Ormond Beach 32174

Parcel No. 423805100160

Zoning: R-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on May 11, 2017

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

*1st Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

*2nd Amended Order of Non-Compliance issued at the September 19, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the March 20, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the September 18, 2019 hearing:

*5th Amended Order of Non-Compliance issued at the February 19, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 6, 2020:

Order of Compliance

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

CEB2017350- 3916 Cardinal Blvd LLC

Served

Complaint No. 20170711026

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

Property Location: 3916 Cardinal Blvd, Port Orange 32127

Parcel No. 631101030040

Zoning: R-9(S)

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jul 14, 2017

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

*1st Amended Order of Non-Compliance issued at the June 20, 2018 hearing:

*2nd Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the February 20, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the April 17, 2019 hearing:

*5th Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 16, 2020:

Order of Compliance

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

CEB2018148- CASTELLO HOLDINGS LLC

Served

Complaint No. 20180309016

May 20, 2020

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: 127 Hibiscus Ln, Deltona 32738

Parcel No. 911001010190 Zoning: R-4EA

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Sep 07, 2018

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of February 21, 2020:

Order of Compliance

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

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 - Michael Mazzola

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

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

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 - Michael Mazzola

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:

May 20, 2020

Order of Compliance

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

CEB2018267-COETZEE JACQUELINE TR

Served

Complaint No. 20180530034

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). (Including, but not limited to, new doors, fireplace surround, sliding glass door, bathroom and kitchen remodel, pergola, etc.

Property Location: 22 Surfside Dr, Ormond Beach 32176

Parcel No. 322111000480

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jun 09, 2018

*Order of Non-Compliance issued at the August 15, 2018 hearing:

*1st Amended Order of Non-Compliance issued at the October 3, 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 March 2, 2020:

Order of Compliance

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

CEB2018360-BAILEY BLAKE C & SHANNON C

Served

Complaint No. 20180705025

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 remodel, including but not limited to plumbing, electrical, structural, etc.) Mostly pertaining to the mother-in-law suite on the first floor

Property Location: 103 Capri Dr, Ormond Beach 32176

Parcel No. 322101001150

Zoning: R-6

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on July 10, 2018

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

*1st Amended Order of Non-Compliance issued at the April 17, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the June 19, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the July 17, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*5th Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*6th Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

*Final Order Imposing Fine Lien issued at the February 19, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 17, 2020:

May 20, 2020

Order of Compliance

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

CEB2018442-DECKER LAWRENCE E

Served

Complaint No. 20180828012

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: 5906 John Anderson Hwy, Flagler Beach 32136

Parcel No. 324302030010

Zoning: C, RC, RPUD

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 31, 2018

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

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

*2nd Amended Order of Non-Compliance issued at the May 15, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the July 17, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 19, 2020:

Order of Compliance

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

CEB2018526-VELAZQUEZ FIDEL

Served

Complaint No. 20181016002

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 and/or remodel of mobile home without permit(s) and/or inspection approval(s)

Property Location: 357 Emporia Rd, Pierson 32180

Parcel No. 581401010030

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Nov 01, 2018

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

*1st Amended Order of Non-Compliance issued at the April 17, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the February 19, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 16, 2020:

Order of Compliance

May 20, 2020

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

CEB2019036-DURHAM WEST S & STEPHANIE M

Posted

Complaint No. 20170620055

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 demolition, work includes structural, electrical, HVAC and possible plumbing

Property Location: 875 Angelfish Ave, New Smyrna Beach 32169

Parcel No. 850501210150

Zoning: R-9W,RCW

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jun 30, 2017

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

*1st Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 18, 2020:

Order of Compliance

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

CEB2019057-CLEVELAND FLOYD M & MABEL ESTS

Posted

Complaint No. 20181228018

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: 1695 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030910

Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 22, 2019

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

*Final Order Imposing Fine Lien issued at the June 19, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 19, 2020:

Order of Compliance

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

May 20, 2020

CEB2019058-CLEVELAND FLOYD M & MABEL ESTS

Posted

Complaint No. 20181228019

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

Property Location: 1695 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030910

Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 22, 2019

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

*Final Order Imposing Fine Lien issued at the June 19, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 19, 2020:

Order of Compliance

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

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

CEB2019059-CLEVELAND FLOYD M & MABEL ESTS

Posted

Complaint No. 20181228020

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: 1695 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030910

Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 22, 2019

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

*Final Order Imposing Fine Lien issued at the June 19, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 19, 2020:

Order of Compliance

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

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

May 20, 2020

CEB2019060-CLEVELAND FLOYD M & MABEL ESTS

Posted

Complaint No. 20181228024

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: 1695 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030910

