



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

June 20, 2018

Chairman Chad Lingenfelter called the regularly scheduled, Code Enforcement Board Meeting to order at 9:00 a.m. in the County Council Chambers, Second Floor, Thomas C Kelly Administration Building

MEMBERS PRESENT

**Chad Lingenfelter, Chair
Harry Wild, Jr., Vice-Chair
Tom Wright
Donald Needham
Charles Cino, Board Attorney
Gerard Smith**

MEMBERS ABSENT

**Kenneth Runge
Pete Zahn**

STAFF PRESENT

**Debbie Zechnowitz, Zoning Compliance Officer
Russ Brown, Assistant County Attorney
Meghan Lindsey, Code Enforcement Board Clerk
Mike Nelson, Building and Zoning Director
Kerry Leuzinger, Chief Building Official
Michael Mazzola, Zoning Compliance Officer
Christopher Hooper, Zoning Compliance Officer**

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APPROVAL OF MINUTES

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Member Wild moved to APPROVE the April 18, 2018 Code Enforcement Board minutes. Member Needham SECONDED the motion that CARRIED unanimously by voice vote.

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June 20, 2018

UNFINISHED BUSINESS

CEB2016172-TIFFANY ROGER LEE & DEBRA LEIGH

Served

Complaint No. 20160405076

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

Property Location: 1323 Derbyshire Rd, Daytona Beach 32117

Parcel No. 424219380110

Zoning: R-5

Zoning Compliance Coordinator - Tammy Proulx

Property owner was first notified of the violation on Apr 12, 2016

*Order of Non-Compliance issued at the August 16, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 10, 2018:

Order of Compliance

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

CEB2017120-ASH THOMAS E JR & FIONA M

Served

Complaint No. 20170112032

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

Property Location: 2590 E Kicklighter Rd, Lake Helen 32744

Parcel No. 810200000056

Zoning: A-1

Compliance Officer – Michael Mazzola

Property owner was first notified of the violation on Feb 03, 2017

*Order of Non-Compliance issued at the June 21, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the July 19, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of April 12, 2018:

Order of Compliance

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

June 20, 2018

CEB2017200-STARKE KELLY W & MICHAELA H

Posted

Complaint No. 20161026044

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

Property Location: 1199 Lemon Bluff Rd, Osteen 32764

Parcel No. 92280000070

Zoning: R-5, RC

Code Administration Manager – Chris Hutchison

Property owner was first notified of the violation on Jul 19, 2017

*Order of Non-Compliance issued at the August 16, 2017 hearing:

*Final Order Imposing Fine Lien issued at the October 20, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of June 6, 2018:

Order of Compliance

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

CEB2017207-KENNEY TINA MARIE

Served

Complaint No. 20170627014

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

There is an overhang on the eastside of the property that has been added

Property Location: 217 Essex Dr, Ormond Beach 32176

Parcel No. 420305000700

Zoning: R-4

Zoning Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on Jul 28, 2017

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

*Final Order Imposing Fine Lien issued at the December 20, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of March 21, 2018:

Order of Compliance

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

June 20, 2018

CEB2017335-PRATT ALMA K

Posted

Complaint No. 20170620011

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: 1146 13th St, Daytona Beach 32117

Parcel No. 424286030220

Zoning: R-5

Zoning Compliance Officer - 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 May 10, 2018:

Order of Compliance

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

CEB2017389-MESICK WILLIAM E TR

Served

Complaint No. 20171026030

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: 1448 Flomich St, Daytona Beach 32117

Parcel No. 423301020240

Zoning: R-4

Zoning Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on Nov 03, 2017

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 9, 2018:

Order of Compliance

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

June 20, 2018

CEB2017425-CONDON DONALD JOHN

Posted

Complaint No. 20171219003

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

Property Location: 1112 Avenue F, Ormond Beach 32174

Parcel No. 422901140190

Zoning: MH-5

Zoning Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2018:

Order of Compliance

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

CEB2018038-ARRAND DIANA C

Served

Complaint No. 20171110030

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (several accessory structures in the backyard)

Property Location: 1211 Pine Ridge Dr, Daytona Beach 32117

Parcel No. 423309000110

Zoning: R-4

Zoning Compliance Officer - Margaret Godfrey

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2018:

Order of Compliance

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

June 20, 2018

CEB2018039-ARRAND DIANA C

Served

Complaint No. 20171110031

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. (accessory structures built without permits that are on the property line)

Property Location: 1211 Pine Ridge Dr, Daytona Beach 32117

Parcel No. 423309000110

Zoning: R-4

Zoning Compliance Officer - Margaret Godfrey

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2018:

Order of Compliance

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

CEB2018044- JACOBS ROBERT

Posted

Complaint No: 20170817026

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, 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: 1035 N. Hill Av, Deland 32724

Parcel No. 7003-00-00-0160

Zoning: A-3A, RRA

Compliance Officer – Christopher R. Hooper

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of June 6, 2018:

Order of Compliance

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

June 20, 2018

CEB2018045- JACOBS ROBERT

Posted

Complaint No: 20170829010

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

Property Location: 1035 N. Hill Av, Deland 32724

Parcel No. 700300000160

Zoning: A-3A, RRA

Zoning Compliance Officer – Christopher R Hooper

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of June 6, 2018:

Order of Compliance

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

CEB2018066-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20171116020

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

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 844800000120

Zoning: R-4W

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on December 8, 2017

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 24, 2018:

Order of Compliance

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

June 20, 2018

CEB2018211-SEGREN CHRIS

Posted

Complaint No. 20180409052

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: 1577 Primrose Ln, Daytona Beach 32117

Parcel No. 423303000390

Zoning: R-4

Zoning Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on Apr 12, 2018

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

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

Order of Compliance

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

CEB2018119-TOM KYLE ROBERT

Served

Complaint No. 20161205015

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (Re-roof)(Expired fence permit #20161206006

