



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

June 19, 2019

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

Harry Wild, Jr., Vice-Chair
Vikki Leonard
Donald Needham
Charles Cino, Board Attorney
Pete Zahn

MEMBERS ABSENT

Chad Lingenfelter, Chair

STAFF PRESENT

Chris Hutchison, Code Compliance Manager
Margaret Godfrey, Code Compliance Coordinator
Debbie Zechnowitz, Code Compliance Officer
Russ Brown, Assistant County Attorney
Meghan Lindsey, Code Enforcement Board Clerk
Mike Nelson, Building & Code Administration Director
Kerry Leuzinger, Chief Building Official
Michael Mazzola, Code Compliance Officer

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APPROVAL OF MINUTES

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There were no minutes to approve.

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UNFINISHED BUSINESS

~~CEB2016243-MULLINS HAROLD W & JUANITA J~~
~~DEMAREE KENNETH C & SANDRA D~~

Posted

Complaint No. 20140926017

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

Property Location: 1001 N Sparkman Ave, Orange City 32763

June 19, 2019

Parcel No. 800307000320

Zoning: R-4

Code Compliance Officer – Michael Mazzola

Property owner was first notified of the violation on Oct 06, 2014

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2019:

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.

CEB2017374-CZUPRYNA RUDOLPH JR & BARBARA

Posted

Complaint No. 20170726012

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: 1219 10th St, Daytona Beach 32117

Parcel No. 523703070010

Zoning: R-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on

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

*Final Order Imposing Fine Lien issued at the February 21, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 26, 2019:

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.

CEB2018096-DOUGHERTY MARE-CATHERINE

Served

WILMINGTON SAVINGS FUND SOCIETY TR

Complaint No. 20180122027

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

Property Location: 1708 Hope Dr, Ormond Beach 32174

Parcel No. 423317021230

Zoning: R-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 25, 2018

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

*Final Order Imposing Fine Lien issued at the October 3, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of May 8, 2019:

Order of Compliance

June 19, 2019

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.

CEB2018242--DOUGHERTY MARE-CATHERINE
WILMINGTON SAVINGS FUND SOCIETY TR

Served

Complaint No. 20180425033

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: 1708 Hope Dr, Ormond Beach 32174

Parcel No. 423317021230

Zoning: R-5

Code Compliance Coordinator - Margaret Godfrey

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

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

*Final Order Imposing Fine Lien issued at the October 3, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of May 8, 2019:

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.

CEB2018019-2001 OLD NEW YORK LLC

Posted

Complaint No. 20170810007

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: 2001 Old New York Ave, Deland 32720

Parcel No. 791301000040

Zoning: A-3

Code Compliance Officer - Michael Mazzola

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

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

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

*2nd Amended Order of Non-Compliance issued at the September 5, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 30, 2019:

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.

June 19, 2019

CEB2018035-2001 OLD NEW YORK LLC

Served

Complaint No. 20180124008

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

Property Location: 2001 Old New York Ave, Deland 32720

Parcel No. 791301000040

Zoning: A-3

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Feb 02, 2018

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

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

*2nd Amended Order of Non-Compliance issued at the September 5, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 30, 2019:

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.

CEB2018359-BAILEY BLAKE C & SHANNON C

Served

Complaint No. 20180705024

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Maintaining a (duplex/multi-family) dwelling and/or use where not permitted. (Property is shown to have 2 kitchens, extra bedrooms, bathroom)

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 Jul 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:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 30, 2019:

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.

June 19, 2019

CEB2018377-FRANK EUGENE D SR

Served

Complaint No. 20180720051

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

Property Location: 901 Derbyshire Rd, Daytona Beach 32117

Parcel No. 520209000580

Zoning: R-5A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jul 31, 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 June 5, 2019:

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.

CEB2018405-EJ RICHARDS HOLDINGS LLC

Served

Complaint No. 20180511055

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: 1250 E Taylor Rd, Deland 32724

Parcel No. 702700000030

Zoning: A-2

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on May 25, 2018

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

*Progress Report Requested at the April 17, 2019 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 21, 2019:

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.

June 19, 2019

CEB2018468-EJ RICHARDS HOLDINGS LLC

Served

Complaint No. 20181109048

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Change of use from a storage structure to an assembly occupancy without the proper permit(s) and/or inspection approval(s)

Property Location: 1250 E Taylor Rd, Deland 32724

Parcel No. 702700000030

Zoning: A-2

Code Compliance Coordinator – Margaret Godfrey

Property owner was first notified of the violation on May 25, 2018

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

*Progress Report Requested at the April 17, 2019 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 21, 2019:

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.

CEB2018420-TRAUDT LINDA

Served

Complaint No. 20180712016

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: 1301 Avenue D , Ormond Beach 32174

Parcel No. 422901120010

Zoning: MH-5

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 24, 2018

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 8, 2019:

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.

June 19, 2019

CEB2019031-PANOS ANTHONY A & CHARLENE A

Served

Complaint No. 20180123008

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

Property Location: 1303 Westwood Dr, Daytona Beach 32117

Parcel No. 520201001000

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 29, 2018

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2019:

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.

CEB2019047-GALLIK LAWRENCE A

Served

Complaint No. 20181211008

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: 1727 Tallahassee Dr, Daytona Beach 32117

Parcel No. 423301030130

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of June 6, 2019:

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.

June 19, 2019

CEB2018281-CARDOZO HUMBERTO LYLIAN

Served

Complaint No. 20180319036

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/renovations)

Property Location: 108 Roberta Rd, Ormond Beach 32176

Parcel No. 323401000830

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Mar 27, 2018

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

*A Report and Affidavit of Compliance was submitted with a compliance date of June 17, 2019:

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.

CEB2019081-RYAN HAROLD J & BRENDA M

Posted

Complaint No. 20190110003

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

Property Location: 170 Birch Ave, Orange City 32763

Parcel No. 801501000200

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Aug 13, 2019

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of June 14, 2019:

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.

June 19, 2019

CEB2017044-STOWE JEFFREY ALLAN**Served**

Complaint No. 20150928015

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: 114 S Cory Dr, Edgewater 32141

Parcel No. 841205001280**Zoning: R-3W****Code Compliance Officer – Debbie Zechnowitz**

Property owner was first notified of the violation on Sep 07, 2016

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

*1st Amended Order of Non-Compliance was issued at the July 19, 2017 hearing:*2nd Amended Order of Non-Compliance was issued at the September 20, 2017 hearing:*3rd Amended Order of Non-Compliance was issued at the December 20, 2017 hearing:*4th Amended Order of Non-Compliance was issued at the June 20, 2018 hearing:*5th Amended Order of Non-Compliance was issued at the December 19, 2018 hearing:**Hearing to Impose Fine/Lien****THE BOARD CONTINUED THIS CASE.****CEB2017352-CRABTREE RANDY HOWARD****Posted**

Complaint No. 20171016008

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. (Several abandoned vehicles along with a dilapidated lean-to and an RV)

Property Location: 303 N Janice Ln, Ormond Beach 32174

Parcel No. 412404000010**Zoning: MH-4A****Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Oct 20, 2017

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

*1st Amended Order of Non-Compliance issued at the March 21, 2018 hearing:*2nd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:*3rd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:*4th Amended Order of Non-Compliance issued at the October 3, 2018 hearing:*5th Amended Order of Non-Compliance issued at the December 19, 2018 hearing:**Hearing to Impose Fine/Lien**

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. There is a permit issued and the house is looking a lot better. She said the lean to in the back that was the accessory without the principle; it looks like that trailer there, a lot of it has come down. The permit is valid until September 5th, so staff is recommending an amended order of non-compliance, with a hearing to impose fine scheduled for the September 18, 2019 hearing.

June 19, 2019

The board asked if it was a 6th amended order of non-compliance, on all cases.

Margaret said yes. She said one of them is almost down, the fence is still there, but that is half gone.

Based on the evidence and testimony provided, Member Needham **MOVED to issue a Sixth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 18, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-277 (C).** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017353-CRABTREE RANDY HOWARD

Posted

Complaint No. 20171016009

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: 303 N Janice Ln, Ormond Beach 32174

Parcel No. 412404000010

Zoning: MH-4A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Oct 20, 2017

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

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

*2nd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:

*4th Amended Order of Non-Compliance issued at the October 3, 2018 hearing:

*5th Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Needham **MOVED to issue a Sixth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 18, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-282 (C).** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 19, 2019

CEB2017354-CRABTREE RANDY HOWARD

Posted

Complaint No. 20171016007

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). (Double wide mobile home without permits)

Property Location: 303 N Janice Ln, Ormond Beach 32174

Parcel No. 412404000010

Zoning: MH-4A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Oct 20, 2017

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

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

*2nd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:

*4th Amended Order of Non-Compliance issued at the October 3, 2018 hearing:

*5th Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Needham **MOVED to issue a Sixth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 18, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017432-CLAFFY DORA M & PATRICIA C PERRY

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:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The site and conditions on the property remain unchanged. Staff is recommending a fine in the amount June 19, 2019

of \$100.00 per day, not to exceed \$7,500.00; to commence on July 18, 2019.

Mark Kane said that he represents Patricia Perry. He said Ms. Perry is in long term care and not occupying the residence. He said the home requires a full roof replacement, due to the age of the home. He said Ms. Perry cannot afford to do this. Mr. Kane said they are looking to put the property up for sale. He said since the last hearing, it was discovered that Ms. Perry is past-due on her property taxes. Mr. Kane said the home was being prepared for public auction on June 11th. He said we are working to get the funds together, to pay the taxes off. He said they prevented the sale and now they're preparing the property for sale, on our own. Mr. Kane said that he has been approached by multiple people, who have expressed interest in purchasing the property as-is.

He said they are moving forward with cleaning the property up. He said there is a vehicle on the property that will be removed today. He said he is going there after the hearing, with a lawn mower and weed whacker to clean up the property. He asked the board for more time. He said the home is secure and the power is on.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018282-STRICKLAND GAIL

Hand-Delivered

Complaint No. 20180409040

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). (Enclosing carport and making it into living space)

Property Location: 62 Margaret Rd, Ormond Beach 32176

Parcel No. 323403000570

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Apr 19, 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 April 17, 2019 hearing:

Hearing to Impose Fine/Lie

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. There is a permit that's been applied for and it's in plans review; awaiting additional information. She said the application is valid until September 10th. Staff is recommending a third amended order of non-compliance, with a hearing to impose fine scheduled for September 18, 2019.

June 19, 2019

Based on the evidence and testimony provided, Member Leonard **MOVED to issue a Third Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 18, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. There have been no permit applications to date and the site and conditions remain unchanged. Staff recommends a fine in the amount of \$100.00 per day, not to exceed \$55,000.00; to commence on July 18, 2019.

Member Wild asked if there had been any communication with the property owner.

Margaret said I spoke with the attorney, a while ago, but I've seen nothing since.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, not to exceed \$55,000.00, to begin on July 18, 2019.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

After cases CEB2018446 and CEB2019011- Glauber, were presented, Margaret said she would like to change her recommendation for the Bailey case on 103 Capri Dr. She said I would like to change it and see, what you all think. Margaret said that she would like to change it to an amended order, until the July hearing.

June 19, 2019

Member Zahn asked if it was one they did already.

Margaret said yes.

Mr. Brown said the motion before the board would be to consider, rescinding the Order Imposing Fine/Lien, for July. He said instead of the fine/lien, an amended order.

Margaret said it just because we have to look at something.

Based on the evidence and testimony provided, Member Zahn **MOVED to reconsider the motion for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

Member Wild said we will now reconsider CEB2018360.