Zoning: MH-5A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 22, 2019

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

*Final Order Imposing Fine Lien issued at the June 19, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 19, 2020:

Order of Compliance

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

CEB2019078-BURGER ASHLEY NICOLE

Served

Complaint No. 20181203027

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: 355 Van Hook Rd, Deland 32130

Parcel No. 603903000120

Zoning: A-3A

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Jan 12, 2019

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

*1st Amended Order of Non-Compliance issued at the June 19, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of May 4, 2020:

Order of Compliance

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

May 20, 2020

CEB2019087-FONTAINE JAMES L & PAMELA J

Served

Complaint No. 20181030018

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: 6270 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 850501310290

Zoning: R-9W

Zoning Compliance Officer - Debbie Zechnowitz

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

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

*1st Amended Order of Non-Compliance issued at the August 21, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the December 18, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 10, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Wild **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance.** After Member Needham **SECONDED** the motion, Member Pete Zahn Abstained, attached is the Form 8B for record, it then **CARRIED** unanimously by voice vote.

CEB2019218-Lord & Collett, Inc

Posted

Complaint No. 20190325002

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: 6458 Engram Rd, New Smyrna Beach 32169

Parcel No. 850501590250

Zoning: R-9W

Code Compliance Officer - Mark Kaufman

Property owner was first notified of the violation on Mar 27, 2019

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of April 16, 2020:

Order of Compliance

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

May 20, 2020

CEB2019301-BOUDREAUX DALE F

Hand Delivery

Complaint No. 20181226005

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

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 26, 2019

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

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

*2nd Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of May 4, 2020:

Order of Compliance

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

CEB2019307-FERRENTINO PETER

Posted

Complaint No. 20190919004

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

Property Location: 918 Louise Ln, Deland 32720

Parcel No. 701911000080

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on June 4, 2019

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of March 30, 2020:

Order of Compliance

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

May 20, 2020

CEB2019350-MONTE CARLO INC

Served

Complaint No. 20191004046

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

Property Location: Property Location Is Not Avail, Deland 32720

Parcel No. 792404000040

Zoning: R-4, RC

Code Compliance Officer - Michael Mazzola

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of February 14, 2020:

Order of Compliance

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

CEB2019376-PRICE JR ROSCOE ZOLL & RODICA

Posted

Complaint No. 20190909002

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: 1320 8th Ave, Deland 32724

Parcel No. 700103270280

Zoning: R-4A

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on Oct 04, 2019

The owner of this property was not present at Code Board hearing.

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of February 19, 2020:

Order of Compliance

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

May 20, 2020

CEB2019382-GOLDBERG IRA LOUIS EST

Hand Delivery

Complaint No. 20190829007

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: 211 Ponderosa Dr, Deland 32724

Parcel No. 602801000105

Zoning: MH-1A

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on October 11, 2019

*Order of Non-Compliance issued at the December 18, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 21, 2020:

Order of Compliance

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

CEB2020018-Castello Holdings LLC

Posted

Complaint No. 20191007019

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: 127 Hibiscus Ln, Deltona 32738

Parcel No. 911001010190

Zoning: R-4EA

Environmental Specialist II - Kristopher Brown

Property owner was first notified of the violation on Oct 7, 2019

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

*A Report and Affidavit of Compliance was submitted with a compliance date of March 6, 2020:

Order of Compliance

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

May 20, 2020

CEB2017432-CLAFFY DORA M & PERRY PATRICIA

Posted

Complaint No. 20170815052

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: 1405 E New York Ave, Deland 32724

Parcel No. 701106000150

Zoning: B-2CA

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 25, 2017

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

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

*2nd Amended Order of Non-Compliance issued at the June 19, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the August 21, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

Hearing to Impose Fine/Lien

Mark Kane, Son-In-Law of Patricia Perry, was present on the phone for the hearing for this case. There were issues with unmuting the microphone. Mark Kane brought up that his mother in law was in Long term care. He was at the property prior to March to clear out her belongings and asked for additional time to get the property in compliance and up for sale.

Margaret Godfrey, code compliance, presented the case. Margaret originally recommended a Hearing to Impose Fine to start June 18, 2020 at \$100.00 per day with a cap of \$10,000.00, after hearing Mr. Kane it was decided to give 3 more months to come into compliance due to Mr. Kane's situation.