Property Location: 123 Esmeralda Av, Daytona Beach 32118

Parcel No. 533501050290

Zoning: R-9

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on Dec 12, 2016

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

*A Report and Affidavit of Compliance was submitted with a compliance date of May 17, 2018:

Order of Compliance

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

June 20, 2018

CEB2018196-EJ RICHARDS HOLDINGS LLC

Served

Complaint No. 20180327058

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Any person placing, installing or adjusting any facility on County property shall have been issued a use permit prior to the commencement of construction. A facility includes driveway connection to a County road and overhead, on and underground utilities

Property Location: 1250 E Taylor Rd, Deland 32724

Parcel No. 702700000030

Zoning: A-2

Zoning Compliance Officer - Christopher R. Hooper

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of April 24, 2018:

Order of Compliance

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

CEB2018197-EJ RICHARDS HOLDINGS LLC

Served

Complaint No. 20180327066

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Driveways are required to be paved within the public right-of-way along all existing paved roadways

Property Location: 1250 E Taylor Rd, Deland 32724

Parcel No. 702700000030

Zoning: A-2

Zoning Compliance Officer - Christopher R. Hooper

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

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

*A Report and Affidavit of Compliance was submitted with a compliance date of April 24, 2018:

Order of Compliance

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

June 20, 2018

CEB2016067- FRAZEE BONNIE & DEBRA RAMSEY

Served

Complaint No. 20131118001

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 3704 Watermelon Ln, New Smyrna Beach 32168

Parcel No. 721301030020

Zoning: A-1

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on Nov 20, 2013

*Order of Non-Compliance issued at the November 16, 2016 hearing:

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

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

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

*4th Amended Order of Non-Compliance issued at the February 21, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of June 13, 2018:

Order of Compliance

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

CEB2018108-WALKER FAMILY REVOCABLE TRUST

Served

Complaint No. 20170811045

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

Property Location: 1275 Spring Garden Ranch Rd, Deleon Springs 32130

Parcel No. 600505030010

Zoning: I-1

Zoning Compliance Officer - Christopher R. Hooper

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

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

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

Order of Compliance

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

June 20, 2018

CEB2016163-BROWNING GERTRUD TR & GERTRUD BROWNING REVOC TRUST
Posted

Complaint No. 20120229006

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

Property Location: 7103 S Atlantic Av, New Smyrna Beach 32169

Parcel No. 850501190030

Zoning: R-9W

Zoning Compliance Officer – Debbie Zechnowitz

Property owner was first notified of the violation on Jun 01, 2013

*Order of Non-Compliance issued at the November 16, 2016 hearing:

*1st Amended Order of Non-Compliance issued at the December 21, 2016 hearing:

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

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

*4th Amended Order of Non-Compliance issued at the January 17, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Debbie Zechnowitz, Compliance Officer, presented the case. A permit was issued but then expired. Beverly Abrahamson sent the engineer, contractor and property owner of record on May 30th. She received no response. The permit remains expired and staff is recommending a fine/lien to begin on July 19, 2018, with a cap of \$55,000.00.

Member Wild said that we know that they can't do any work during turtle season, but can they get a permit?

Mike Nelson, Building and Zoning Director, said that they can. He said that we can issue the permit, but the work itself cannot be on the beach.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day with a cap of \$55,000.00 to begin on July 19, 2018.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 20, 2018

CEB2017044-STOWE JEFFREY ALAN & TRACY LYNNE

Served

Complaint No. 20150928015

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

Property Location: 114 S Cory Dr, Edgewater 32141

Parcel No. 841205001280

Zoning: R-3W

Building 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 issued at the July 19, 2017 hearing:

*2nd Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

*3rd Amended Order of Non-Compliance issued at the December 20, 2017 hearing:

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Debbie Zechnowitz, Compliance Officer, presented the case. Debbie said that the property owners are working on an administrative remedy. Staff is recommending an amended order till December 19, 2018.

The Chairman said that it's an issue of whether or not they can have it in the right of way.

Russ Brown, Assistant County Attorney, said correct, it's more of a holistic problem county-wide.

Based on the evidence and testimony provided, Member Smith **MOVED to issue an Third Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the December 19, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017060-464 SPRING GARDEN LLC

Served

Complaint No. 20161220058

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

Property Location: 464 S Spring Garden Av, Deland 32720

Parcel No. 701814020010

Zoning: B-4,B-4C

Zoning Compliance Coordinator – Tammy Proulx

Property owner was first notified of the violation on Mar 17, 2017

*The Board continued this case from the May 17, 2017 hearing:

*Order of Non-Compliance issued at the June 21, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the July 19, 2017 hearing:

June 20, 2018

- *2nd Amended Order of Non-Compliance issued at the August 16, 2017 hearing:
- *3rd Amended Order of Non-Compliance issued at the September 20, 2017 hearing:
- *4th Amended Order of Non-Compliance issued at the October 18, 2017 hearing:
- *5th Amended Order of Non-Compliance issued at the January 17, 2018 hearing:
- *6th Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Christopher Hooper, Compliance Officer, presented the case. Two applications for permits were submitted on July 31, 2017. On August 4, 2017, Land Development requested a conceptual site plan. County staff has requested another onsite inspection but was told due to medical issues that no work has taken place. They have hired Zahn Engineering, to work with them to get the required site plan completed. John at Zahn Engineering has made contact with county staff, to let us know that they are working on the required site plan. John has stated that they will schedule a meeting with DRC to discuss the PUD process. In the meantime, staff is requesting a fine of \$100.00 per day, per case with a cap of \$35,000.00 per case, to begin on July 19, 2018.

Member Wild asked if there was anything that they aren't doing, that they could be doing?

Christopher said to be completely honest, I'm not sure; I'm presenting this case on behalf of Tammy Proulx, Code Compliance Coordinator, who is not here today. He said that he believes that they are working and that there has been correspondence back and forth.

Member Wild said that I know initially, we had no cooperation and now that has changed. He said if it's in the process and they can't do anything else other than what they're doing, I'm not sure that we should start a fine.

Christopher said that staff would be fine with an amended order.