Mr. Brown said staff is now asking for a second amended order, as opposed to an order imposing fine/lien.

Margaret explained that there were a couple of things that she needs to look at; just to make sure.

Mr. Brown said to Margaret, July or August; what do you want?

Margaret said July.

Based on the evidence and testimony provided, Member Needham **MOVED to issue a Second Amended Order of Non-Compliance, with a compliance date of July 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating 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.

CEB2018446-GLAUBER CHRISTA

Served

Complaint No. 20180720030

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). (Additions and alterations, may not be a complete list.

Property Location: 114 Plaza Grande Ave, Ormond Beach 32174

Parcel No. 424220150130

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 27, 2018

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

June 19, 2019

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. The most recent was June 17, 2019. He showed the board, his pictures from the inspection. He explained the progress that the property owners have made. He said they've torn all the roof-structure down; along with the cinder block portion of it, in the front. He said they've obtained a fence permit. Robert said the fence permit has not been signed off on, yet. He said we haven't had the opportunity to check it yet. He said they had to turn the fence panels around, which they've already done. Robert said where the fence is located, it will meet the proper setbacks.

Member Needham said so he has done, everything that he was asked to do.

Robert said yes, I was pleasantly surprised when I went out there. He said there are a couple of small things that he needs to take care of.

Staff recommends a first amended order of non-compliance, with a compliance date of July 8, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Based on the evidence and testimony provided, Member Needham **MOVED to issue a First Amended Order of Non-Compliance, with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating 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.

June 19, 2019

CEB2019011-GLAUBER CHRISTA**Hand-Delivered**

Complaint No. 20190118024

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: 114 Plaza Grande Ave, Ormond Beach 32174

Parcel No. 424220150130**Zoning: R-5****Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jan 18, 2019

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an First Amended Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 9 Sections 72-341 (b).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018516-SANFORD DAVID**Served**

Complaint No. 20171002011

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 addition to front of house and roof repairs)

Property Location: 1513 Elizabeth St, New Smyrna Beach 32168

Parcel No. 743005030710**Zoning: MH-5A****Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Oct 06, 2017

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The permit was re-opened and expired, yesterday. The only inspection it had, failed. That inspection was on November 5, 2018. She said there have been no more inspection requests to date and the site and conditions remain unchanged. Staff is recommending a fine in the amount of \$100.00 per day, with a maximum amount of \$5,500.00; to commence on July 18, 2019.

June 19, 2019

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, not to exceed \$5,500.00, to begin on July 18, 2019.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019010-ROCKWELL ANITA KAY

Hand-Delivered

Complaint No. 20180710090

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: 967 Shockney Dr, Ormond Beach 32174

Parcel No. 423812000170

Zoning: R-4A,RCA

Code Compliance Coordinator - Margaret Godfrey

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

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The fence permit application, is still at cancelled status; there have been no extension requests, to date. She said she did receive a call from Ms. Rockwell; she asked if taking down the fence would resolve the violation. Margaret said she explained to her, according to the ordinance it would. She told Ms. Rockwell to either get a permit or remove the structure. Margaret said she went to the property, a few weeks later and it's all still there. Staff is recommending a fine in the amount of \$100.00 per day, with a maximum amount of \$59,000.00; to commence on July 18, 2019.

Member Leonard asked if attorney Welch is still involved, with this case.

Margaret said I have not heard from him.

Member Needham asked Margaret, if she had any further contact with Ms. Rockwell.

Margaret said no.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, not to exceed \$59,000.00, to begin on July 18, 2019.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 19, 2019

CEB2019034-HOYLE JOSEPH ALLEN

Posted

Complaint No. 20190205023

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

Property Location: 325 Niagara Ave, Orange City 32763

Parcel No. 801001160020 Zoning: R-4

Code Compliance Officer - Michael Mazzola

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing. He gave his name and address for the record.

Michael Mazzola, Code Compliance Officer, presented the case. He said that he did an inspection on Monday. He said the junkyard on the side, is being cleaned up. He said there was still some stuff there. Michael explained that the car is gone. He used his pictures to show the board the car that he was referring to. He said that's all the cars on the property. Staff is recommending a fine in the amount of \$25.00 per day, per case, to commence on July 18, 2019; the total maximum fine amount \$8,000.00.

Michael reiterated that there had been some improvement, on the junkyard; on the side part of the property. He said he has questions about the other cars on the property; he said he wanted to make sure, they're tagged and registered.

Member Wild asked Michael if the vehicle violation, was in compliance.

Michael said the blue covered car in the picture, is gone. He said he just has a couple questions about the other cars on the property.

Member Wild said okay, so you still have cars and you still have junk.

Mr. Hoyle said he's doing better on it. He said he broke his foot, since the last hearing and he was in a cast. He said the van in the picture is for sale. He said everything else that wasn't registered, is gone now; I have no more unregistered vehicles in the yard.

Michael asked about the Durango.

Mr. Hoyle said he's driving that.

Member Zahn said so, the cars can be worked out pretty fast. What about the junkyard?

Mr. Hoyle said I'm working on it, every day that I can. He asked the board, for another 90

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days.

Michael said that 90 days, would be fine.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019035-HOYLE JOSEPH ALLEN

Posted

Complaint No. 20190205025

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: 325 Niagara Ave, Orange City 32763

Parcel No. 801001160020

Zoning: R-4

Code Compliance Officer - Michael Mazzola

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue a First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 19, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34.** After Member Leonard **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:

June 19, 2019

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She showed the board from 2007 and said the vehicle hasn't moved, since then. She said the yard is so overgrown, you can barely see anything. She said she's had to post the property for everything. She said the gate is now locked; someone screwed it shut. Margaret said there has been no contact with anyone. Staff is recommending a fine in the amount of \$25.00 per day, per case, with a maximum amount of \$2,000.00 per case; to commence on July 18, 2019.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day, per case, not to exceed \$2,000.00, per case; to begin on July 18, 2019.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day, per case, not to exceed \$2,000.00, per case; to begin on July 18, 2019.** After Member Leonard **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

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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:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day, per case, not to exceed \$2,000.00, per case; to begin on July 18, 2019.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day, per case, not to exceed \$2,000.00, per case; to begin on July 18, 2019.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019064-DEKANCHUCK LORI ANN

Served

Complaint No. 20190213087

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Junk yard where not permitted. (Scrapped metal, rubber tires, glass, wood scraps, plastic, tools, equipment, fixtures, appliances, construction materials, automobile parts, and/or discarded automobile.

Property Location: 1495 N Us Hwy 17, Seville 32190

Parcel No. 480500000060

Zoning: B-4

Code Compliance Coordinator - Margaret Godfrey

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 April 17, 2019 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing. Harry Dekanchuck gave his name and address for the record.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said her last inspection was on June 3, 2019. Margaret said there has been no change. She said she didn't see anything removed, instead she saw things added to it. Staff is recommending a fine in the amount of \$100.00 per day, per case, with no maximum amount; to commence on July 18, 2019.

Mr. Dekanchuck said there has been a change; ten vehicles have been removed. He said he is on a time schedule, with being able to dispose of the vehicles, because I have to get the proper paperwork from the state. He said that he had pictures of the property, showing that the stuff had been removed. He said we've cleaned up and registered trailers. He repeated that he is waiting for paperwork, from the state for stuff. He said today was supposed to be a progress report, basically.

The board asked to see the pictures.

Member Zahn said they have two options; either amend the order or impose a fine, down the road.

Margaret said I would recommend the latter.

Member Zahn suggested that a fine, might put the pressure on to move forward.

Mr. Nelson said that he agreed with a fine, down the road.

Member Zahn said something has been going on, but we don't know what, for sure. He said this way, there is some incentive to keep it going.

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Mr. Dekanchuck said today, was supposed to be a progress report.

Margaret said no, today is a hearing to impose fine.

After looking at the pictures, Member Wild asked if the property in the pictures was the one that they're talking about.

Mr. Dekanchuck said yes.

Member Wild said I thought we were talking about, all the stuff out in the open field.

Margaret said both. She said it's all the same property.

Mr. Dekanchuck said it's not. He said its two different pieces of property, belonging to two different people.

Member Leonard said that was a part of the confusion last time.

Mr. Dekanchuck said he was brought here in February, for this piece of property; the property with the building on it.

Member Wild said what we have right here is, 1495 US 117.

Mr. Dekanchuck said yes, and the other property next door is, 1475; that's not part of this hearing.

Margaret said that one has already been found in violation; there's a fine on that one as well. She asked Mr. Dekanchuck about the back of the building.

Mr. Dekanchuck said those vehicles are parked there; there are trucks.

Mr. Nelson said your testimony is that you've removed, ten vehicles from this area.

Mr. Dekanchuck said yes, you actually could barely see the front of the building before. He asked the board to refer to former Code Compliance Officer, Christopher Hooper's pictures.

Member Zahn said the first violation is a junkyard. He read the list of items found on the property, using the agenda.

Mr. Dekanchuck said all cleaned up.

June 19, 2019

Member Zahn said we need to verify that. He said then converting junk trailers into accessory structures, for storage.

Mr. Dekanchuck said they're not junk trailers and we're not converting them. He said we use them for hurricane relief; we're on a list with FEMA.

Member Zahn said we have to have a determination from zoning, as to whether that's and acceptable use or not.

Mr. Nelson said regardless of that use, they can't be parked there.

Member Zahn said I didn't think so.

Margaret said B-4 zoning does not allow for this, at all.

Mr. Dekanchuck said I'm in the process of trying to re-zone the property.

Member Zahn said re-zoning of a property, takes a minimum of three months. Plus, you have to have plans created to be submitted. He said that's a long-term process. He asked the status of the heavy equipment violation.

Margaret showed the board a picture.

Member Leonard said it's still there.

Mr. Dekanchuck said none of the stuff in that picture is there. He said that the picture from Chris.

Member Zahn said so we can go and verify that.

Mr. Dekanchuck agreed. He said there's vehicles back there, yes; but every vehicle in that picture is gone.

Margaret said but you still have vehicles back there.

Mr. Dekanchuck said yes. He said they put customer's cars and tow trucks back there, so the front looks nicer.

Member Zahn said it's not curb appeal, it's whether or not you have heavy equipment stored on the property; where not permitted. He said it doesn't matter if some are gone and some brought back in there. He said it's just generically, heavy equipment stored where not permitted.

Margaret said it would have to be stored inside the building.

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Member Zahn asked for the status of case 067; maintaining an RV, boat and/or trailer without current tags.

Mr. Dekanchuck said I am waiting for the paperwork to come in, so I can have the vehicle crushed.

Member Zahn asked what kind of paperwork.

Mr. Dekanchuck said certificates of destruction, from the DMV. He said I don't have titles on some of the vehicles.

Member Zahn asked about getting tags and titles for the vehicles.

Me. Dekanchuck said originally, they were there for parts.

Member Zahn said so, now they're there for some different purpose.

Mr. Dekanchuck said no, they're just sitting there. He said do you want me to tag it or get rid of it?

Member Zahn said one of the two.

Mr. Dekanchuck said either way, the certificate of destruction and the title paperwork take the same amount of time.

Member Wild said it either case, it's not done now.

Mr. Dekanchuck said but it's applied for.

Member Wild said Margaret has to verify, all the things that you've said are completed.

Member Zahn asked for a status update on case 068; abandoned vehicles. He said inoperative and/or without current state license tag. He said 067 and 068 are similar. He said that's in process, because you're in the process of getting paperwork.

Mr. Dekanchuck agreed.