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, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a compliance date of August 6,2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2018298-TMCLEAN INVESTMENTS

Served

Complaint No. 20180412041

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

Property Location: 3663 Old Deland Rd, Daytona Beach 32124

Parcel No. 620601400231

Zoning: I-1(5) A

Code Compliance Coordinator - Margaret Godfrey

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

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

*1st Amended Order of Non-Compliance issued at the April 17, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. There is a permit that was issued and valid until November 9, 2020.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an 3rd Amended 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 November 10, 2020 and a Hearing to Impose Fine is set for the November 18, 2020 hearing.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018302-30 RAYMONDE CIRCLE LLC

Served

Complaint No. 20130327018

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). (Interior remodel and renovations

Property Location: 30 Raymonde Cir, Ormond Beach 32176

Parcel No. 322804000680

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jul 18, 2018

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

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

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

*3rd Amended Order of Non-Compliance issued at the February 19, 2020 hearing:

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Permits have been issued and expires on November 4, 2020

May 20, 2020

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an 4th Amended 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 November 5, 2020 and a Hearing to Impose Fine is set for the November 18, 2020 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018336-STOR-ALL KING ARTHUR LLC

Served

Complaint No. 20180305001

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). (Dock

Property Location: 7050 Turtlemound Rd, New Smyrna Beach 32169

Parcel No. 850501550120

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

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

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

*1st Amended Order of Non-Compliance issued at the October 17, 2018 hearing:

*2nd Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the February 20, 2019 hearing:

*4th Amended Order of Non-Compliance issued at the May 15, 2019 hearing:

*5th Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*6th Amended Order of Non-Compliance issued at the December 18, 2019 hearing:

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret said there was contact with the property owner and due to a house fire and that permits were valid until September 2, 2020 she was recommending a 7th Amended Order.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 7th Amended 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 September 11, 2020 and a Hearing to Impose Fine is set for the September 16, 2020 hearing.** After Member Needham **SECONDED** the motion, Member Zahn abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2019256-St Pierre Jeanne T & Thomas Zack

Served

Complaint No. 20181127003

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). (Stairs and deck

Property Location: 4112 Cardinal Blvd, Port Orange 32127

Parcel No. 631202000190

Zoning: R-9(S)

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Dec 03, 2018

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

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Drawings were submitted and the permit was cancelled due to lack of activity. Jeanne has to come in person to redo the permits.

Member Pete Zahn added that the inspections were done and all plans are fine but there was a glitch on Jeanne's part due to the passing of her Father and Mother being in a health care facility up north. All plans are done and can be taken care of once she returns.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of June 3, 2020 and a Hearing to Impose Fine is set for the June 17, 2020 hearing.** After Member Needham **SECONDED** the motion, Member Zahn abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

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 Jul 29, 2019

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

Hearing to Impose Fine/Lien

Nika Hosseini with Cobb/Cole legal was present at the kiosk for this case. Nika sent in the below email going over all the issues there have been and is very appreciative that they are getting more time to into compliance.

May 20, 2020

August 11, 2020

VIA EMAIL

Code Enforcement Board
Volusia County
123 W. Indiana Avenue
DeLand, FL 32720

Re: Mark Avellino - 875 Tater Road, New Smyrna Beach

Dear Board:

Our firm has the privilege of representing Mark Avellino regarding code enforcement violations at 875 Tater Road in New Smyrna Beach (CEB 2019299). Mark Avellino is currently working through the Special Exception process with the County in order to establish a dog event and sport facility on the property. Mr. Avellino designs and organizes various dog sporting events including American Kennel Club (AKC) approved events on the property.

Following the Code Enforcement Board hearing in November, we have been working diligently with code enforcement staff and building officials to resolve the outstanding matters at hand, which include after the fact permits for electrical and accessory structures. Mr. Avellino has submitted the applicable permits and inspections - completed by a certified electrical contractor - for his electrical work. In addition, Mr. Avellino is currently working with the Building and Code Administration staff to finalize and submit permits for a few accessory structures - two pole barns and an open platform with a roof - in the coming weeks.

If you have any questions or concerns, please do not hesitate to contact me. We look forward to working with you on this matter.

Sincerely,

/s/ Nika K. Hosseini

Nika K. Hosseini

Direct Dial (386) 736-7700

Email Nika.Hosseini@CobbCole.com

cc: Mark A. Watts, Esq.
Margaret Godfrey, Volusia County Code Compliance Coordinator

Margaret Godfrey, code compliance, presented the case. Margaret said there was an after the fact permit done we did receive an affidavit for request of additional information. No applications have been submitted for the accessory structures that were built without permits. They have been seeking a lot of administrative remedies.