Mr. Nelson said that the reason that we're here, is that they haven't even submitted an application yet. He said that if you recognize that, and still want to do an amended order staff is fine with that.

The respondent gave his name and address for the record. Mr. Guess said that they have their preliminary back from Zahn Engineering. He said that he thought that the county was going to work with him on the setback issues, on property that we're trying to encompass and at this time we haven't really conferred on what the ending result is. He said what they've come up with cost-wise, I don't see any way possible to do. He said that it would eliminate the usage that I need it for. He said we're caught in the middle and I don't have that answer.

June 20, 2018

The Chairman explained what a PUD is.

Mr. Guess said that they have the conceptual site plan. He explained that without the PUD that the current setbacks do not meet his needs for the property.

The Chairman asked what his next steps with Zahn Engineering would be.

Mr. Guess explained what the next process would be.

The Chairman asked if we've made progress on the things that don't require a site plan.

Christopher said that after looking at the research and talking with staff, he believes that they've moved some vehicles out of there.

Mr. Guess explained to the board that he's a one man operation but there has been change on the property.

The board agreed.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 5, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017063-464 SPRING GARDEN LLC

Served

Complaint No. 20161220056

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291 Retail/Wholesale sales without the required site plan approvals.

Property Location: 464 S Spring Garden Av, Deland 32720

Parcel No. 701814020010

Zoning: B-4,B-4C

Zoning Compliance Coordinator – Tammy Proulx

Property owner was first notified of the violation on Mar 17, 2017

*The Board continued this case from the May 17, 2017 hearing:

*Order of Non-Compliance issued at the June 21, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the July 19, 2017 hearing:

*2nd Amended Order of Non-Compliance issued at the August 16, 2017 hearing:

*3rd Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

*4th Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

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

*6th Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

Hearing to Impose Fine/Lien

June 20, 2018

The respondent was present for the hearing.

Christopher Hooper, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Second Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 5, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-291.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017064-464 SPRING GARDEN LLC

Posted

Complaint No. 20130530032

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

Property Location: 464 S Spring Garden Av, Deland 32720

Parcel No. 701814020010

Zoning: B-4,B-4C

Zoning Compliance Coordinator – Tammy Proulx

Property owner was first notified of the violation on Jun 06, 2013

*The Board continued this case from the May 17, 2017 hearing:

*Order of Non-Compliance issued at the June 21, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the July 19, 2017 hearing:

*2nd Amended Order of Non-Compliance issued at the August 16, 2017 hearing:

*3rd Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

*4th Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

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

*6th Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Christopher Hooper, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Third Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 5, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 20, 2018

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 Av, Deland 32720

Parcel No. 791301000040

Zoning: A-3

Zoning 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:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael explained the violations on the property, using his pictures. Staff is recommending a fine in the amount of \$50.00 per day, to begin on July 19, 2018, with a cap of \$14,000.00.

Member Wild asked Michael about how many cars were on the property.

Michael said too many to count. He said that they're behind the bushes and it's hard to count them.

Member Needham asked if there had been an issue with access to the property.

Michael said that there was a lady that was supposed to call and set up an inspection, but she never called him.

Member Needham said so you haven't gained access to the property.

Michael said no.

The respondent gave his name and address for the record. Mr. Guess said that he had not been talked to about this.

Michael said the blonde-haired lady.

Mr. Guess said that she works in the office but he wasn't who Michael spoke to. He said that it is a gated property with a fence, unless people have been jumping the fence, which has never been a problem. He said that there are vehicles there. He said that there are antique vehicles, which I am restoring; basically it is agricultural property. Mr. Guess explained that the vehicles are not an eyesore because they're not visible from the road; he said there is a fence up and they're bushes.

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The board explained that the cars are still there.

Mr. Guess said they're abandoned because he hasn't done anything with them. He said that his problem is that he has two situations and he's a one man show. He said that he's been in the area for 31 years and it's going to take a while to work out. He said that he understands that it's something that's being frowned upon now; but honestly, I didn't think was a problem but now it's a problem.

Member Needham asked if the county could go in and look and see if there is some way to relieve the situation.

Mr. Guess said that's not a problem. He explained that it's not a junkyard because it's his stuff. He said it's not for sale.

The board explained the junkyard description.

Member Wild asked if it was his intention to hang onto those vehicles.

Mr. Guess said that it was.

Member Wild asked about how many cars were out there.

Mr. Guess said about 45.

Member Wild asked Mr. Guess about how long he thought it would take to get rid of the vehicles.

Mr. Guess said that it would be hard to say. He said that there are some that he would like to keep but he just doesn't have any place to put them. He said that he has issues at both facilities.

Member Wild explained that the reason for the question, was to determine when the fine would start.

Mike Nelson, Building and Zoning Director, explained that it would take a little time and suggested that the fine begin the same time as the Spring Garden cases. He said that for the record, Mr. Guess had agreed to allow county staff onto the property to do an inspection. He suggested that the inspection take place within the next week. He discussed a tentative timeline with the board.

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Based on the evidence and testimony provided, Member Wild **MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 5, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 118 Article II Division 7 Section 118.34.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018035- 2001 OLD NEW YORK LLC

Posted

Complaint No: 20180124008

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72 ARTICLE II DIVISION 7, SECTION 72-241 The storage of operable automobiles for the purpose of holding the vehicles for sale, distribution or storage.

Property Location: 2001 Old New York Av, Deland 32720

Parcel No. 7913-01-00-0040 Zoning: A-3

Zoning Compliance Officer – Michael Mazzola

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an First Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 5, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 7 Section 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017123-SMITH DENNIS E & KAREN B

Served

Complaint No. 20161025070

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

Property Location: 1530 Chestnut Av, Orange City 32763

Parcel No. 801600000053 Zoning: A-2

Zoning Compliance Officer – Michael Mazzola

Property owner was first notified of the violation on Nov 04, 2016

*Order of Non-Compliance issued at the June 21, 2017 hearing:

*1st Amended Order of Non-Compliance issued at the August 16, 2017 hearing:

*2nd Amended Order of Non-Compliance issued at the October 18, 2017 hearing:

*3rd Amended Order of Non-Compliance issued at the January 17, 2018 hearing:

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

June 20, 2018

*5th Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael used his pictures to explain which buildings weren't permitted. He said that he hasn't had an inspection in a while. He said that Mr. Smith would not allow him on the property and said that he must take pictures from the road. Staff recommends a fine/lien in the amount of \$50.00 per day, per case to commence on July 19, 2018; with a cap of \$5,400.00.