After the motion was made, Member Zahn advised Mr. Dekanchuck to contact staff for inspections, after the violations are resolved. He said if the compliance dates are sooner, rather than later that will indicate to us that you've been working on this.

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After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, per case, to begin on August 22, 2019.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019065-DEKANCHUCK LORI ANN

Served

Complaint No. 20190214037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Converting junk trailers into accessory structures for storage.

Property Location: 1495 N Us Hwy 17, Seville 32190

Parcel No. 480500000060

Zoning: B-4

Code Compliance Coordinator - Margaret Godfrey

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

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, per case, to begin on August 22, 2019.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019066-DEKANCHUCK LORI ANN

Served

Complaint No. 20190214038

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Heavy equipment stored/parked where not permitted

Property Location: 1495 N Us Hwy 17, Seville 32190

Parcel No. 480500000060

Zoning: B-4

Code Compliance Coordinator - Margaret Godfrey

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

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

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After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, per case, to begin on August 22, 2019.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019067-DEKANCHUCK LORI ANN

Served

Complaint No. 20190214039

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: 1495 N Us Hwy 17, Seville 32190

Parcel No. 480500000060

Zoning: B-4

Code Compliance Coordinator - Margaret Godfrey

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

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, per case, to begin on August 2, 2019.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019068-DEKANCHUCK LORI ANN

Served

Complaint No. 20190214040

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: 1495 N Us Hwy 17, Seville 32190

Parcel No. 480500000060

Zoning: B-4

Code Compliance Coordinator - Margaret Godfrey

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

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

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Margaret Godfrey, Code Compliance Coordinator, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien in the amount of \$100.00 per day, per case, to begin on August 22, 2019.** 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 Coordinator - Margaret Godfrey

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

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said Lis Pendens was filed on March 22nd. She said her most recent inspection was June 5th and we've received more complaints. She said because it's in Lis Pendens, I'm going to have to recommend an amended order, to see where this goes.

Mr. Cino said it may not have any effect.

Margaret said she was going to recommend a fine, but we'll just have to do an amended order and see where it goes.

Mr. Cino said the Lis Pendens means that we can't encumber the property any more.

Mr. Brown said if it's a first hearing, we can do that but we can't become a creditor. He said you can do an amended order and keep pushing it.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the December 18, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 19, 2019

CEB2019079-RYAN HAROLD J & BRENDA M

Posted

Complaint No. 20180810001

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

Property Location: 170 Birch Ave, Orange City 32763

Parcel No. 801501000200

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Aug 13, 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:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case. Michael said that nothing has changed on the property. He said the box truck is still there and no permits have been applied for.

Member Needham asked if there had been conversation with the property owner.

Michael said no conversation. Staff recommends a fine in the amount of \$25.00 per day, per case, to begin on July 18, 2019; not to exceed \$13,500.00.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day, per case, not to exceed \$13,500.00 total; to begin on July 18, 2019.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019080-RYAN HAROLD J & BRENDA M

Posted

Complaint No. 20190110005

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: 170 Birch Ave, Orange City 32763

Parcel No. 801501000200

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Aug 13, 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:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case.

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After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$25.00 per day, per case, not to exceed \$13,500.00 total; to begin on July 18, 2019.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019085-COLEMAN KAREEN

Hand-Delivered

Complaint No. 20180323007

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

Property Location: 315 Spring Forest Dr, New Smyrna Beach 32168

Parcel No. 721401000060

Zoning: A-1

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on May 29, 2018

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Chris Hutchison, Code Compliance Manager, presented the case. Staff has been working with the property owner to bring the property into compliance. He said I believe, they are trying to get a special exception done. He said they are working with attorney, Glenn Storch. He said Mr. Storch did contact staff, last week and said they were moving along. He said they're just having some problems, putting in the access to the property. He explained that FPL is requiring it. Staff is recommending a first amended order of non-compliance, with a hearing to impose fine scheduled for August 21, 2019.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019087- FONTAINE JAMES & PAMELA

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:

Hearing to Impose Fine/Lien

THE BOARD CONTINUED THIS CASE.

X. Hearings and Presentation of Filed Notices of Violations

CEB2019088- FONTAINE JAMES & PAMELA

Served

Complaint No. 20190221027

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 RAS permit #20180507048 for a concrete block, CMU, and concrete retaining wall)

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 Mar 1, 2019

THE BOARD CONTINUED THIS CASE.

CEB2018330-HARR ROBYN

Served

Complaint No. 20160215026

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). (Deck)

Property Location: 1907 Madre St, Suite 0750, New Smyrna Beach 32168

Parcel No. 734410000750

Zoning: MH-5(1),RC

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Feb 16, 2016

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received a complaint on December 31, 2015. The notice of violation was received on February 18, 2016. A permit application was put in for the deck. It expired January 25, 2017, due to

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lack of activity. The notice of hearing was received on July 28, 2018. Another permit application was submitted, but it was cancelled on April 20, 2019, due to lack of activity. He said they needed the site plan, to reflect how big the deck is. Staff never received it. Staff is recommending a finding of non-compliance, with a compliance date of July 3, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Margaret said there have been conversations with the property owner, but that's as far as it has gone.

Member Needham asked if the property owner, told Margaret what they planned on doing.

Margaret said they put in two permit applications, but didn't respond to the requests for additional information.

Member Needham asked if there was any work done, to try and bring the property into compliance.

Margaret said just the permit applications.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018365-DELAFORCE BARTON ANTON

Served

Complaint No. 20180123067

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). (Addition, covered carport, rear deck, above ground swimming pool and re-roof)

Property Location: 298 Sugar Sand Tr, New Smyrna Beach 32168

Parcel No. 722603000010

Zoning: A-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Feb 23, 2018

The respondent was present for the hearing. He gave his name and address for the record.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Frank Godawa, Building Inspector, noticed an addition in progress; without the required permits and/or inspection approvals, in January of 2018. Margaret listed off the additions that Mr.

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Godawa found. He said it appears the owner is doing the work. Margaret said pictometry showed a rear deck, new front addition, above ground swimming pool and a carport-type structure; with no evidence of permits or inspection approvals.

Margaret said the mail has been received and signed for. She said she has spoken to Mr. Delaforce and Millicent, several times about what needs to go. She said they were starting to clean it up, although the front and the roof are still there; without any inspections. Staff is recommending a finding of non-compliance, with a compliance date of July 3, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Mr. Delaforce asked if his wife, Millicent could be his spokesperson.

Millicent gave her name and address for the record. She said when Mr. Delaforce purchased the property, there was a wood deck and this is what he's being taxed on. She produced information from the Property Appraiser for the board. She said there was a concrete porch with steps going into the home that was already there. She said when the land was cleared, the permit was issued; to place the modular home there. She said it should have been a separate permit, for the deck and the porch.

Millicent explained that Beverly Abrahamson, former Building Compliance Officer, told them to cease and desist. She said no siding went up and the new window did not go in. She said the concrete base was already there, but the porch was added. She said Mr. Delaforce didn't believe that he needed a permit, because the property appraiser had record of it. She explained that after Hurricane Matthew, Mr. Delaforce replaced the shingles on the back of the house. She said he did the work himself and it was just the shingles. Mr. Delaforce was told by both Beverly and Margaret that permits were required. Millicent explained that because Mr. Delaforce is in North Carolina, with a sick grandchild, she has been trying to take care of the permit process.

Millicent explained that she needed to get a survey, to hire a licensed architect or engineer. She explained that she contacted a surveyor and it took 4 months, for him to come out. She said she still doesn't have a copy of the survey and explained the lengths that she had gone to obtain a copy. She said the survey is what's holding the process up. Millicent said she contacted the original surveyor and is now going through him. She explained only for the front porch, because the barn was torn down. He said the wood deck was also taken down.

Millicent said that the pool is an above ground pool, and they didn't realize they needed a permit. She said the pool was removed. She said the only thing that is there, is the addition to the concrete porch and that will be on the survey. She said they're going to get permits for the concrete porch addition and the roof.

Member Wild said so the intention is, to either remove it or permit it.

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Millicent said correct.

Member Wild said and we understand that you've had timing issues with the permit, because of the survey.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of September 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the September 18, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018457-LUZNAR ROGER J

Served

Complaint No. 20180828002

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: 549 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000030

Zoning: BPUD

Code Compliance Coordinator - Margaret Godfrey

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

THIS CASE WAS CONTINUED BY THE BOARD.

CEB2019170- LUZNAR ROGER J

Served

Complaint No. 20190313049

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 11 SECTION 72-415 Violation of special exception conditions

Property Location: 549 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000030

Zoning: BPUD

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Mar 18, 2019

The respondent was present for the hearing. The respondent gave his name and address for the record. Mr. Luznar said he wanted to give information and contest the violation.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said Cabbage Patch does have a special exception for a temporary campground, however during Bike Week, there were no applications submitted for a temporary campground; it was up and running. She said many people asked, how it was being done without permits. Margaret

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said she had a copy of the special exception, from 2015 in front of her. She read the requirement of the special exception, from the document into the record. She explained that nothing was submitted.

Mr. Luznar said in 2016, my BPUD agreement was amended, to allow it as a use that did not require a special exception. He said the requirement of the portlets and the waste pick-up was given to Yolanda Somers, Staff Assistant II Zoning, and she personally carried it over to their department.

Margaret said she saw nothing on that at all. She said the 2015 documents, were the latest things that were in there. She read the title of the document and the case number into the record.

Member asked for the date of the document.

Margaret said it was dated October 7, 2015.

Mr. Luznar said he spoke with Yolanda, Monday and she read it off her computer. He said 2016, and it was amended.

Member Wild asked if there was a way to pull it up, off of the computer.

Mr. Luznar said I don't do any camping on the Cabbage Patch property. He said the camping is on the other one and all the paperwork is turned in. He said I used to give it to Tammy and now I give it to Yolanda.

Member Zahn suggested that Mr. Luznar get the paperwork in order, before the violation; unless there is some information that Margaret isn't getting.

Margaret said Yolanda was the one, who told her that Mr. Luznar was doing it.

Member Zahn explained what the board has seen, in regard to special exceptions.

Mr. Luznar said everything has been cleaned up.

Margaret agreed with that.

Mr. Luznar discussed Margaret's pictures with the board.

Mr. Brown explained that Yolanda Somers, would be coming down with Scott Ashley, Planning Manager, to discuss the violation.

The board decided to address the other violation.

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Mr. Luznar explained that the next violation, was for the same thing, but it took place across the street. He said he submitted his paperwork to the county and it operated. He said he spoke with the gentleman that ran the campground and he said that the county came by, but they didn't say anything. He said they have tried to work with the county.

Margaret said this one also has a special exception, for a primitive campground. She said there's no building on the property; it's just a forest area. Bike Week ended on March 17, 2019, and as of a couple of weeks ago, there was still stuff on the property that shouldn't be there. She explained that it's a vacant lot. She said the special exception says that it should be gone three days before and three days after. Margaret said that was all during Bike Week and there was never a temporary permit issued.

Mr. Luznar said that the picture on the left, is not his property. He said that's the adjacent property. He said everything in the other pictures is mine. He explained that the picture on the left is Cackleberry's next door; he said it butts up to my property. He said the camper is his, personal camper. He said as far as I know, I can have a camper on my property. He said the portlet, belongs to him. He said instead of renting one, I purchased my own. He explained it's locked and not accessible to the public.

Member Wild asked what date, the stuff was supposed to be off the property.

Margaret said Bike Week was over on the 17th. She said there was never a permit issued to begin with, for a temporary campground. She said it should have been gone, three days after.