May 20, 2020

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, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of October 19, 2020 and a Hearing to Impose Fine is set for the October 21, 2020 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

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)

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:

Hearing to Impose Fine/Lien

Nika Hosseini with Cobb/Cole legal was present at the kiosk for this case. Nika sent in the below email going over all the issues there have been and is very appreciative that they are getting more time to into compliance.

August 11, 2020

VIA EMAIL

Code Enforcement Board
Volusia County
123 W. Indiana Avenue
DeLand, FL 32720

Re: Donald and Bibi Swift - 2963 N. Shell Road

Dear Board:

Our firm has the privilege of representing Donald and Bibi Swift regarding code enforcement violations related to renovations and remodeling on their property located at 2963 North Shell Road in DeLand, Florida (CEB 2019346). The property sustained substantial damage from a hurricane as well as persistent vandalism. Some renovation work was undertaken without following the permit process outline in the Volusia County Land Development Regulations ("Code"). In order to obtain the appropriate permits and complete the renovations on the property to its pre-damaged condition, Section 72-744 of the Code requires that the value of restoring the

May 20, 2020

property to its pre-damaged condition be less than 50% of the market value of the property before the damage occurred.

Pursuant to our conversations with County staff in August and the Code Enforcement Board hearing in November, our clients contracted a qualified independent property appraiser to determine the market value of the property before the damage occurred. On January 3rd, 2020, a letter was sent on behalf of our clients to the County regarding a request for a formal determination that permits may be issued based on the completed appraisal. A response from the County was received on February 10, 2020 noting that additional materials must be submitted, which included a completed permit application and costs of renovations.

Thereafter, the General Contractor for Mr. Swift submitted a complete permit application package as well as costs of renovations to the County. On April 29, 2020, the County provided a response to the permit application noting that a modified appraisal must be submitted that includes line item data for building structures only. As such, we are currently working with a certified property appraiser to provide the required information and to resubmit the applicable permit.

If you have any questions or concerns, please do not hesitate to contact me. We look forward to working with you on this matter.

Sincerely,

/s/ Nika K. Hosseini

Nika K. Hosseini

Direct Dial (386) 736-7700

Email Nika.Hosseini@CobbCole.com

Fax (386) 785-1549

cc: Mark A. Watts, Esq.
Margaret Godfrey, Volusia County Code Compliance Coordinator

Margaret Godfrey, code compliance, presented the case. Margaret said they property owners had applied for the permit and it is valid until October 14, 2020 and the property is secured.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of October 15, 2020 and a Hearing to Impose Fine is set for the October 21, 2020 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 20, 2020

variances were applied for and 3 of them were denied and appeals have been filed. Debbie said she would like to give time to allow Diane Petcovic to move forward with the appeal process.

Diane Petcovic said that her plan was to apply for the appeal and that if there was a problem with the paperwork no one had got with her to let her know. As far as the carport was given a variance and her plan is to start the process for that permit and that she was hoping to have this done all at once and she plans to follow through on the appeal process.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 4th 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 and a Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of October 19, 2020 and a Hearing to Impose Fine is set for the October 21, 2020 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019100-PETCOVIC DIANE L

Posted

Complaint No. 20180727008

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: 124 Charles St, Edgewater 32141

Parcel No. 853809001740

Zoning: MH-5W

Zoning Compliance Officer - Debbie Zechnowitz

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

*Order of Non-Compliance issued at the April 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 December 18, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the February 19, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 4th 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 and a Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of October 19, 2020 and a Hearing to Impose Fine is set for the October 21, 2020 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2019400-CONTESTIBLE VINCENT

Posted

Complaint No. 20191210020

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291

Property Location: 4083 Sr 44, New Smyrna Beach 32168

Parcel No. 722200000010

Zoning:

Zoning Compliance Officer - Debbie Zechnowitz

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

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

Hearing to Impose Fine/Lien

Cliff McFadden, Nephew, and Glenn Storch, Attorney from Storch Law Firm were present at the kiosk at the hearing for this case. Geoff Marquand was present via the webinar for this case.

Debbie Zechnowitz, code compliance, presented the case.

Glenn Storch went over the background of this case, stating this was a case where the property was sold, it was a contract purchase to a person who was doing the excavation on the site, that went through and a special exception that was granted and the zoning allowed for the excavation. The site plan review was almost done and they went back to the land owner, Mr. Contestible who was ill at the time, and tried to renegotiate the contract prior to finishing the site plan, they did not do that and stopped the site plan with due process but they went out there and started digging on the property. This was not Mr. McFadden or Mr. Contestible. This was the contract purchaser who was going through this process. Had that site plan been approved which it almost was, everything they did was totally legal. The second thing is regarding the buildings, they were agricultural, this is an agricultural green belt area and those building were legal to be there, Mr. McFadden took control of the property after Mr. Contestible passed away. He just got the property in his name yesterday. Mr. McFadden is in the process of taking care of everything, he has removed the buildings as asked, he is in the process of pushing the dirt back in Mr. McFadden plans to have all this done well within the 60 day time frame, but again that doesn't mean that once the site plan is approved, this will have to come out again.