The Chairman asked which buildings were the object of the violation.

Michael explained which structures were in violation. He explained that Mr. Smith passed the inspections on the big building but failed on the small one. Michael explained that he had not been in the small buildings yet, as he is not allowed on the property.

The respondent gave his name and address for the record. Mr. Smith said that he talked to Michael on the 14th and that he could come out Friday. He said that Michael explained that he could not come out on Friday. Mr. Smith suggested Monday or Tuesday as he does not want Michael on the property, unless he is there; for liability reasons. Mr. Smith explained that there's gopher turtle holes and snakes and if Michael falls he will be liable. He said it's a liability problem. He explained that the building that Michael is talking about, has his pig and hog feed in it.

He said that Chris Hutchison, Code Administration Manager, said that he needs to make the property as a farm. Mr. Smith said that he's going to barbwire in the front yard and get cattle to put in there. He said that he spent over \$700.00 to get the building permitted. He said that he is doing the best that he can.

Mr. Smith said that he's being harassed and that Michael is coming out and taking pictures. He said that Michael came out and took a bunch of pictures and came back in and he has to get rid of the cars. He said that he has a guy coming out this afternoon to look at the cars and hopefully he can get rid of them.

The Chairman said that the board has seen a lot of progress on the property.

Mr. Smith explained that he needed to prove that the property is Ag exempt. He told the board that there is also a fence running across the front of the property, so that you can't see anything.

Member Wild said if Mr. Smith can prove Ag Exemption than the buildings will be fine.

June 20, 2018

Michael said yes.

Mike Nelson explained that for the structures to be Ag exempt, the use of the structures has to support the agricultural pursuit that's happening on the property. He further explained that if you have a farm and you build a structure to put an RV and lawnmower in, that's not an Ag exempt building. He said just for clarification.

Michael and Mr. Smith discussed terms for a possible inspection. It was explained that two officers must go to the property and that they would not be able to set that up today.

Mike Nelson said this is an inspection process and that we're responding to a case. He said unfortunately, Mr. Smith feels as if he's being harassed but we're just following up on a case. He said that's one of the reasons why we will go out and do that inspection, for zoning purposes. That way if someone calls it in, we can say we were just out there and we verified and here's the documentation.

It was further explained that the inspection has to be completed to verify the use.

After Member Wild made the motion he explained to Mr. Smith that he had to have that inspection within the month.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day with a cap of \$5,400.00 to begin on July 19, 2018.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017235-SMITH DENNIS E & KAREN B

Served

Complaint No. 20170717029

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: 1530 Chestnut Av, Orange City 32763

Parcel No. 80160000053 Zoning: A-2

Zoning Compliance Officer - Michael Mazzola

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

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

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

*2nd Amended Order of Non-Compliance issued at the April 18, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

June 20, 2018

Michael Mazzola, Compliance Officer, presented the case. On June 14, 2018, Michael called Mr. Smith and asked to set up an inspection of the property; Mr. Smith told Michael that he wasn't allowed on the property. Staff is recommending a fine of \$50.00 per day, per case to commence on July 19, 2018, with a cap of \$16,200.00.

The Chairman asked Mr. Smith about the progress on the property.

Mr. Smith said that the junk is not junk. He said that it's behind the fence. He said that he explained to Chris Hutchison that all the junk is going to be gone. Mr. Smith said that Mr. Hutchison said not to worry about it because it's behind the fence; out of sight out of mind.

Mr. Nelson said that's not a correct statement. He said that there was a miscommunication.

Michael explained that Mr. Hutchison did not say that.

Mr. Smith explained what is behind the fence.

The Chairman asked Mr. Smith if there could be a site visit.

Mr. Smith said that he's making progress, but as far as having everything out of there by the 19th, it isn't going to happen.

Member Wild asked Mr. Smith when he thought that the property could be cleaned up.

Mr. Smith said that he didn't know. He said that the guys that were helping him; one has cancer and the other has a full time job. He said there's another guy that wants a \$100.00 per day to come and work for 4 or 5 hours. He said that he's called three salvage yards to come out and none of them have come.

Member Smith asked for clarification of the staff recommendation.

Michael explained the fine amounts.

Mr. Smith explained that his forklift was Ag use. He used the pictures to show the board what items had been removed from the property and explained what had been cleaned up.

Michael said that's why he needs new pictures.

Mr. Smith explained when Michael comes out he snaps a lot of pictures.

The Chairman explained that's how we determine progress.

Member Wild said that they understand Mr. Smith's concerns about liability and that you
June 20, 2018

want to be there when they're inspecting, but that if an inspection is not conducted by county staff and we set a fine to start, then it will start; whether you think it's cleaned up or not. He said it requires staff to go out there and determine that it's been cleaned up. He said that it's in your best interest to get it scheduled.

Mr. Smith said in a year they're moving from Volusia County.