Mr. Nelson said I actually have to sign the permit.

Margaret said that Mr. Nelson, has to sign any and all permits.

Member Wild said I think what Mr. Luznar is trying to say is, that he didn't need to have a permit.

Mr. Luznar said there is two adjacent properties, separated by Pioneer Trail. He said the property that has the tavern on it, has been amended, to allow camping as a permitted use. He said it did not require a special exception.

Member Zahn said the zoning of the property is camping is a permitted use, anytime.

Mr. Luznar said correct. He said the paperwork was dropped off, to the county.
Member Leonard asked if they were going back to the original case.

Mr. Brown said we'll go back to CEB2019170, and take them one at a time. Mr. Brown
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confirmed that Mr. Scott Ashley was sworn in.

Mr. Ashley said that he was.

Mr. Brown said the question is, the special use that's allowed under the BPUD, I believe you have a copy there and it is in October of 2016.

Mr. Ashley said this property has been zoned, with a BPUD since about 2000. He said it has been amended several times and the last time, was in 2016. He said one of the main things that it modified, was it removed a requirement that the property owner come in every few years, to get a public hearing approval by the Planning and Land Development Regulation Commission to hold a temporary camping operations during events associated with Daytona Beach International Speedway. He said it was built into the PUD, as a permitted use. As a permitted use, he's allowed to do outdoor entertainment, itinerant merchants and temporary camping; three days before and three days after. Mr. Ashley listed the events associated with the Daytona Beach International Speedway, which included Bike Week. He said they are required to provide security, portable toilets, garbage disposal and various things that are typical to a biker campground site. He said it includes outdoor entertainment and itinerant merchant sales, as part of the campsite use.

Margaret asked if he needed to get a permit for it.

Mr. Ashley said He has to submit the documentation as far as, garbage disposals, contracts and things like that. He said the contracts have to be submitted and licenses renewed, either by event or by year. Mr. Ashley said generally, he does it by year. He said the three days are for set up and take down.

Member Leonard asked who Mr. Luznar, has to submit the paperwork to.

Mr. Ashley said generally, code compliance staff.

Mr. Luznar said all of my annual contracts, waste cleanup, security, portalets and all that stuff, is handled by the same companies, as when we do the outdoor entertainment permit in October. He said it was submitted at Biketoberfest last year.

Mr. Ashley explained that the itinerant merchant and the host IML, itinerant merchant provision; that's by event or by year. He said Mr. Luznar is paying it by the year. He said when you submit the documentation, you include the events that you will be holding for the year.

Member Needham asked if what is alleged here, right or wrong.

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Mr. Ashley said he does not need a special exception, no.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order of Dismissal.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019171-LUZNAR RONALD E

Served

Complaint No. 20190313050

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 11 SECTION 72-415 Violation of special exception conditions

Property Location: 525 N Cr 415, New Smyrna Beach 32168

Parcel No. 721100000050

Zoning: A-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Mar 18, 2019

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. She said this is a property that is vacant. She said there was a campground during Bike Week. She said this one also has a special exception. She said all the documentation had to be in, 30 days before the event; everything has to be off the property, three days after. She said there is still stuff on the property. She said whether it's personally owned or not, it can't be there.

Member Needham asked what quadrant the property is in.

Mr. Luznar said southeast.

Margaret explained her pictures to the board.

Member Leonard asked Mr. Luznar, if this is the property that is adjacent to your house.

Mr. Luznar said it adjoins my house property. He said he has 20 acres on the Southeast side of Pioneer Trail.

Member Needham asked Mr. Luznar if his house, was set way back.

Mr. Luznar said yes, it is.

Member Zahn asked Mr. Luznar if it is his testimony, that all the Bike Week stuff was gone within 3 days.

Mr. Luznar said yes.

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Member Zahn said this is a little bit of a different situation, since he's got personal residence and personal stuff.

Margaret said this is a separate piece of property.

Member Zahn said yes, it is. He said if it's just his personal stuff and not related to an event; I don't think there's a violation here.

Margaret said there's no principle structure; it can't be there.

Member Leonard said this is totally different, from the property that your house sits on.

Mr. Luznar said it adjoins both of my properties.

Margaret said its two separate parcels.

Mr. Luznar said there's four separate parcels, but I own them all. He said his driveway goes through all of them.

Mr. Brown said what's in front of the board now is violation of the special exception. He said if the things can't be there for another reason, then that would be another violation. I don't believe, based on the evidence and testimony given before the board, that this would be a violation of the actual special exception.

Margaret said the only question I have, is the stuff that I took pictures of, was there during Bike Week.

Mr. Brown said that would be the determination of the board.

Mr. Luznar said I need to move my camper and stuff.

Margaret said especially that little box truck, she said that's been there.

Member Leonard said so what you're saying is, the stuff that was there since Bike Week, is still there.

Margaret said yes.

Mr. Luznar said it was there before Bike Week, during Bike Week and after.

Member Needham said, you're saying it was on your property and had nothing to do with Bike Week. He said but anything to do with Bike Week, was removed.

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Mr. Luznar said absolutely.

Member Zahn discussed dismissing the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Dismissal.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018460-RODGERS BOYCE W

Served

Complaint No. 20180725036

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

Property Location: 1528 Air Park Rd, Edgewater 32132

Parcel No. 843801001410

Zoning: A-2A,MH-4A

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on Jul 29, 2018

THIS CASE WAS CONTINUED

CEB2018461-REASONER STEVE E

Served

Complaint No. 20180725031

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

Property Location: 2907 Ragis Rd, Edgewater 32132

Parcel No. 843801001403

Zoning: A-2A, MH-4A

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on Jul 28, 2018

THIS CASE WAS CONTINUED

CEB2018496-BURTON VALERIE

Posted

Complaint No. 20180710072

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: 1131 Avenue G, Ormond Beach 32174

Parcel No. 422901210040

Zoning: MH-5

Code Compliance Officer - Robert Chayer

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

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The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. The certified notices of violation and hearing, were posted on the property on May 22, 2019. The most recent inspection was on that same day. Robert showed the board pictures of the alleged violations. He showed pictures of the front and side of the house. Robert explained the RV is parked correctly, but there is a light on, which possibly indicates that it's connected to the grid. He said he's never heard it run and it wasn't running at the time.

Member Wild asked Robert, if that's the best he could do with the RV.

Robert said that's the best I could do with the RV; he said I drove by and the light was on. He said I didn't hear it running and I'm not sure, if there's a decent battery in it or not.

Member Wild asked Robert, if he was able to talk to the property owner.

Robert said not at all. He said everything has been posted; no contact at all.

Member Wild asked if there was any place they could be living, other than the RV.

Robert said they could be living in the house. He said I did get a couple anonymous calls, about someone living in the RV, but nothing that carried a lot of weight. He said I never saw anyone coming in or out of it.

Member Zahn said we should dismiss that one; I don't see enough evidence to say that it's connected to water or sewer.

Robert agreed.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 9 Sections 72-341 (b).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019063-BURTON VALERIE

Posted

Complaint No. 20181210008

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

Property Location: 1131 Avenue G, Ormond Beach 32174

Parcel No. 422901210040

Zoning: MH-5

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019129-BURTON VALERIE

Posted

Complaint No. 20190318006

Violation of VOLUSIA COUNTY CHAPTER 118-TRAFFIC &, VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34

Property Location: 1131 Avenue G, Ormond Beach 32174

Parcel No. 422901210040

Zoning: MH-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Mar 18, 2019

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 19, 2019

CEB2019176-BURTON VALERIE

Posted

Complaint No. 20190328009

Violation of VOLUSIA COUNTY 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: 1131 Avenue G, Ormond Beach 32174

Parcel No. 422901210040

Zoning: MH-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 1, 2019

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Dismissal**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019095-QUARLES CHRISTOPHER S

Served

Complaint No. 20181105040

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

Property Location: 41 Juniper Dr, Ormond Beach 32176

Parcel No. 322811010210

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

THE BOARD CONTINUED THIS CASE.

CEB2019105-MAUTON MANAGEMENT INC

Posted

Complaint No. 20181019029

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: 1741 Valencia Ave, Ormond Beach 32174

Parcel No. 424264000300

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Nov 14, 2018

The respondent was present for the hearing.

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Robert Chayer, Code Compliance Officer, presented the case.

Maureen Cardenas, President Mauton Management, gave her name and address for the record. This started back in November of 2018, with a complaint about lot maintenance. He showed the board the pictures from the original violation. He said there is a house behind the plants. He said they started to have the property cleaned up. Robert said when they came into the back, it was more work than they realized it was going to be. He said a neighbor told him the property had been this way, for almost 15 years. He said whether or not that's true, I don't know. He said they started on it and they stopped.

Robert said that he has had contact with the property owner. He said she had some people come out to clean it up on the 17th. He showed the board, the pictures. He showed the board that the side yard, had still not been taken care of. He said as of the 17th, that's where we are.

Ms. Cardenas said that's all been taken care of. She said on the 17th, when he was there, they were still working. She said she has pictures of the side and it has been taken care of.

Member Zahn said we don't have evidence of that, so based on the testimony that we have at this point, there's a violation. He said you'll have an opportunity to have inspections.

Member Leonard asked if Ms. Cardenas lives at the residence, or if it's a rental property.

Ms. Cardenas said no, it's not a rental property.

Member Leonard asked Ms. Cardenas to clarify her address, because you gave us the rental property address.

Ms. Cardenas said I thought that's what you wanted. She said it's not a rental property.

Member Leonard said so, nobody lives there.

Robert said it's vacant.

Member Wild said we need your address.

Ms. Cardenas said my mailing address is: 918 Ironwood Ave., Darien, IL.

Member Leonard asked how long the house had been empty.

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Ms. Cardenas said every couple months, someone goes there and tries to maintain it.

Member Leonard said my question was, how long has it been since someone has actually resided in it.

Ms. Cardenas said probably, four years.

Member Zahn asked the purpose of the property.

Ms. Cardenas said actually, there's a contract for sale on it, right now.

Member Needham asked if there was electric service to the building.

Ms. Cardenas said yes; there's electric and water.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article II Sec. 58-36.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019120-DAVID DR LLC

Posted

Complaint No. 20190114017

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (E) Parking motor vehicle(s) on front yard, other than on driveway

Property Location: 1235 David Dr, Daytona Beach 32117

Parcel No. 523703050170

Zoning: R-5

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. He said this property has several inoperative/abandoned vehicles, including a boat. The certified notice of violation was received on January 16, 2019. The notice of hearing was posted on the property on May 22, 2019. The most recent inspection, was on that same day. He said the first picture shows cars parked in the front yard of the property; not in the driveway. He said the picture also shows a little bit of the boat. Robert showed another picture of a vehicle that he believed, has its own parts in the back of it. He showed a picture of the boat, without a current sticker on it. Staff recommends a finding of non-compliance, with a compliance date of July 8, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an**
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Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (E).
After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019121-DAVID DR LLC

Posted

Complaint No. 20190114021

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

Property Location: 1235 David Dr, Daytona Beach 32117

Parcel No. 523703050170 Zoning: R-5

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019122-PIATEK JOSEPH

Posted

Complaint No. 20190116012

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: 627 Easy St, Daytona Beach 32117

Parcel No. 521109000340 Zoning: R-5A

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. He said this is a lot maintenance case; it's pretty straight forward. He said the notice of violation was received on January 22, 2019. The notice of hearing was posted on the property on June 4, 2019. The most recent inspection was on that same day. He went over his pictures with the

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board. He explained that there was construction debris in the backyard and that the lawn was overgrown.