Goeff Marquand submitted written comments for the board. He stated the work was done without permits and the exceptions. He wants the property to be put back to the way it was. Mr. Storch stated that the dirt was being pushed back in now while going through the site plan approval process. Mr. Marquand stated that if there is work being done and that it's going to back to the way it was in 60 days then that's okay with him.

Below are the written comments that were submitted by Mr. Marquand

May 12, 2020

Volusia County Code Enforcement Board

Deland, Fl

May 20, 2020

Re: Cases Number CEB2019400 and CEB2019401

The following are my comments for the Volusia County Code Enforcement Board's virtual meeting of May 20, 2020 concerning CEB2019400 and CEB2019401, the sand pit at 4083 SR44, New Smyrna Beach, Fl:

All work that has been done at this site toward the construction of a sand pit has been done illegally - the required site planning phase was never properly completed and permits for work were never issued. In addition, after digging up much of the property, turning what was farm animal pasture land in a residential/agricultural area into a mess of dirt piles and mounds, work came to a complete stop and the site has been abandoned.

The result of the illegal work referenced above is an eyesore that the residents of the surrounding area have been dealing with for very close to a year and a half at this point. We don't like looking at it and it is having a negative effect on our property values.

At the 1/15/20 Code Enforcement Board meeting, the property owner was given 60 days (against my objections) to bring the site into compliance. As of the 3/15/20 deadline, absolutely no work had been done to improve the situation.

Due to the covid19 crisis, the property owner has had the benefit of an additional 60 days to improve the situation. Once again, nothing has been done. The same people who did nothing for the first year of this mess have now done the same nothing for an additional 6 months!

It is time for the Code Enforcement Board to act in this matter, imposing fines and whatever other penalties apply, and doing so retroactively to the date the first scoop of dirt was moved illegally, which was in the month of December 2018. It is clear that no matter what the property owner says or agrees to, his actions have shown that he somehow feels that the laws and regulations of Volusia County do not apply to him. It is time that the little people, the residents who have had to live with this illegal mess get some support from Volusia County Officials. Please apply the requested penalties and also force the property owner to return the land to the condition it was in as of November, 2018.

Thanks for your time,
Geoff Marquand

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 72-291, with a compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019394-SYDASH CONSTRUCTION LLC
Complaint No. 20191029022

Posted

May 20, 2020

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

Property Location: 3320 Morning Dove Dr, Deland 32720

Parcel No. 601900000189 Zoning: RRA

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. There was discussion that the conex box was gone, but the truck and trailer are still there, Isiah also noted that the truck and trailer have been on the property every time he has done an inspection and was only gone one time. Margaret Godfrey added that the vehicle is considered an accessory use without a principal structure. Isiah stated that he has not had any communication with the property owner since before the previous hearing.

Member Wild wanted more clarification, stated he had not recognized that a vehicle was a structure, if you park a car on a vacant lot it is considered accessory use without a principal structure. Member Zahn moved to impose the fine and then was noted that these cases will be separated and that the way to come into compliance is to drive the truck and trailer off the property, which it was decided to give them until June 17th to into compliance. There was confusion on how to site this case due to the definition of accessory structures. Russ Brown read the definition which stated those items shall not be used or altered without the primary structure. Russ Brown has also suggested giving more time since the Code of Ordinance may have been the wrong one to use.

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(C), with a compliance date of June 15, 2020 and a Hearing to Impose Fine is set for the June 17, 2020 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019395-SYDASH CONSTRUCTION LLC

Posted

Complaint No. 20191029024

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: 3320 Morning Dove Dr, Deland 32720

Parcel No. 601900000189 Zoning: RRA

Code Compliance Officer - Isiah Pitts

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

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

Hearing to Impose Fine/Lien

May 20, 2020

There was nobody present at the hearing for this case.

Isiah Pitts, code compliance, presented the case.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing June 18, 2020 and to continue until compliance is achieved, but not to exceed \$2,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b).** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

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:

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, stating that this was a structure fire that happened over a year ago. An architect submitted some things and nothing ever got to the stage of getting a permits for the work that was done there, Robert showed a drawing which explained why things were not getting approved. A new architect, Brian Lathrop, has taken over project with hopes to get the issues resolved.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58 ARTICLE I SECTION 58-3, with a compliance date of August 6, 2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2019273-BOUDREAUX DALE F

Hand Delivery

Complaint No. 20181226004

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

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 26, 2019

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

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

*2nd Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

Hearing to Impose Fine/Lien

All 4 cases were heard together.