The Chairman said then you don't want a lien to challenge the sale; not that you can't but you would have difficulty selling. He stressed that they want an inspection within the month.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day, per case with a cap of \$16,200.00; for the total three cases, to begin on September 6, 2018. The board further stipulated that the property be inspected within a month.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017236-SMITH DENNIS E & KAREN B

Served

Complaint No. 20170717032

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: 1530 Chestnut Av, Orange City 32763

Parcel No. 80160000053

Zoning: A-2

Zoning Compliance Officer - Michael Mazzola

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

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

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

*2nd Amended Order of Non-Compliance issued at the April 18, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day, per case with a cap of \$16,200.00; for the total three cases, to begin on September 6, 2018. The board further stipulated that the property be inspected within a month.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017237-SMITH DENNIS E & KAREN B

Served

Complaint No. 20170717033

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II

June 20, 2018

DIVISION 7 SECTION 72-241 Junk yard where not permitted

Property Location: 1530 Chestnut Av, Orange City 32763

Parcel No. 80160000053

Zoning: A-2

Zoning Compliance Officer - Michael Mazzola

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

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

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

*2nd Amended Order of Non-Compliance issued at the April 18, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day, per case with a cap of \$16,200.00; for the total three cases, to begin on September 6, 2018. The board further stipulated that the property be inspected within a month.**

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

CEB2017135-THOMAS BRYAN & ALEXANDRIA LOUGHREN

Served

Complaint No. 20160406030

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1065 Mckenzie Rd, Lake Helen 32744

Parcel No. 711900000101

Zoning: A-2

Zoning Compliance Officer - Michael Mazzola

Property owner was first notified of the violation on Apr 08, 2016

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

*1st Amended Order of Non-Compliance issued at the September 20, 2017 hearing:

*The Enforcement Official continued this case from the November 15, 2017 hearing:

*2nd Amended Order of Non-Compliance issued at the April 18, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael explained that Mr. Thomas is still working through the plan review process and that's as far as he's gotten with it. He said they're still waiting on paperwork to be handed in to them. Staff is recommending a fine in the amount of \$100.00 per day, to begin on July 19, 2018 not to exceed \$36,000.00.

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The respondent gave his name and address for the record. He said I'm just in plan review. He said that he needs an affidavit stating that everything is up to code. He said that it will cost quite a bit of money to do that. He said that he's just at that process now.

The Chairman asked Mr. Thomas how much time he needed to either pool the money or get the affidavit.

Mr. Thomas said 3 months.

Member Wild said that they probably could not give three months, on electrical.

Mr. Thomas said that the electrical is cut off. He said that because it's there he has to show that it's up to code. He said that he doesn't use any of it.

Member Wild asked if anyone was living in it and if the power is cut off.

Mr. Thomas said yeah; it's a storage barn and storage house. He explained that because the people before him put it there, he has to prove it's to code.

Member Needham said this thing has been going on for years.

Mr. Thomas said that he just bought it a year ago. He asked if he had to bring the power up to code on the storage barn because he's not even using it.

Member Wild said if the power is going to be connected at some point.

Mr. Thomas said if I disconnect the power pole, do I have to...

Mr. Nelson said told Mr. Thomas that he would have to remove the electrical, maybe not each and every item, but we can't just have it where you can get it reconnected again. He said if you don't want electrical in the structure we could work it out with the Chief Building Official, could work with you to figure out the minimum you can do to secure it.

Mr. Thomas asked if someone could come out and him what he needs to do, to get that taken care of.

Mr. Nelson told Mr. Thomas to contact Michael or have our Building Official go out and meet with you. Mr. Nelson asked Michael if he could verify that the property is vacant.

Michael said that it is.

June 20, 2018

The Chairman said that you are in plan review for this.

Mr. Thomas said that he was, but he stopped because he didn't want to go through all of it because he's not using the storage barn. He said his intention was to come in and ask what he needed to do, to remove some of the stuff and bring it into compliance.

The Chairman said part of the requirements of an after the fact permit is an affidavit, so you're trying to remove the affidavit requirement so that you can get the building approved.

Mr. Thomas said right.

Mr. Nelson confirmed the Chairman's statement and reiterated that staff needed to inspect the site.

Based on the evidence and testimony provided, Member Wright **MOVED to issue an Third Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the September 5, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017136-MORIN RICHARD J

Served

Complaint No. 20170221029

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

Property Location: 475 Yorkshire Dr, Lake Helen 32744

Parcel No. 71330000029 Zoning: A-2

Zoning Compliance Officer – Michael Mazzola

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

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

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

*2nd Amended Order of Non-Compliance issued at the January 17, 2018 hearing:

*3rd Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

*4th Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. There are still no permits on file.

The respondent gave his name and address for the record. Mr. Morin said that his architect tried to get it done before today but was unable to. He said that his architect told him that by the end of this week they should have everything that they need, to get the permits.

June 20, 2018

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Fifth Amended Order of Non-Compliance with a Hearing to Impose Fine/Lien to be scheduled for the July 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017350-KRALJEV MATTHEW F

Served

Complaint No. 20170711026

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

Property Location: 3916 Cardinal Blvd, Port Orange 32127

Parcel No. 631101030040

Zoning: R-9(S)

Zoning Compliance Coordinator - Tammy Proulx

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

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

Hearing to Impose Fine/Lien

The respondent was present for the hearing.

Debbie Zechnowitz, Compliance Officer, presented the case. Staff is recommending an amended order until December.

The Chairman asked if Debbie had seen the property two days ago.

Debbie said that Tammy did; it's an improperly maintained structure.

Mr. Kraljev said that he was here a few months ago and we talked about a lot of things in regard to my case. He said a lot has happened since then and that he's removed a lot of the roadblocks that he thought he had. He said that he has an architect that is just waiting for a budget. Mr. Kraljev said that it has only been a few months since he's settled and moved on. He said he supposed to e-mail the project manager with the next step and they will then proceed. He said that they are unsure of what they can and cannot do and they want to verify that information so that it's done right.

The Chairman asked if Mr. Kraljev had been in contact with Tammy.

Mr. Kraljev said that he had talked to Tammy two days earlier. He explained who his architect is and the communication that he has had with him. Mr. Kraljev explained that he wants to do everything correctly, as he intends to stay in the home long term.