Robert said he had contact with Mr. Piatek, the day before. Mr. Piatek said over the phone, that he had gotten a good portion of that done. He said there is someone on the way, to pull down the rest of the greenhouse. Robert said that Mr. Piatek asked for 60 more days, to get everything cleaned up and out of there. Staff recommends a finding of non-compliance, with a compliance date of August 14, 2019 and a hearing to impose fine scheduled for August 21, 2019.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of August 14, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article II Sec. 58-36.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019136-BRUNING RICHARD

Posted

Complaint No. 20190326031

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) (Garage door change-out)

Property Location: 1044 Greenwood Ave, Orange City 32763

Parcel No. 801001120020

Zoning: R-4

Code Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Feb 15, 2018

The respondent was not present for the hearing.

Michael Mazzola, Code Compliance Officer, presented the case. He said this case involves a garage door change-out, without permits or inspection approvals. He showed the board his pictures.

Member Zahn said so, it was a garage door, now it's a sliding glass door.

Member Leonard said like a commercial door.

Michael agreed.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 2, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019158-MURRILLO SANTIAGO ARTURO H

Served

Complaint No. 20190116067

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

Property Location: 1604 Carmen Ave, Daytona Beach 32117

Parcel No. 424219340230

Zoning: R-5

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. The certified notice of violation and a stop work order was posted on the property on, January 29, 2019. The notice of hearing was received on May 9, 2019. The most recent inspection was March 1, 2019. He said as you can see, the whole front of the building is covered in plywood; there's obviously construction going on there. He explained that the next picture showed the new wood in the roofing system and the tarpaper. Robert said he checked for permits on June 18, 2019. He said there were none. Staff recommends a finding of non-compliance, with a compliance date of July 8, 2019 and a hearing to impose fine scheduled for July 17, 2019.

After the motion was made, Member Leonard asked if it was a business or a house.

Robert said it's a house.

Member Needham asked if the stop work orders, have anything that says contact the county.

Margaret said we leave our business cards.

Member Needham asked if we expressly say, stop work and contact the county.

Robert says it does definitely say, "stop work."

Margaret said the violations say to contact the county.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating 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.

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CEB2019160-HOUNSOM SUSAN E

Posted

Complaint No. 20190315005

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (Shed and renovations to convert storage to living space)

Property Location: 811 Garfish Ave, New Smyrna Beach 32169

Parcel No. 850501700180

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Mar 25, 2019

The respondent was present for the hearing. The respondent gave her name and address for the record. She gave information and contested the violation.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received the complaint for the property back in March. Margaret said when she was researching the property, she found that it's listed as a single-family residence, but it also has an apartment in it. She said the house was built in 1990, and the plans show that where the apartment is there's supposed to be storage area; unfinished storage area. She said there was also a deck built in 1995, with no evidence of permits and inspection approvals.

Margaret said when she was speaking with Ms. Hounsom, she herself, admitted that she put the apartment in there. She said she spoke with the property appraiser in New Smyrna Beach and they said the reason that they listed it as an apartment, is because it would have a kitchen in it. She said she has not been inside the property, but she showed the board her research. Margaret said it is not zoned as a two family, so not matter how you look at it, that apartment cannot be there. Staff is recommending an order of non-compliance, with a compliance date of July 3, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Ms. Hounsom said there is no apartment there. She said there is a first floor and she has a bedroom suite down there. She said there is no stove or 240 line. She said she does not rent it out and she lives there all be herself. Ms. Hounsom said she sometimes has guests and it's just a bedroom suite.

Member Wild said what about the construction.

She said in 1989, she hired a contractor, to build a house. She said in the house, there was a downstairs suite, again not an apartment; not a stove. She said that's what I paid him for and I didn't notice that the plans didn't have it on. She said I contracted for a house to be built and he built it. She said when I moved in, the downstairs was already completed, as a bedroom suite.

Member Wild asked when that was.

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Ms. Hounsom said in 1990. She said it was built by a contractor, in a contract with me. She said it's built; it wasn't enclosed or added later. She said it's 8 feet above sea-level and its apart of the house. She said there is a garage and a bedroom suite on the first level.

Member Wild asked if there was a shed involved, or the conversion of a shed.

Margaret said yes.

Ms. Hounsom said that the shed is gone. She explained the history of the shed, to the board. She said in 2004, there was damage to it, so she rebuilt it. She said she was told that it was in the wrong place, so they told her she had to move it and get a permit. She said she took it down, instead.

Member Leonard asked Margaret if the shed is gone.

Margaret said she hasn't been out there, to see. She said it was still there back in June.

Member Leonard asked Ms. Hounsom when she took the shed down.

Ms. Hounsom said two weeks ago.

Member Zahn said you would have had building plans and a permit would have been issued, based on those plans. He said if those plans showed storage in them, there's different code requirements for storage area, versus a living space. He said if it was always intended to be a bedroom, I don't see anything wrong with that. He said there are egress and HVAC requirements; among other things. He said my guess would be that you could come into compliance with the proper paperwork, providing that the work followed Florida building code. He said an inspection by the county, to show that there's no kitchen would bring the other into compliance.

Margaret specified that the third violation was not taken care of, it also included a deck without permits.

Member Zahn went over the violations and what they were for, with Margaret.

Margaret said the only reason that she moved forward with maintaining a duplex violation, is because Ms. Hounsom herself, admitted that there is an apartment.

Ms. Hounsom said no, I never said I put it in; I said it is there and when I moved in, it was there.

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Member Zahn said, but not as an apartment; it's there as a living space.

Ms. Hounsom said it's a bedroom suite.

Member Zahn said you can get that permitted, as far as I know.

Member Wild said that will be verified, when they come out to do the inspection.

Mr. Nelson suggested that Ms. Hounsom talk to the property appraiser, because she's probably getting charged a higher rate.

Ms. Hounsom said they probably are. She said they've never been in there and neither has code enforcement.

Mr. Nelson said going in there, is one way to verify.

Ms. Hounsom said I feel like I'm being brought onto the carpet, for something that no one has seen and doesn't exist.

Member Zahn said based on the information we have, it appears there's violations.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019161-HOUNSOM SUSAN E

Posted

Complaint No. 20190318026

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. (shed)

Property Location: 811 Garfish Ave, New Smyrna Beach 32169

Parcel No. 850501700180

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

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Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-277.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019162-HOUNSOM SUSAN E

Posted

Complaint No. 20190318031

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Maintaining a (duplex/multi-family) dwelling and/or use where not permitted. (Apartment in the lower level)

Property Location: 811 Garfish Ave, New Smyrna Beach 32169

Parcel No. 850501700180

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019163- SIDDALL JAMES

Served

Complaint No. 20171116007

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-298.09 off premise sign(s) erected where not permitted

Property Location: 110 Cucumber Ln, New Smyrna Beach 32168

Parcel No. 722301010110

Zoning: A-1C

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

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Margaret Godfrey, Code Compliance Coordinator, presented the case. This complaint came in on November of 2017. She said she posted the property on February 15, 2019, because the certified notice came back for the off premises sign. She said when she was out there, she noticed that Portofino Landscaping is not an off-premises sign; it's actually an advertisement for his business, on that property. He does have class A, home occupation but it's for office only. She said he's not allowed to advertise his business on the property. She said she sent him a violation for that, as well.

Mr. Siddall did receive the notice of hearing. The site and conditions remain unchanged. Margaret said that she has had conversations with Mr. Siddall, in which he said he would take down the Precision Eye sign, but not his own. She said its Ag zoned property; he can't have them there.

Member Needham asked if Mr. Siddall had signs before.

Margaret said not that I know of; this is a new case. She said wait, you're right, but I believe it was for his daughter's business. Yes, you're right.

Member Zahn and Margaret discussed what a Class A home occupation, allows.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-298.09.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019164-SIDDALL JAMES

Served

Complaint No. 20190311037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-283 Violation of home occupation regulations, specifically signs advertising the business

Property Location: 110 Cucumber Ln, New Smyrna Beach 32168

Parcel No. 722301010110

Zoning: A-1C

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

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Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-283.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019165-CARMEN REBOZO FOUNDATION

Served

Complaint No. 20161214053

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). (Beach access stairs)

Property Location: 7107 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 850501190070

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Dec 19, 2016

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received a complaint on December 14, 2016, for building a deck and stairs down to the beach. The notices of violation and hearing, were both received. Back in August of 2017, there were conversations between them and our permitting department. The registered agent of the Carmen Rebozo Foundation, has received all the mail. The last conversation with the registered agent was back in July of 2017, when Beverly Abrahamson, former Building Compliance Officer, left her a voicemail. There was no callback. The site and conditions remain unchanged. There have been no permit applications, to date. Staff recommends a finding of non-compliance, with a compliance date of July 3, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Based on the evidence and testimony provided, Member Leonard **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019166-MICHEL'S CATHERINE

Served

Complaint No. 20190220044

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: 1 General Doolittle Rd, Daytona Beach 32124

Parcel No. 620603040010

Zoning: R-4(5)A

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received this complaint in January. Margaret stated that she had to post the notices of violation, but the notices of hearing were received. She said it has no tag and it's still sitting in the driveway. Staff is recommending a finding of non-compliance, with a compliance date of July 3, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Member Needham asked if people were living in it.

Margaret said no, it's not plugged in.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (B).**

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

CEB2019167-MICHEL'S CATHERINE

Served

Complaint No. 20190104001

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

Property Location: 1 General Doolittle Rd, Daytona Beach 32124

Parcel No. 620603040010

Zoning: R-4(5)A

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

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Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (C).** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019168-MATZKY VIRGILENE R

Served

Complaint No. 20181228031

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (E) Parking motor vehicle(s) on front yard, other than on driveway

Property Location: 1932 Madre St, Suite 0760, New Smyrna Beach 32168

Parcel No. 734410000760

Zoning: MH-5(1)A

Code Compliance Coordinator - Margaret Godfrey

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. Staff received a complaint last December; about a vehicle parked in the side yard, without tags. The property was posted with the notice of violation, although she received the notice of hearing. Margaret said she has had conversations, with Ms. Matzky and she said that the vehicle is going to go. Margaret said it's still sitting there. She said she spoke with Ms. Matzky yesterday. Margaret said she said, she was waiting on someone to come tow it. Staff is recommending a finding of non-compliance, with a compliance date of July 3, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Sections 72-287 (C).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019169-MATZKY VIRGILENE R

Served

Complaint No. 20181228032

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: 1932 Madre St, Suite 0760, New Smyrna Beach 32168

Parcel No. 734410000760

Zoning: MH-5(1)A

Code Compliance Coordinator - Margaret Godfrey

June 19, 2019

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

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case.

Based on the evidence and testimony provided, Member Needham MOVED **to issue an Order of Non-Compliance with a compliance date of July 3, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Section 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019178-TRUSTEE SERVICES LLC TR

Posted

Complaint No. 20190318036

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 permit)

Property Location: 4 Neptune Park Dr, Ormond Beach 32176

Parcel No. 420307000040

Zoning: B-8

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Ap 25, 2019

THE BOARD WITHDREW THIS CASE.

CEB2019179-TRUSTEE SERVICES LLC TR

Posted

Complaint No. 20190318034

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: 4 Neptune Park Dr, Ormond Beach 32176

Parcel No. 420307000040

Zoning: B-8

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Apr 25, 2019

The respondent was present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case.

Mark Oslislo gave his name and address for the record. He contested the violation.

Member Wild asked Mark, how he was related to the trustee.

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Mark said the trustee is an LLC and I'm a member of the LLC.