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. No permits have yet to be pulled, the junk yard remains, and the property owner is working with Robert to get these issues into Compliance.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 3rd 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 and CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing.** After Member Needham **SECONDED** the motion, Member Leonard abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

CEB2019302-BOUDREAUX DALE F

Hand Delivery

Complaint No. 20181226006

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: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 26, 2019

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

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

*2nd Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of**

May 20, 2020

VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 and CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing. After Member Needham **SECONDED** the motion, Member Leonard abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

CEB2019303-BOUDREAUX DALE F

Hand Delivery

Complaint No. 20190418037

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

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 26, 2019

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

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

*2nd Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 3rd 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 and CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing.** After Member Needham **SECONDED** the motion, Member Leonard abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

CEB2019304-BOUDREAUX DALE F

Hand Delivery

Complaint No. 20190418039

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Converting shipping containers and trailers into accessory structures for storage of business inventory

Property Location: 711 Pineland Tr, Ormond Beach 32174

Parcel No. 411200000090

Zoning: A-2A

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 26, 2019

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

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

*2nd Amended Order of Non-Compliance issued at the January 15, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of**

May 20, 2020

VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 and CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing. After Member Needham **SECONDED** the motion, Member Leonard abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

CEB2019329-ORTIZ LAURA J

Served

Complaint No. 20190517034

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: 1434 John Anderson Dr, Ormond Beach 32176

Parcel No. 323413000340

Zoning: R-3

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 31, 2019

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

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

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. There is a variance for the fence and are in the process of getting the fence permit 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 II DIVISION 9 SECTION 72-341(b), with a compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019370-MORRISON WILLIAM G JR

Served

Complaint No. 20190521002

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: 1361 Wesley St, Daytona Beach 32117

Parcel No. 52020000200

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

*Order of Non-Compliance issued at the December 18, 2019 hearing:

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

Hearing to Impose Fine/Lien

May 20, 2020

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert stated this is a property with multiple houses, the owner told Robert that he is trying to convince the building department that he can pull an owner/ builder permit and is in that process. The owner was wanting to be at today's hearing but due to Covid-19 he was unable to come, due to this it was recommended on doing a 2nd Amended Order of Non-Compliance.

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 compliance date of June 15, 2020 and a Hearing to Impose Fine is set for the June 17, 2020 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019388-IMBERGAMO ROSEMARY A **Posted**

Complaint No. 20190710031

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: 1106 Avenue J, Ormond Beach 32174

Parcel No. 422901250140 **Zoning: MH-5**

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on October 11, 2019

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

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

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. This was the trailer that fell off the foundation, pictures were shown. It was deemed unsafe and an inspection was done and the trailer was back on the foundation, no permits or inspections have been done. There are other agencies involved in helping the home.

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 compliance date of July 13, 2020 and a Hearing to Impose Fine is set for the July 15, 2020 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2019390-ZEPEDA-RUBI OSCAR YOBANY

Served

Complaint No. 20190604043

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: 1312 Forest Ridge Dr, Daytona Beach 32117

Parcel No. 520201000550

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

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

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Pictures were shown of the shed that was put up, no contact with owner after numerous attempts, the property was served and posted.

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/per case commencing June 18, 2020 and to continue until compliance is achieved, but not to exceed \$1,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019391-PERNICKA EDWARD J & DONNA R

Posted

Complaint No. 20190503041

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: 1247 Lpga Blvd, Daytona Beach 32117

Parcel No. 424401050024

Zoning: MH-1, R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 20, 2019

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

Hearing to Impose Fine/Lien

There was nobody present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert stated the owner has a permit ready for pickup and expires September 13, 2020.

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 May 20, 2020**

VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of September 14, 2020 and a Hearing to Impose Fine is set for the September 16, 2020 hearing. After Member Wild **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019356-TYMBERIDGE INC

Posted

Complaint No. 20190729039

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: 3200 S Nova Rd, Port Orange 32129

Parcel No. 633701010045

Zoning: MH-2A

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on Oct 12, 2019

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

Hearing to Impose Fine/Lien

James Pickens, President of Tymberidge, was present via the webinar at the hearing for this case.

Todd Hannah, code compliance, presented the case. Todd has stated that as of Monday Mr. Pickens has provided information that is required to issue the permit. Permits need to still be officially submitted, easements need to be approved as well and the late fees need to be paid.