June 20, 2018

Based on the evidence and testimony provided, Member Wild **MOVED to issue an First Amended Order of Non-Compliance with a compliance date of December 13, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the December 19, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018055-DOTSON NINA SKAGGS

Posted

Complaint No. 20171212056

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: 152 Evergreen Ter, Deland 32724

Parcel No. 603812000840

Zoning: MH-5A

Zoning Compliance Officer - Christopher R. Hooper

Property owner was first notified of the violation on November 15, 2017

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Christopher Hooper, Compliance Officer, presented the case. Christopher said that he went out and inspected the property and spoke with the gentleman who was living out there. Christopher said that the tenant explained that as of last week, the property is spotless. He told Christopher that there's nothing wrong with it and he's not doing anything else. Christopher said that he visited the property yesterday, to be sure and that it still is not in compliance. He said that there is a lot of junk and appliances on the property.

The Chairman asked if the pictures in the presentation were from yesterday.

Christopher said yes. Staff is recommending a fine of \$50.00 per day, per case; with a cap of \$1,500.00 per case, to commence on July 19, 2018.

After discussion and based on the testimony and evidence presented, Member Wright **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day, per case with a cap of \$1,500.00 per case; with a total amount of \$4,500.00, to begin on July 19, 2018.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 20, 2018

CEB2018056-DOTSON NINA SKAGGS

Posted

Complaint No. 20171106042

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

Property Location: 152 Evergreen Ter, Deland 32724

Parcel No. 603812000840

Zoning: MH-5A

Zoning Compliance Officer - Christopher R. Hooper

Property owner was first notified of the violation on November 15, 2017

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Christopher Hooper, Compliance Officer, presented the case.

After discussion and based on the testimony and evidence presented, Member Wright **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day, per case with a cap of \$1,500.00 per case; with a total amount of \$4,500.00, to begin on July 19, 2018.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018057-DOTSON NINA SKAGGS

Posted

Complaint No. 20171212055

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: 152 Evergreen Ter, Deland 32724

Parcel No. 603812000840

Zoning: MH-5A

Zoning Compliance Officer - Christopher R. Hooper

Property owner was first notified of the violation on November 15, 2017

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Christopher Hooper, Compliance Officer, presented the case.

After discussion and based on the testimony and evidence presented, Member Wright **MOVED to issue an Order Imposing Fine/Lien in the amount of \$50.00 per day, per case with a cap of \$1,500.00 per case; with a total amount of \$4,500.00, to begin on July 19, 2018.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

June 20, 2018

CEB2018104-MURGIA JOSE & MARIA O

Served

Complaint No. 20180116073

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

220 square foot open porch, and all detached accessory structures

Property Location: 240 Quebec Av, Deleon Springs 32130

Parcel No. 694003110040

Zoning: R-3

Zoning Compliance Officer - Christopher R. Hooper

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

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

Hearing to Impose Fine/Lien

The respondent was not present for the hearing.

Christopher Hooper, Compliance Officer, presented the case. A gentleman who claimed to be the owner's son, called Christopher on May 31, 2018 and said that his parents and family do not speak English. Christopher explained to the caller, what the problems on the property are and how to correct them. He looked into the system yesterday and no permits have been applied for; the status on the property remains unchanged. Staff is recommending a fine of \$100.00 per day, not to exceed \$8,000.00; to commence on July 19, 2018.

Member Needham asked if the caller explained what they intended to do.

The caller explained that the property is paid for, according to the caller and they don't really care. The caller asked Christopher to give him a fine now, so he could hurry up and pay it.

Christopher explained that he couldn't do that. He said that he encouraged him to come to the hearing and speak.

Member Needham asked Mike Nelson, Building and Zoning Director, if there is anything that could be done.

Mike explained that there really couldn't be anything done, in this situation. He said that it come to resolution at some point, sometimes its years down the road. He said that a lot of times when the property is going to be sold, there's a push to correct these issues, but according to the testimony provided by our officer; there is no urgency.

Member Needham asked about possible foreclosure.

Mike explained the pitfalls to foreclosure in regard to this property.

June 20, 2018

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 with a cap of \$8,000.00 to begin on July 19, 2018.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

X. Hearings and Presentation of Filed Notices of Violations

CEB2016233-FRIERSON BRENDA MARKER

Posted

Complaint No. 20160415010

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1089 Marion St, Lake Helen 32744

Parcel No. 810503000010

Zoning: R-4

Building Compliance Officer – Michael Mazzola

Property owner was first notified of the violation on Apr 25, 2016

The respondent was present for the hearing.

Michael Mazzola, Compliance Officer, presented the case. Michael explained his pictures to the board. On April 15, 2016, Mark Jones inspected the property and found a deck without permits. On April 25, 2016, a certified notice of violation was received and signed for. On January 11, 2017, an application for a permit was submitted; it expired on August 6, 2017. On February 21, 2018, Michael spoke with Ms. Frierson and told her to get a reissued permit for the deck. No application was ever submitted. On May 7, 2018, a certified notice of hearing was posted on the property. Staff recommends a finding of non-compliance, with a compliance date of July 9, 2018 and a hearing to impose fine scheduled for July 18, 2018.

The Chairman asked if the permit needed additional information.

Michael clarified that they were issued a permit and that permit expired.

Micah, the husband of Ms. Frierson provided information. He said that he got a loan when he married Ms. Frierson to fix the roof. He explained further to the board, what was replaced on the roof and that the guys ran off with the money. He said that the contractor was going to work with him, to build the deck. He said that he called his dad who practices law. He explained the issue to his father. Micah explained that his father has a court case that we're filing with the court here. Micah said that the deck would have been done. He said the non-compliance issue is really tied in with the contractor.

Micah asked why he cannot file for a permit when he's ready to get the deck fixed. He said June 20, 2018

that it feels like, his wife has gone through this circle where she applies for a permit, it failed, she gets a fine and she comes back and pays again. He asked if it can be postponed until we get the court case figured out.

The Chairman asked what the plan is for the use of this house.

Micah said that his vision is one day, it can be rented out as an extra source of income for Brenda.

The Chairman explained owner/builder permits and that the residence cannot be leased or rented. He said that a contractor has to do the work on any property that an owner plans to rent or lease. The Chairman said that roof work and any work on the deck, would have to be done through a contractor.