Member Zahn said managing member.

Mark said correct.

Robert said this case started with an expired permit. He said when they inspected the property, they noticed roof damage. The notice of violation was posted on April 25th and the notice of hearing was posted on May 28th. He said a roof permit was applied for on May 29, 2019. He said the most recent inspection was on June 6, 2019.

Member Wild asked why Robert's presentation says, "...permit will not be issued."

Robert said the permit is not going to be issued because, of the condition of the house. The original permit was issued to put a second floor on the property. He said at the time, the value of the building on the property would allow that to happen. He said the permit was issued and then expired.

Mr. Nelson said it's near the coastal construction control line, and we're looking at substantial damage and it was doable originally, but then the structure is in such condition now that they can't repair or do anything to the structure without going against the 50% rule. He said basically, they'd have to re-build on pilings. He said their commercial plans examiner, who is also an architect visited the site and confirmed this. He said that's the ruling from the permit office and the Building Official.

Robert said after the damage, the structure was reevaluated at a lower amount. He said he's not going to be able to get the roof permit done, inside that cost. Robert read the Chief Building Official's determination into the record.

Member Needham asked if there is a way it could be corrected.

Mr. Nelson said it would be a demolition/rebuild, with probably a variance.

Robert showed the board a picture of the electrical and explained that it is not, connected to the grid at this time. He showed the ceiling coming down in another picture. He said on his most recent inspection, that the structure had been painted. He said they've cleaned up a little around it, but there hasn't been anything done structurally to it. He said there are some people here, from the neighborhood that would like to speak.

Member Zahn said the pictures with the ceiling falling in, that with the panel that would relate directly to case 179; with the improperly maintained.

Robert said yes, sir.

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Member Zahn asked about the construction without permit case. He said we had a permit for a second floor that was permissible at the time, but that permit expired. He said it was reevaluated and the 50% requirement exceeded that, as far as the cost to bring it into compliance. He said so, it doesn't qualify for a permit, under those conditions.

Robert said yes, sir. Staff recommends a finding of non-compliance, a case dismissal with referral to the CLCA.

Mr. Nelson said was there actual construction without a permit, or was it an expired permit.

Robert said it was an expired permit.

Mr. Nelson said so really, CEB2019178 was cited incorrectly. He said I think we should administratively withdraw CEB2019178.

Member Wild said CEB2019178, at the request of the county is withdrawn.

Mark said I've had the property cleaned up, since the picture of the falling down ceiling. He said I don't think he's been out since then. He said that no longer exists; it's been cleaned up. He said the only issue now, is that the roof has been leaking. He said our contention is that we can put on a 900 sqft roof, for the appropriate value of what we're allowed. He said the meter panel is rusty because the property is beachside. He said our contention is that it can be brought back to operation, for the amount that we're allowed to spend, via the ordinance.

Member Zahn said that still remains as an option for you. We're going on the basis of improperly maintained and based on the testimony that we've seen, so far. He said if you go with the second floor option, the cost is going to be much higher.

Mark said that permit has expired and from what I understand, the codes have changed. He said that's why we put in for, a replacement roof permit, which we were denied.

Mr. Nelson explained all the work that would need to be done on the house and said that's why you were denied. He said the determination by the Chief Building Official, based upon his evidence and also the evidence of the site inspection, by the registered architect that works for us, was that they can't repair this structure to a habitable state without exceeding the substantial improvement. He said if they want to appeal this, they can get an expert and go to the CLCA and appeal the Building Official's determination. He said where we're at right now, this is an unmaintained structure. He said we're not planning on issuing any permits, because all the evaluations add up. He said issuing a roof permit would be counterproductive, because it's not supposed to be repaired if it gets past that damage assessment. He said it's supposed to be replaced, with a compliant structure, or just raised; one or the other.

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Member Zahn said that's not really, what's before us today? What's before us today is, improperly maintained. He said the evidence presented, relating to the ceiling falling in, a panel that needs work and the roof, is the evidence we have before us today; that's related to the violation.

Mark said I received a letter on May 31st, saying to request an inspection with the Chief Building Inspector, Tom Legler. He said he called Tom and they spoke. Mark said Tom told him that there was no reason to go out, and do an inspection for a roof permit. He said that was the letter I received, in regard to this issue.

Member Zahn said the reason for that, is for what Mr. Nelson just explained to us about the value of the building.

Mark said I understand that, but how can the county assess it when they refuse to come and assess it.

Mr. Nelson said I testified that the commercial plans examiner, who is a registered architect visited the site, himself and made that determination. He shared that information with the Chief Building Inspector, and with the Chief Building Official. He said there was a site visit; that was my testimony.

Mark asked when that was, because his letter is dated the 31st of May.

Mr. Nelson said I don't have that information in front of me.
Mr. Cino asked what the county is asking the board to do.

The board said find it in non-compliance and dismiss and refer to the CLCA.

Mr. Cino said and there would be due process for the CLCA.

Mr. Brown said correct.

Mark asked why it is unsafe.

Mr. Nelson said that is for the CLCA, right now you have an unmaintained structure and that's what's before us today.

Mark said it is maintained; it's secured, there's no broken windows, it's clean and there's nothing outside.

Mr. Nelson said we have a roof system that's not in place, we have an electrical system that's no operational, and we have an unmaintained structure at this point.

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Christina Goddu, gave her name and address for the record. Ms. Goddu said that she tried to purchase the home; she said she had a completed contract.

Member Needham asked when.

Ms. Goddu said about two months ago. She said she had the contract when the house was in its previous condition. She said when she went into it, she had to wear a mask because of all the black mold. She said without mold remediation, I'm not sure how they fixed the inside. He said it was water-damaged and horrendous inside. She said she signed the contract and the day after, she decided she didn't need an inspection, because she didn't need any due diligence. She said they had it listed on file for the permit, as a second story. Ms. Goddu said they had a picture of the second story and the plans, on the listing. She said because of all that, her plan was to do the same thing.

Ms. Goddu said she went ahead and put the offer in, and she signed the contract. She said she had three days to give them the good faith money. She said the next day, their relator called my realtor and said that you might want to check the permitting process. She asked why, as they already had a permit on file and that's the way they were advertising the house; with the plans shown. Ms. Goddu said she called the county and that's where she learned about the 50% rule. She said at that time, the structure was assessed at \$80,000. She said I would have had, \$47,800.00; she said the entire bottom floor had to be gutted, all the way to the cement walls. She said she figured out that there would be no way, to get the bottom level to code with \$47,000.00. She said she pulled out of the contract. She said she bought a house that is two houses down, from the property. Ms. Goddu said she just wanted to explain what she saw. She said they put a Band-Aid on it, but there is so much black mold in that house.

Veronica Brown said she lives at 20 Neptune Park Dr., which is the house right next door. She said the house has been in disrepair since Hurricane Matthew. She said the prior tenants went into receivership and the LLC bought the property. She said backing up what Ms. Goddu said, there is mold and mildew in that house. She said right now, I am living on a daily basis with rats; coming from the property. She said we have looked in the back window of the property, and have seen rats inside. She said the notice to remove; I have a picture of his worker tearing it off the window, when it was placed. She said I also see people, trying to use their dock, which is full of holes in the planks. She said they do it for beach access and someone is going to get hurt. She said on very bad weather days, I've had pieces of the soffit come onto my side. She said they have tacked the soffit up and they have painted it. She said I would have loved to see it sell, but unfortunately, nothing was done.

Mark said I just want to point out one thing, the last woman that spoke, has made multiple offers to me. He said she made an offer last week. He said the first woman that spoke, her contract was not in 2019. He said if she called the county and they told her, she could
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do a \$47,000.00 remodel that was in 2018's value. He said that statement that there was a contract in 2019, is incorrect.

Based on the evidence and testimony provided, Member Leonard **MOVED to issue an Order of Non-Compliance and Order of Dismissal and refer the case to the CLCA for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019180-KLUTTZ AARON W

Served

Complaint No. 20190311017

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, plumbing, roof, interior-exterior – this may not be a complete list)
Property Location: 6459 River Rd, New Smyrna Beach 32169

Parcel No. 850501590570

Zoning: R-9W

Code Compliance Officer - Mark Kaufman

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

The respondent was present for the hearing.

Mark Kaufmann, Code Compliance Officer, presented the case.

Susan Hounsom, rental manager, gave her name and address for the record. She said she wished to both give information and contest the violation.

Mark said what we have here, is construction without permits and/or inspection approvals. He said they first received the complaints in February and he met with the previous tenants. He said they basically had a bunch of water damage, that I was able to visibly see myself. He said that he had access to the property. He said the downstairs area, had various alterations; electrical and plumbing that was performed without permits or inspection approvals. He said the last time he was on the property, was in May.

Mark showed the board a picture of the hole in the roof. He explained what was taken out and added in regard to the electrical. He said a wall was taken out and noted the placement of the washer and dryer. He said there were outlets, as well. He said he was able to see back to 2009, where there had been similar violations. He said they brought someone in, in 2008 and 2009, to correct similar violations. He showed the board, pictures of the upstairs. He talked about the condition of the railing and the roof. He said staff has been contacted by Ms. Hounsom; she has contacted an engineer and a general contractor. Mark said he spoke with a handy man on the property and explained there needed to be a plan of action, created by a licensed general contractor. Staff recommends a finding of non-compliance.

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Member Zahn said there was a picture that was above the ceiling tiles. He said there was a fluorescent light fixture right there and then they just built a ceiling and left everything else in place, above it?

Mark said that's exactly what I see; there's no insulation, he said above that is the roof.

Member Leonard said so, there's a lot of electrical work then.

Mark said yes, ma'am. He said from what I could see, from the handy-work on the premises.

Member Wild said there were no permits pulled, for any of this.

Mark said not that I could see, going back. He said nothing that was changed, showed permits.

Member Zahn said it appears an engineer and a licensed contractor have been engaged, to address these issues.

Ms. Hounsom said yes. She said I just recently got involved and I'm a rental manager, not a property manager. She said when I realized things were going south here, I did get involved; to find out what actually is going on. She said it was all triggered by a washer and dryer that had been put in, at the garage level; 15 years ago. Ms. Hounsom said there was not a permit pulled for that. She said I guess we got a complaint from a tenant. She said we have been told there are some issues, but we won't know until the engineer goes out. She said Williams Engineering, is going to come up with a list of things that need to be addressed. She said when they went to get a permit for the washer and dryer installation, she sent a plumber and an electrician. Ms. Hounsom said they were turned down, by the county, due to the fact that other things had to be addressed. She said they can't even pull the permit, until we make the plans. She said the engineer has already been out to the property. She said the engineer is going to engage a concrete specialist to top all the areas that may have spalling.

Ms. Hounsom said the third story railing, is actually a new fence that wasn't installed very well. She said the engineer suggested, we just close it off and make it a roof. She said they're going to take away the stairs. She said the roof was done by Warren Roofing. She said they did a coating on it and you didn't need to pull a permit for that. She said when we take off the fence, we'll have to get an inspection of the roof, because of the brackets.

Mark said as of now, there are no permit applications. He said just an e-mail chain.

Ms. Hounsom said you can't get a permit, until you have your engineer drawings done.

Member Needham asked if the building is occupied.

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Ms. Hounsom said yes, the second floor is occupied. She said all these issues, are to do with the garage level.

Member Needham said so, there's electrical service to the building.

Ms. Hounsom said the second floor is fine; it's the railings that are going to be taken off. She said then they will take away the stairs that go to the roof. She said they also have to have the level of the concrete slab checked.