Member Donald Needham wanted more information on what the fines would be. Todd said the fine would be \$32,802.24 or they can plant into the tree fund and not have to pay anything. 218 trees would have to be planted. The trees would have to 2 inch caliber of Florida Number 1 Grade or Florida Fancy types. It was unclear why the trees were originally cut down.

James Pickens added that a tree contractor that was hired a year ago and they are the ones who failed on getting the required permits.

After discussion and based on the testimony and evidence presented, Member Needham **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 10 SECTION 72-834(2), with a compliance date of June 15, 2020 and a Hearing to Impose Fine is set for the June 17, 2020 hearing.** After Member Leonard **SECONDED** the motion, Member Zahn Abstained, attached is the Form 8B for record, and it then **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2019358-TROPICAL HAMMOCK INC

Served

Complaint No. 20180413017

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. Specifically, dredging within wetlands and buffers on site.

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050

Zoning: B-7

Environmental Specialist II - Kristopher Brown

Property owner was first notified of the violation on April 13, 2018

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

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

Hearing to Impose Fine/Lien

Michael Woods Attorney from Cobb/Cole, was present via the kiosk at the hearing for this case.

Kristopher Brown, code compliance, presented the case. Kristopher went over the case details, explaining that permits have been issued. The buffer restoration has started as of yesterday.

Mr. Woods stated the August 21, 2020 deadline is okay with them.

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 compliance date of August 17, 2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Wild **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019137-TROPICAL HAMMOCK INC

Posted

Complaint No. 20190329008

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: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050

Zoning: B-7

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on April 24, 2019

*The Board continued this case from the May 15, 2019 hearing:

*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 December 18, 2019 hearing:

Hearing to Impose Fine/Lien

May 20, 2020

Michael Woods Attorney from Cobb/Cole, was present via the kiosk at the hearing for this case.

Michael Mazzola, code compliance, presented the cases CEB2019137 and CEB2019215 together. Michael went over previous case details and showed photos.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 and CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a compliance date of August 17, 2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019215-TROPICAL HAMMOCK INC

Served

Complaint No. 20190703037

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

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Jul 06, 2019

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

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 and CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a compliance date of August 17, 2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019348-TROPICAL HAMMOCK INC

Posted

Complaint No. 20191004021

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: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

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 December 18, 2019 hearing:

Hearing to Impose Fine/Lien

Michael Woods Attorney from Cobb/Cole, was present via the kiosk at the hearing for this case.

May 20, 2020

Michael Mazzola, code compliance, presented the cases CEB2019348 and CEB2019349 together. Michael went over previous case details and showed photos.

After discussion and based on the testimony and evidence presented, Member Wild **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 8 SECTION 72-277and CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of August 17, 2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019349-TROPICAL HAMMOCK INC

Posted

Complaint No. 20190820013

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: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050 Zoning: B-7

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Aug 22, 2019

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Wild **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 8 SECTION 72-277and CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of August 17, 2020 and a Hearing to Impose Fine is set for the August 19, 2020 hearing.** After Member Zahn **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019113-HEATH LAURA

Posted

Complaint No. 20180726027

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: 130 Shadowood Dr, Enterprise 32725

Parcel No. 910901000161 Zoning: RREA

Code Compliance Officer - Michael Mazzola

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

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

Hearing to Impose Fine/Lien

May 20, 2020

There was nobody present at the hearing for this case.

Michael Mazzola, code compliance, presented the case. The permit has been extended and expires June 16, 2020.

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 compliance date of June 15, 2020 and a Hearing to Impose Fine is set for the June 17, 2020 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019220-GORDON CATHERINE L SHIPMAN, MARY

Served

Complaint No. 20190306012

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

Property Location: 15 Lenox Ct, Deland 32720

Parcel No. 702011000137

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Jun 20, 2019

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

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

Hearing to Impose Fine/Lien

Both cases were heard together.

There was nobody present at the hearing for this case.

Michael Mazzola, code compliance, presented the case. No progress has been made on the property. No permits have been applied for.

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 June 18, 2020 and to continue until compliance is achieved, but not to exceed \$3,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 and CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 20, 2020

CEB2019308-GORDON CATHERINE L SHIPMAN, MARY

Served

Complaint No. 20190919009

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: 15 Lenox Ct, Deland 32720

Parcel No. 702011000137

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Sep 26, 2019

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

*1st Amended Order of Non-Compliance issued at the February 19, 2020 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 June 18, 2020 and to continue until compliance is achieved, but not to exceed \$3,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 and CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

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 - Michael Mazzola

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:

Hearing to Impose Fine/Lien

All cases were heard together.