Micah said that he doesn't want to apply for the permit, not have the money or a judgement for the money, which these people ran off with; they ran off with \$13,000.00. He said that it should be documented in the system that he spoke with Joe Levrault, former Chief Building Inspector, and that he was aware that these guys were doing shifty work. He said that the violation on the property is a direct result of that. He said that he would hate to apply for a permit, for 90 days to come back and then have to pay again. Micah explained that its going to take longer than 90 days to get a judgement.

The Chairman explained that if they got a permit, they could still finish the deck and handle the other matter on a parallel course.

Mike Nelson, Building and Zoning Director, said one option is to get rid of the violation; you don't have to get a permit.

The Chairman said remove what's already been built.

Micah said you mean take the deck down.

Mike said yes. He said that's an option.

Micah said I can do that with a jigsaw.

Mike said that doesn't need a contractor and if you neatly stack the wood, you can come back and do it at a later date. He said it will be pressure treated wood or you can store it in the house.

Micah said I'm going to do it this afternoon.

Michael Mazzola said just don't leave it in the front yard.

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Micah said that then a contractor can come in and build it from the ground up. He said that Ms. Frierson hired an architect.

Staff discussed the roof with Micah. They advised him to talk with the permit center, as the roof is not in violation.

Michael told Micah to remove the whole deck and cautioned him to not turn the violation into a junkyard violation.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of July 9, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the July 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 22-2 Sections 105.1 and 109.3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018032-COLLINS ROBERT

Posted

Complaint No. 20171120042

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: 3903 Cardinal Blvd, Port Orange 32127

Parcel No. 631101020100 Zoning: R-9(S)

Zoning Compliance Coordinator - Tammy Proulx

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

The respondent was not present for the hearing.

Debbie Zechnowitz, Compliance Officer, presented the case. This case involves an improperly maintained structure. The notice of violation was posted in December of 2017. The notice of hearing was posted April 10, 2018 and again on June 7, 2018. The last inspection was on June 18, 2018. Staff has not had any contact with the property owner. Staff recommends a finding of non-compliance, with a compliance date of July 13, 2018 and a hearing to imposed fine set for July 18, 2018. Debbie added that the house does not appeared to be occupied.

The board discussed the status of the property.

Based on the evidence and testimony provided, Member Wild **MOVED to issue an Order of Non-Compliance with a compliance date of July13, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the July18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 58 Article I Section 58-3.** After Member Smith **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2018051-MORRIS ANN

Served

Complaint No. 20160810040

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

Property Location: 3101 S Peninsula Dr, Daytona Beach 32118

Parcel No. 533403010050

Zoning: R-3

Zoning Compliance Coordinator - Tammy Proulx

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

The respondent was not present for the hearing.

Debbie Zechnowitz, Compliance Officer, presented the case. This violation is for an improperly parked trailer. The property owner was notified February 3, 2018. The last inspection was on June 18, 2018; the property is still in violation. Debbie said that she has no notes regarding contact. She said that it has been continued by staff a couple times. Since the last inspection was June 18, 2018, and the site and conditions remain the same; staff is recommending a finding of non-compliance with a hearing to impose fine on July 18, 2018.

The Chairman looked at the pictures and asked if the black truck was improperly parked.

Debbie said yes, but that there was another vehicle on the property, which was improperly parked as well. She said that the pictures were dated June 1, 2018 but she had another inspection, subsequent to that.

Based on the evidence and testimony provided, Member Needham **MOVED to issue an Order of Non-Compliance with a compliance date of July 13, 2018 and a Hearing to Impose Fine/Lien to be scheduled for the July 18, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-287 (C).** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018231-MICHEL'S TIMOTHY J & CATHERINE

Posted

Complaint No. 20180220039

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: 1 General Doolittle Rd, Daytona Beach 32124

Parcel No. 620603040010

Zoning: R-4(5)A

Zoning Compliance Officer - Christopher R. Hooper

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

The respondent was not present for the hearing.

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Christopher Hooper, Compliance Officer, presented the case. The complaint was received on the property on December 5, 2017, for people living in an RV. He said that Tammy conducted research on this, and then the case was continued. Christopher took over the case. He said there was a gentleman that was sick and in and out of the hospital. When he inspected the property on March 15, 2018, he wasn't able to make contact with anyone, so he posted the property with the notice of violation. The certified mail was returned undeliverable. He conducted some inspections throughout April, and didn't see any improvements. On May 10, 2018, Christopher posted the notice of hearing on the property.

Christopher said that his last inspection was on June 4, 2018 and the RV's door was open; he said that there were people inside of it. Christopher said that he's not sure if the people are the owners or who they are. He said that he talked to a neighbor who said that the owner may have passed away. Christopher said that he's not quite sure what's going on with the people in there, but he knows there are people and they're living in an RV that's hooked up. Staff is recommending an order of non-compliance, with a compliance date of August 3, 2018 with a hearing to impose fine on August 15, 2018.

Member Wild asked if the Sheriff could be asked to do a wellness check on the property owner.

Charles Cino, Board Attorney, said that we could Sheriff serve the notices.

Member Wild said that he was wondering if the people were squatters.

Member Needham asked if there was electrical service going to the RV.

Christopher said that there is a cord going from the RV to the bushes in front of the house. He said that the bushes block the view, so he can't be 100% sure. He said they do have a dog; a big dog.

The Chairman asked if the people have permission to be on the property.

Christopher explained the vantage point that he used as the property is a corner lot.

Russ Brown, Assistant County Attorney, said that as far as trespassers/squatters, we haven't received any complaints and that would be through the Sheriff's Department. He said there's no life safety issues/ electrical issues that we would recommend to secure the property. Mr. Brown said that he would go along with what Mr. Cino suggested earlier.