Member Needham asked, when the engineer is going to complete his work.

Ms. Hounsom said it's the engineer and of course, we have to get a surveyor.

Member Leonard said since it's a rental, and there are people living in it, we should get a 10 day electrical affidavit. She said there seems to be a lot of electrical issues, in there.

Ms. Hounsom said not that I'm aware of.

Member Leonard said there seems to be a lot of wires that are not put in, exactly where they should be.

Mr. Nelson said they don't need to certify that it's up to code at this point, but they do need to certify that it's safe.

Ms. Hounsom said okay.

Mr. Nelson explained the process that a licensed electrician would need to do.

Member Needham explained why they needed the affidavit.

Mark showed an affidavit, that the previous tenants signed.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 15, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1. The board further ordered that an electrical affidavit, from a Florida certified electrical contractor, certifying that the electrical service is in safe working order, be submitted to the Chief Building Official, within 10 days of this hearing.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019183-JORDAN JOEL G

Served

Complaint No. 20190213006

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: 3931 S Atlantic Ave, Port Orange 32127

Parcel No. 631202002740

Zoning: R-9(S)

Code Compliance Officer - Mark Kaufman

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

The respondent was present for the hearing. He gave his name and address for the record.

Mark Kaufmann, Code Compliance Officer, presented the case. Staff received the complaint February 13, 2019. The violation was hand-delivered. Mark said he spoke with Mr. Jordan about the unmaintained structure. He showed the board his pictures. He said Mr. Jordan has been very cooperative. Mark said he already has a roof permit. He said we spoke about repairs that he's doing to the structure. Mark said in my opinion, he's already doing what he needs to do, to make this right.

Mr. Jordan said he didn't see the first notice, because it was posted in an area that he doesn't see that often. He said he did get the second one though and he called the same day. He said he signed a contract for the roof on February 30th. He explained the communication that he'd had with the roofer. He said they pulled the permit last week. He said the work will begin on July 1st.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of August 16, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the August 21, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019188-HENDRICKS RONALD

Served

Complaint No. 20190301086

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

Property Location: 47 Brooks Dr, Ormond Beach 32176

Parcel No. 420310000580

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

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Robert Chayer, Code Compliance Officer, presented the case. The certified notice of violation was received on March 6, 2019 and the notice of hearing was received on May 22, 2019. The most recent inspection was on April 1, 2019. Robert showed the board pictures of the items out behind the garage; he said there was wood, metal and tubing. He said there was more items, on the side of the garage. He said there were items under a blue tarp. He showed a picture of the junk in the back yard.

Member Leonard said I can see the gentleman in the picture, so I can see you've had contact with him.

Robert said I had contact with him until, the next case that we're going to talk about was filed. He said he cut all contact with me. He said I expected Mr. Hendricks to be at the hearing today, but I guess not.

Mr. Brown asked Mr. Pollock if he wanted to provide testimony.

Mr. Pollock declined.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2019189-HENDRICKS RONALD

Served

Complaint No. 20190402035

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) (Modified the garage, built pergola and removed outside stairs / added internal stairs)

Property Location: 47 Brooks Dr, Ormond Beach 32176

Parcel No. 420310000580

Zoning: R-4

Code Compliance Officer - Robert Chayer

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

The respondent was not present for the hearing.

Robert Chayer, Code Compliance Officer, presented the case. He said there's two parts to this case. He said the first part is, modified garage from plans on record, without the required permits or inspection approvals; removed the interior stairs that were on the original plans, added interior stairs and modified a door on the second floor. He said he changed the door, from one door, to a double glass door. The certified notice of violation

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was received on April 4, 2019 and the notice of hearing was received on May 22, 2019. He said the most recent inspection was May 20, 2019.

Member Wild said I noticed a pergola, what category does that fall into.

Robert said it's the same category.

Member Wild said there were two different sections, does that fall into the second section?

Robert said yes, sir. He said part one is the garage alone. He showed the board the plans that were originally submitted to the county, for the garage itself. Using the plans, Robert showed the board how the door had been altered.

Member Zahn said they could have re-worked the plans to include that; so, this is for doing the work without permits.

Robert agreed. He explained his pictures to the board. He said he's had no contact with Mr. Hendricks and has no idea, if he's work to resolve the violation. He said he was allowed access and he used the stairway in question, to check on a complaint about a bathroom. He said it was compliant.

Robert said the second part of this, is a pergola without permits; he said it's in the rear of the property. He said the notice of violation was received on March 6, 2019 and the notice of hearing was received on May 22, 2019. The most recent inspection was on April 1, 2019. Robert showed the board a survey, given to him by Mr. Hendricks, from 1998. The survey shows a covered porch. He showed the board a 2006 picture from GIS; the picture did not show a covered porch, it shows a concrete slab. He said the next picture from 2008, is an archived picture that shows the back of the residence. He said obviously, there's no pergola.

Member Zahn said no covered porch either.

Robert said correct. Another archived picture shows, there is something being built on the back of the property. He said you can see, he started the construction of the pergola. He showed a recent picture of the pergola; along with an aerial of the pergola from 2018. Staff recommends a finding of non-compliance, with a compliance date of July 8, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 110.1.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2019191-POLLOCK STANLEY JACKSON

Served

Complaint No. 20190301089

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

Property Location: 49 Brooks Dr, Ormond Beach 32176

Parcel No. 420310000570

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Mar 14, 2019

The respondent was present for the hearing. He contested the violation.

Robert Chayer, Code Compliance Officer, presented the case. Robert explained that the case involves a junkyard, with a junk trailer and fence sections that are unsecured. He said the fence sections are located in the rear yard. He said the notice of violation was received on March 14, 2019 and the notice of hearing was received on May 22, 2019. He said the most recent inspection was on February 26, 2019. Robert said that Mr. Pollock is not allowing staff, access to the property. Robert showed the board pictures of the fence sections. He said the sections were from the original fence and they were stacked there and not secured there in any way. He explained the picture of the trailer to the board. He said staff recommends a finding of non-compliance; with a compliance July 8, 2019 and a hearing to impose fine scheduled for July 17, 2019.

Robert said he did receive some e-mails from Mr. Pollock, on February 26th. He said the e-mails said that staff were not allowed on his property again. He said there was another e-mail on May 15th that said the same. Robert said he received other e-mails from Mr. Pollock, stating that he secured the fence panels. Robert said he wasn't sure what that meant, as he is not allowed on the property. He said Mr. Pollock also sent an e-mail saying that the trailer had been registered. Robert said they did a DAVID search on the trailer and there's no trailer registered to Mr. Pollock, at this time. He said that Mr. Pollock sent another e-mail stating that he can have the trailer in his yard, but it doesn't fall under the code. Robert explained that it does. He said Mr. Pollock said that the fence sections are attached. Robert said that he's not really sure what that means; whether they're attached to the fence or something else.

Mr. Pollock asked Robert why he was on his property on February 26th.

Robert said because you called me there.

Mr. Pollock said that's all you're going to say. He explained to the board that he needs to show them the e-mails and correspondence that led to this inspection.

Member Wild said I'm not sure it makes much difference.

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Mr. Pollock said because I'm going to probably end up appealing this, I need to introduce my evidence now, because I can't introduce it after the fact, for the appeal. He said I need to establish the reason that Mr. Chayer was on my property, on February 26th; which was at my invitation, but I want to show the board and have it recorded, why he was on my property.

Member Wild asked Mr. Pollock to turn the documents over to the clerk.

Member Zahn asked Mr. Pollock why he invited Robert to the property.

Mr. Pollock said that he wanted the board to see the e-mail and the reason and not just take my word for it.

Member Zahn said well, you're under oath.

Mr. Pollock said Mr. Chayer is under oath, but he's not being very full on the information. He explained that he actually contacted code enforcement in December of 2018. He then directed staff as to which file on his flash drive that he wanted the board to view.

Mr. Pollock said this is what I originally sent to Mike Nelson, Building and Code Administration Director. He described a piece of fencing that was installed, with posts that exceed 6ft. He said it was visible from the street. He said I expected that they were going to take care of it.

Member Wild asked who was going to take care of what.

Mr. Pollock said I was filing a complaint about this fencing being installed and it being, over height.

Member Needham asked who installed it.

Mr. Pollock said my next door neighbor.

Member Wild said so, you were making a complaint against your neighbor.

Member Needham said so this picture was taken from your property.

Mr. Pollock said yes, in December. He said in February, code enforcement hadn't done anything about this. He showed the board an e-mail that he sent to Mike Nelson, again. He then showed the board, an e-mail that he sent to Robert Chayer. He said that in his reply, Robert said that he would need access to Mr. Pollock's backyard to view the violation. Robert also said that Mr. Hendricks, would not allow him on his property. Mr. Pollock said he responded back, saying that the fence section is visible from the street
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and there's no reason that they need to come onto my property. He said at this point, he told Mr. Nelson that they were not going to be allowed on his property. Mr. Pollock explained that staff should be able to take pictures and handle complaints through a normal process, without requiring a neighbor, who can supposedly file anonymous complaints, to be physically involved with the case.

He said in February, two months later, nothing had been addressed.

Member Leonard said you keep saying Mr. Nelson, but these e-mails are all going to Bob.

Mr. Pollock said I send them to Mr. Nelson and he forwards them to Mr. Chayer.

Mr. Nelson said we have not spoken, it's an e-mail communication.

Mr. Pollock confirmed this, as well.

Mr. Pollock directed the board, to another e-mail to Robert. He said on February 26th, he explained to Robert that he wanted something done about the fencing. He said he told staff to come on out. He said I'll let you come in and inspect and things like that. Mr. Pollock said the morning that staff came out, Robert said that he sent Mr. Pollock another e-mail. He said he opened up Robert's e-mail and noticed that he had changed his policy, from being able to observe violations from my property to, not being able to take pictures over the fence. Mr. Pollock said this has been an ongoing issue when I've tried to get things done.

Mr. Pollock said Mr. Chayer and Margaret Godfrey, Code Compliance Coordinator, showed up to the property. He said they told him that they weren't going to do this or that. Mr. Pollock said he told them that they could view the fence section, from his property. He said he took staff into his backyard and he showed them the rear fence section. He explained that he has a video tape file, if the board wanted to see it. He asked staff to play that video.

Margaret said she was not aware she was being filmed.

Mr. Pollock said well you weren't being filmed.

Margaret said she was unaware that there was any video.

Robert said I wasn't aware that I was being filmed either.

Mr. Pollock said they're both making statements on camera; I mean, I'm holding the camera up and pointing it at them. He said they're fully aware that I'm taking a video. He said Ms. Godfrey has been on my property before, I've had other problems with her.

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Member Zahn said so, you had a complaint and you called the county; they couldn't inspect from the street. You said, I'll let you come onto the property to take a picture.

Mr. Pollock interrupted and said you can see that from the street.

Member Zahn said I'm just going by what I've heard so far. He said while they were there, they noticed these fence sections.

Mr. Pollock said that's why I wanted to show the video, because when I brought them into the backyard; the first thing Mr. Chayer did was say that the fence section, that I was trying to get cited for violation, was my fencing. Mr. Pollock said he said no; the neighbor put it up there. He said the neighbor was actually over there. He said he asked the neighbor, if he put the fence up. He said the neighbor said, I guess not. Mr. Pollock said on the video, he asked Mr. Chayer if the fencing is mine, I can take it down; right now, while you're here.

Member Zahn said we have to stay focused on this junkyard issue.

Mr. Pollock said well, he was on my property to supposedly, to take care of this complaint that I was trying to make.