Jacqueline Daniel, Owner, was present via the kiosk at the hearing for this case. She said due to Covid-19 she is having a hard time getting a survey done.

Michael Mazzola, code compliance, presented the case. No permits have been applied for as of yet. This case is for a shed

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

May 20, 2020

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 compliance date of September 14, 2020 and a Hearing to Impose Fine is set for the September 16, 2020 hearing. After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019366-Jacqueline M Daniel

Posted

Complaint No. 20191023015

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: 1421 W New York Ave, Orange City 32763

Parcel No. 800401710150 Zoning: R-4

Code Compliance Officer - Michael Mazzola

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

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

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

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Leonard **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 compliance date of September 14, 2020 and a Hearing to Impose Fine is set for the September 16, 2020 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020009-Jacqueline M Daniel

Posted

Complaint No. 20200115050

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 - Michael Mazzola

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

*Order of Non-Compliance issued at the February 19, 2020 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 22-2, SECTIONS 105.1 AND 110.1, with a compliance date of September 14, 2020 and a Hearing to Impose Fine is set for the September 16, 2020 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

May 20, 2020

X. Hearings and Presentation of Filed Notices of Violations

CEB2020043-MONTGOMERY ROSIE LEWIS

Posted

Complaint No. 20200311026

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: 518 Spring St, Deland 32720

Parcel No. 702006050030 Zoning: R-4

Code Compliance Officer - Michael Mazzola

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

There was nobody present at the hearing for this case.

Michael Mazzola, code compliance, presented the case.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order of Non-Compliance and Dismissed being moved to CLCA for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE. with a compliance date of March 15, 2020 and a Hearing to Impose Fine is set for the March 18, 2020 hearing.** After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote

May 20, 2020

XI. Requests for Discussion of Accumulated Fines

CEB2016145-MARSHALL, RICHARD & WAHL, THERESA Served

Complaint No. 20160106006

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).

Property Location: 275 Wall Ave, Ormond Beach 32174

Parcel No. 423805120190 Zoning: R-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 15, 2016

*Order of Non-Compliance issued at the September 21, 2016 hearing:

*1st Amended Order of Non-Compliance issued at the January 18, 2017 hearing:

*Order Imposing Fine Lien issued at the January 18, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of February 27, 2020:

Request for Discussion of Fine/Lien of \$12,600.00

Mike McDaniel, Contractor with Green Construction, was present via the kiosk at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the history of the case. Member Harry Wild asked why things took so long to get into compliance. Mike McDaniel said there were many issues with attorneys and he was hired a year ago to build the breezeway, to make the violation compliant. After discussion Member Zahn moved to reduce the fine to \$7000.00 with no second and Member Leonard said \$10,000.00. It was decided to reduce the lien to \$10,000.00 to be paid in 30 days otherwise it will go back to the original amount of \$12,600.00.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED** to reduce the fine to \$10,000.00. Member Lingenfelter voted Nay, After Member Nadeau **SECONDED** the motion, since it was a quorum the vote was passed.

CEB2017186- NIENBURG BARBARA EST & MARVIN GEORGE JR Posted

Complaint No. 20170119008

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

Property Location: 1707 Avenue B, Ormond Beach 32174

Parcel No. 422901060070 Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on March 27, 2017

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

*Final Order Imposing Fine Lien issued at the November 15, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 18, 2018

*Order of Compliance issued at the February 21, 2018 hearing:

Request for Discussion of Fine/Lien of \$700.00

May 20, 2020

There was nobody present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to Deny the request since no one came to speak at the hearing** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017202-STILES MAURICE C

Posted

Complaint No. 20170511014

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

Property Location: 238 Volco Rd, Edgewater 32141

Parcel No. 841202020260

Zoning: MH-5

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on May 11, 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 January 10, 2020:

Request for Discussion of Fine/Lien of \$6,200.00 and Order of Compliance

David Spearin, was present via the webinar at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Due to Mr. Stiles being under Hospice Care, the neighbors helped in getting the property into Compliance. It was noted that they also removed the mobile home as well which resulted in saving money for the County to do so.

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

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

May 20, 2020

- 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**

* * * * *

ADJOURNMENT

There being no further business to discuss before the Board, the meeting adjourned at 12:15 p.m.

Respectfully submitted,

Ramona Jones
Code Enforcement Board Clerk

May 20, 2020

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 20, 2020, at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 27th day of May, 2020, in the City of DeLand, County of Volusia, State of Florida.

**Ramona Jones
Code Board Clerk**

May 20, 2020