Based on the evidence and testimony provided, Member Smith MOVED to issue an Order of Non-Compliance with a compliance date of August 3, 2018 and a Hearing to

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Impose Fine/Lien to be scheduled for the August 15, 2018 hearing for Violating Volusia County Code of Ordinances, Chapter 72 Article II Division 8 Section 72-287.
After Member Wild **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2017330-WISNOWSKI CHRIS

Served

Complaint No. 20170209032

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

Property Location: 1025 Bobbie Lee Dr, Daytona Beach 32117

Parcel No. 523703060170

Zoning: R-5

Zoning Compliance Coordinator - Tammy Proulx

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

The board **CONTINUED** this case to the July 18, 2018 hearing

IX. Requests for Discussion of Fines

CEB2017200-STARKE KELLY W & MICHAELA H

Posted

Complaint No. 20161026044

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

Property Location: 1199 Lemon Bluff Rd, Osteen 32764

Parcel No. 922800000070

Zoning: R-5, RC

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on Jul 19, 2017

*Order of Non-Compliance issued at the August 16, 2017 hearing:

*Final Order Imposing Fine Lien issued at the October 20, 2017 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of June 6, 2018:

Request for Discussion of Fine/Lien \$9,850.00

The respondent was not present for the hearing.

Kerry Leuzinger, Chief Building Official, presented the case. He said that Ms. Starke has requested a reduction of lien to zero. She did not create the violations. He said that staff is willing to accept that as a recommendation.

Member Wild asked if this was the case with all the different sheds that were built.

Mr. Leuzinger said yes sir. He said that all of the non-compliant structures have been

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removed and everything has been cleaned up. He said we issued an Order of Compliance.

Mr. Brown added information. He explained that they started out with around 46 sheds, in or straddling the right of way line. Staff took care of the problem in the beginning of May. Ms. Starke was very cooperative and everything has been cleaned up. We just granted the Order of Compliance. Everything has been taken care of, I just wanted to add those facts.

Attorney Michael Woods, on behalf of Ms. Starke gave his name and address for the record. He said that the number looks large, but we wanted to give neighbors adequate notice/time to remove either the structures or the materials therein. He said it seemed to work out very well. He said it was a compulsory action to shame action.

After discussion and based on the testimony and evidence presented, Member Wild **MOVED to reduce the lien in the amount of \$9,850.00 to zero.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018064-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20180119034

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

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 844800000120

Zoning: R-4W

Environmental Specialist II - Brenda Borgiet

Property owner was first notified of the violation on February 7, 2018

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

The Chairman explained that we do not have any one here, as a respondent to those cases of staying the fines.

Mr. Brown explained that Mr. Thomson sent an e-mail on Monday I believe, asking for the case to be withdrawn; rather than be heard today. He said we kept it on as an abundance of caution, in case somebody did show up, but Mr. Thomson indicated that no one was going to be here today.

The Chairman reiterated that no one is here to convince us, that those fines should be stayed.

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Mr. Brown and the board went over what the motion should be.

Jeannie Rogers gave her name and address for the record. She said that she lives directly behind this property.

Marcia Williams gave her name and address for the record. She said that we back-up to the Sanchez property. She said that it's been so horrible.

The Chairman asked Ms. Williams if her question was about the county's action.

Ms. Williams said that she didn't understand why no one is here today.

The Chairman said it was put on our agenda because they requested a stay on the fine accumulation.

Mr. Brown explained that Mr. Thomson, the Attorney for Mr. Sanchez, sent an e-mail asking that the matter be withdrawn and not heard today. We kept it on the agenda as an abundance of caution, to see if someone showed up.

Mr. Cino explained that the agenda had already been published so it couldn't be altered.

Member Wild explained that nothing has changed.

Ms. Williams asked if they should show up again on July 18th.

Mr. Brown said no ma'am, at this time he's not on the agenda for anything further, unless he asks for it.

Ms. Williams said so we'll just check out the agenda and see if there's anything on here.

Mr. Nelson explained who may have the cases now, as Beverly Abrahamson, has left the county. He explained that they should check with Chris Hutchison, Code Administration Manager, and that there's nothing else to do right now.

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2018065-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20171116018

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s). (Seawall, metal carport/storage type structure, small shed electrical alterations and extensive garage alterations)

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 844800000120

Zoning: R-4W

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on December 8, 2017

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018067-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20171116027

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. (unpermitted accessory structures may not meet setbacks)

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 844800000120

Zoning: R-4W

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on December 8, 2017

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2018069-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20171207058

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

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 84480000120

Zoning: R-4W

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on Dec 09, 2017

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018070-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20160401026

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

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 84480000120

Zoning: R-4W

Environmental Specialist II - Brenda Borgiet

Property owner was first notified of the violation on Apr 04, 2016

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2018071-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20171215061

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: 174 Poinciana Rd, Edgewater 32141

Parcel No. 84480000120

Zoning: R-4W

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on December 21, 2017

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018073-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20171215063

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Converting a shipping container(s) to an accessory structure and using it for storage

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 84480000120

Zoning: R-4W

Building Compliance Officer - Beverly J Abrahamson

Property owner was first notified of the violation on December 21, 2017

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice.** After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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CEB2018074-SANCHEZ ROBERT J

Sheriff Served

Complaint No. 20180130038

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 16 SECTION 72-1100 Description: Less than thirty-five percent (35%) of the lot contains native vegetation.

Property Location: 174 Poinciana Rd, Edgewater 32141

Parcel No. 844800000120

Zoning: R-4W

Environmental Specialist II - Brenda Borgiet

Property owner was first notified of the violation on February 7, 2018

*Order of Non-Compliance issued at the February 28, 2018 hearing:

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

Request to Stay Accumulating Fine/Lien

After discussion, Member Wild **MOVED** that we recognize the request, for withdrawing the request, to stay the accumulating fine/liens on behalf of the respondent's attorney; without prejudice. After Member Wright **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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- 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 20, 2018

CERTIFICATE

**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 _____, 2017, in the City of DeLand, County of Volusia, State of Florida.

**Meghan Lindsey
Code Board Clerk**

June 20, 2018