Member Wild said again, if we can summarize. He said it sounds to me as if, you had a complaint and the county couldn't take the appropriate pictures for that complaint. He said you invited them onto your property; when they came onto the property, they saw other violations on your property and that's what led to this case.

Mr. Pollock said right and my contention is, the reason they came was to site me.

Robert said just to clarify, what that e-mail said. He said it wasn't that we needed to get onto the property, but it would be one of the better ways to get the pictures of it.

Member Wild said we understand that.

Mr. Pollock said he's been trying to deal with code enforcement, for three and a half years, about the ongoing non-compliant buildings, fencing and other violations that have been allowed openly, by Mr. Nelson, Ms. Godfrey and Mr. Mazzola. He said all these three people, are fully aware of what has been going on at the property next door.

Mr. Nelson said we're not on the property next door, we're on Mr. Pollock's property. He said that has nothing to do, with this case.

Mr. Pollock asked staff to pull up another file from his flash drive.

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Robert asked if the file, was relevant to the case.

Mr. Pollock said yes, it is. He said they're pictures of my yard.

Member Leonard asked Mr. Pollock, if he was given 30 days, could you get your trailer registered and do whatever you need to do and move on.

Mr. Pollock said it's not that simple, no. He said I'm not in violation. He asked to show a picture of his whole backyard.

Member Wild said we had some testimony, which indicated that there might be a violation. He said we're here to determine if that violation occurred. He said whether it's cleaned up now or not.

Mr. Pollock said no, nothing has changed. He showed the board, pictures of his backyard and explained the differences, since staff's visit to the property. He said you can see the size of my backyard and that it's clear. He asked Margaret if the pictures, represented his backyard, from the times that she had been there. He said I haven't had any garbage in the back, right. He said from the times that you have been on my property, have you seen any debris in the back, other than the trailer.

Margaret said that was the only time, I've ever been in your backyard.

Mr. Pollock said okay. He asked Robert if the picture represented his backyard; being clear, except for the trailer and table space.

Mr. Chayer said my photos, represent your backyard when I was there on site.

Mr. Pollock said but you were there on site. He asked Robert, if the rest of his yard was clear at that time.

Mr. Chayer said I don't know about those pictures. He said I didn't take them.

Mr. Pollock said at that time, when you were on my property was the rest of my backyard clear, the way it's shown here.

Mr. Chayer said the way it's shown here; I don't know.

Mr. Pollock said the point being; I don't have a junkyard.

Charles Cino, Board Attorney, said if he allows him to come on and his property is clear, then the case will be dismissed. He said if that's what it is, and it looks pretty good, from June 19, 2019

what I'm looking at; let them go out and take a look at it. If it's not a violation, it'll get dismissed and the case will be over with.

Mr. Pollock said but, I can get it dismissed now; especially, with you here now, Mr. Cino.

Mr. Cino said you're under oath sir, so you testify that, that's what it looks like right now.

Mr. Pollock said yes, and if you take note of the far right side, I've gotten that lightened up. He asked that the picture be enlarged. He said that little, side-space there is basically covered on three sides and half-way across on the roof. He said that is where I put everything, during a hurricane. He said that's where those sections were. He said he attached two of them in front and reinstalled the post in front that came down during the hurricane. He said he attached pieces in front that belonged in front. He said the three pieces that were going in the back, are going to be used to fill the gaps; after the issues with my next door neighbor have been resolved.

He said the only issue I see, is with the trailer. He explained that his property is not being utilized as a junkyard. He said the trailer is registered to his grandfather. He said the only thing he uses it for is to carry a huge concrete waterfall, as a wheelbarrow. He said the trailer is never going to be on the road again. He said so, I do not have a current registration for it.

Member Wild said the fact that it is not registered or tagged, means that you can't use it.

Mr. Pollock said that he doesn't plan to use it. He said my point is, I being cited for this junkyard; junkyard is a noun. He asked Mr. Cino about the definition of junkyard.

Mr. Cino said it's up to the board to make that determination.

Mr. Pollock explained the junkyard definition.

Mr. Cino said let the board handle the case.

Mr. Pollock said the trailer is just effectively a wheelbarrow and the wood fencing, will be reinstalled after the issues with his neighbor are resolved. He said that they are secured; he said he zip-tied them at 8 points, to the existing fence. He said he installed two of them in the front yard and you can see them from the road. He explained his definition of a junkyard to the board and then explained that he did not fall under that definition.

Member Zahn said very eloquent however, people don't use their area as a junkyard. He said they begin to accumulate stuff over time. He said your definition isn't in line with it. He said let's focus on two things. We have pictures of fence sections that were loose, now they've gone away. He said they've been attached. He said the trailer, if it's suitable

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for going out on the road and it would require a plate.

Mr. Pollock said it's never had lights.

Member Zahn said I'm really struggling with this case. It seems like we've spent 30 minutes, over nothing.

Member Wild said we can have a finding of non-compliance, so that the county can go in and do an inspection.

Mr. Pollock asked if validation stickers are required to be displayed on trailers, RV's or boats.

Member Wild said I have no idea.

Robert read the code on trailers into the record.

Mr. Pollock asked if the sticker had to be displayed.

Robert said it says they shall have a current license tag.

Member Wild said when they come out to inspect, you can always show them the sticker.

Mr. Pollock said but my question was, if they have to be displayed. He said that is a yes or no question, please Mr. Chayer.

Robert said I just read it to you; I'm going to read it to you again. He said they shall have a current license tag or validation sticker. He said that's what the code says; I'm reading it directly from the code.

Mr. Pollock said I can pull a copy of the code up; I've got a copy of it, if you want me to so everyone can see it.

Robert said its 11.01.

Mr. Pollock said I've been arguing for three and a half years, about whether a sticker actually had to be displayed or not and I keep getting the run around.

Robert said your trailer is not currently registered, correct?

Member Wild said all you need to do is show them the sticker, but I think you admitted earlier that it's never been stickered.

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Mr. Pollock said it has been stickered.

Member Wild said you said, it's not currently stickered and there is not currently a license plate.

Mr. Pollock said there's a license plate on it. He said you just can't see it because the ramp is down.

Member Zahn said it's my experience that if there's a plate, there's a sticker; the sticker is what validates it. He said registration is a separate piece of paper that goes in a different place.

Mr. Pollock asked the board, if they felt that the validation sticker had to be displayed, as part of the requirements to be parked in the backyard.

Member Zahn said for my license plate on my car, I have to put the sticker on it, to validate my plate.

Mr. Pollock said actually on a car, you don't have to have a current sticker on it.

Member Zahn said explain that to the cops, the next time they pull me over.

Mr. Pollock said if it's in the backyard, it's not required to be registered at all.

Member Needham said if you allowed the county to come on here, and verify various things, instead of not giving them access; how do you expect these things to go away. He said they're doing their job. He said in my experience on this board, if you try to work with the county, they're going to work with you. He said you're trying to fight it and it just complicates it.

Mr. Pollock said you're used to seeing these people in a certain light and I was inspecting that too. He said I first tried to get things going in 2016.

Member Needham said well, this is 2019 and a lot of changes have happened.

Mr. Pollock said he was there because of malicious activities.

Member Wild said the intention here and why we've let Mr. Pollock talk, is that so he can create a file. So that he can appeal, whatever we come up with, if he doesn't like what we come up with. He said that's the reason, I've allowed you to speak to the extent that you have.

Mr. Pollock said that no one has told him if the sticker has to be applied.

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Member Needham said what difference does it make? If you have a sticker, why isn't it on the plate?

Mr. Pollock said I don't use it on the street, so why would I have to put the sticker on it.

Member Needham said if you have a sticker, put it on.

Robert said if the trailer currently registered or not, because you've said that it is and then you've said that it isn't. Is it currently, registered or not.

Mr. Pollock said as they've pointed out, registration means that it's currently registered in the state. A current registration means that you have a current year sticker for it. He said a trailer without a sticker, does not make my house a junkyard. He said that's a noun that's specific, not just for code enforcement to try and look for something in retaliation for me continuing to harass them about doing something about the property next door. He said it's been let go with Mr. Nelson's full knowledge.

Mr. Nelson said that's the second true thing you've said, harassment.

Member Wild said you're not helping your case.

Mr. Pollock said it's not a matter of helping my case, it's a matter of making you guys understand that the problem is with Mr. Nelson and his employees; not me, not the county. He said the county is responsible, because they've let it go this far. He said if the county has to come out and re-cite me for the validation sticker, then that's fine, but I'm going to fight this junkyard thing.

Member Zahn said I'm going to have to agree with you, but what you're cited for here is junkyard. He said at the time, there were materials in the yard that could constitute a junkyard.

Mr. Pollock said no sir. That is not scrap; that is not waste. He said it specifies waste and junk.

Member Zahn said we were talking about at the time and you've removed it.

Mr. Pollock said no, I have not removed it. He said I have secured that fencing, simply for my own purposes. He said no for compliance, but because it is the right thing to do.

Russ Brown, Assistant County Attorney, read 72-2, the junkyard ordinance into the record.

Mr. Pollock said it's almost an operational standard. He said I can see how they're trying
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to apply it here, but they went way off the mark. He said he's come to other hearings, which the board has prosecuted junkyard cases. He said that's why, I started bringing up the issues with my neighbor because I realized there's an actual code for it. He said after three and a half years, they're still procrastinating; he's got a violation against him for the first time in three and a half years and the only thing he's done, is sweep the stuff up into larger piles. He said again, I should have not been cited for a junkyard.

Based on the evidence and testimony provided, Member Zahn **MOVED to issue an Order of Non-Compliance with a compliance date of July 8, 2019 and a Hearing to Impose Fine/Lien to be scheduled for the July 17, 2019 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Sections 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

IX. Requests for Discussion of Fines

CEB2016243-MULLINS HAROLD W & JUANITA J
DEMAREE KENNETH C & SANDRA D

Posted

Complaint No. 20140926017

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

Property Location: 1001 N Sparkman Ave, Orange City 32763

Parcel No. 800307000320 Zoning: R-4

Code Compliance Officer – Michael Mazzola

Property owner was first notified of the violation on Oct 06, 2014

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2019:

* The Order of Compliance was issued at the June 19, 2019 hearing:

Request for Discussion of Fine/Lien of \$6,000.00

The respondent was not present for the hearing.

Margaret Godfrey, Code Compliance Coordinator, presented the case. The case began in 2014 and in 2017, it was found in non-compliance. The fine was imposed in February of 2017. In September of 2019, a warranty deed was filed, to Kenneth and Sandra Demaree. She said they knew what the issues were; they went and got permits. She said both permits to address the issues have been finalized. She said they did not cause the violations, they cleaned them up. Staff recommends that the fine be reduced to zero.

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Member Wild said didn't I read somewhere, that the title company didn't catch the lien.

Richard said that was a minor glitch.

Member Needham asked if there were any additional expenses, to the county.

Margaret said no.

Richard gave his name and address for the record. He said he is the general contractor, of record on the permitting.

Based on the evidence and testimony provided, Member Needham **MOVED to reduce the fine/lien to zero (\$0.00)** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

- 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 12:43 p.m.

Respectfully submitted,

Meghan Lindsey
Code Enforcement Board Clerk

June 19, 2019

C E R T I F I C A T E

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

**I, Meghan Lindsey, 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 _____, at 123
West Indiana Avenue, Deland, Florida.**

**WITNESS MY HAND this _____ day of _____, 2019, in the City of
DeLand, County of Volusia, State of Florida.**

**Meghan Lindsey
Code Board Clerk**

June 19, 2019