



## **VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES**

**July 19, 2023**

**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  
Donald Needham  
Clay Meek, Board Attorney  
Pete Zahn  
Rick Dwyer  
Jalene Ferreira  
Jami Gallegos**

### **MEMBERS ABSENT**

**Andrew Hall, Vice Chair**

### **STAFF PRESENT**

**Kerry Leuzinger, Chief Building Official  
Nicholas Ventura, Activity Project Manager  
Jacquie Fleming, Code Board Clerk  
Chris Hutchison, Code Compliance Manager  
Peter Hinson, Code Compliance Officer  
Debbie Zechnowitz, Code Compliance Officer  
Sebrina Slack, Assistant County Attorney  
Julie McCrystal, Environmental Specialist II  
Todd Hannah, Environmental Specialist III  
Danielle Gadzala, Environmental Specialist II  
Paul Traider, Building Inspector II**

\* \* \* \* \*  
**APPROVAL OF MINUTES**  
\* \* \* \* \*

Member Zahn moved to APPROVE the June 21, 2023, Code Enforcement Board minutes. Member Gallegos SECONDED the motion that CARRIED unanimously by voice vote.

\* \* \* \* \*

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

Audio from this meeting can be found at <https://www.volusia.org/services/growth-and-resource-management/code-enforcement/code-enforcement-board.stml>

**IX. UNFINISHED BUSINESS**

**WILLIAM F BOHLEN**

**Served**

**Property Location: 1585 N Kepler Rd, Deland 32724**

**Parcel No. 602601000681**

**Zoning: I-1A**

**1: CEB2020114**

Complaint No. 20191212011

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

**Code Compliance Officer – Fred Eastwood**

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

\*Order of Non-Compliance issued at the May 19, 2021, hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of June 2, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**SOUTH MOON ROAD LLC**

**Property Location: 1675 Camp South Moon Rd, Astor 32102**

**Parcel No. 581900010031      Zoning: A-2,B-7,RC**

**1: CEB2021039**

Complaint No. 20200323027

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)

**Code Compliance Officer - Robert Chayer**

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

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

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

\*2nd Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

\*4th Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

\*5th Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 5, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**JAMES G LECAKIS EST**

**Property Location: 4625 Audubon Ave, Deleon Springs 32130**

**Parcel No. 694313020160      Zoning: R-3**

**1: CEB2022080**

Complaint No. 20210412058

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

**Code Compliance Officer - Robert Chayer**

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

\*Order of Non-Compliance issued at the June 15, 2022 hearing:

\*1st Amended Order of Non-Compliance issued at the September 21, 2022 hearing:

\*4th Amended Order Imposing Fine Lien issued at the January 18, 2023 hearing:

\*2nd Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

\*3rd Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 5, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**LISL ANGEL**

**Property Location: 211 Lamar Rd, Pierson 32180**

**Parcel No. 581200000470      Zoning: A-1**

**1: CEB2023012**

Complaint No. 20220628083

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)

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on July 02, 2022

\*Order of Non-Compliance issued at the March 15, 2023 hearing:

\*Final Order Imposing Fine Lien issued at the May 17, 2023 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of June 20, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**VICTORIA ROSE CANNONE**

**Property Location: 160 Florida Ave, Osteen 32764**

**Parcel No. 920702060220      Zoning: OCV**

**1: 20221026008**

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). Electrical service VN2 Improperly maintained conditions

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on October 29, 2022

\*Order of Non Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case, with no cap, commencing August 17, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.**

2: **20221027023**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72  
ARTICLE II DIVISION 8 SECTION 72-284.06 Where landscaped areas are required by  
this ordinance they must be maintained  
SPM Site Plan not maintained

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on October 29, 2022

\*Order of Non Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case, with no cap, commencing August 17, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-284.06 After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.**

3: **20221118034**

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

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on October 29, 2022

\*Order of Non Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case, with no cap, commencing August 17, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-298.13 After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.**

**ARTHUR JOSEPH ROCKWELL**

**Property Location: 125 Cucumber Ln, New Smyrna Beach 32168**

**Parcel No. 722401020070      Zoning: A-1,A-1C**

**1: 20221028022      Posted**

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. WET Alteration of wetlands or wetland buffers without permit

**Environmental Specialist III- Todd Hannah**

Property owner was first notified of the violation on April 6, 2023

\*Order of Non Compliance issued at the Apr 19, 2023 hearing:

\*Amended Order issued at the Jun 21, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Todd Hannah, Environmental Specialist III, presented the case. Todd went over the case details, showing photos. There was a discussion between Todd and the Board.

**After discussion and based on the testimony and evidence presented, Member Gallegos MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing August 17, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.**

**FRANK D JESKE ETAL**

**Property Location: 3216 S Peninsula Dr, Daytona Beach 32118**

**Parcel No. 533501100230      Zoning: R-3**

**1: CEB2020237      Served**

Complaint No. 20200821017

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.

**Environmental Specialist III- Todd Hannah**

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

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

\*1st Amended Order of Non-Compliance issued at the December 16, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the June 16, 2021 hearing:

\*4th Amended Order of Non-Compliance issued at the December 15, 2021 hearing:

\*5th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

\*6th Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

\*7th Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

\*8th Amended Order of Non-Compliance issued at the April 19, 2023 hearing:

**Hearing to Impose Fine/Lien**

Frank Jeske was present for this hearing.

Todd Hannah, Environmental Specialist III, presented the case. Todd went over the case details, showing photos. There was a discussion between Todd, Frank Jeske and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 9<sup>th</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 with a Hearing to Impose Fine is set for the October 18, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

2: **CEB2020239**      **Served**

Complaint No. 20200626026

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)

**Code Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on October 3, 2020

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

\*1st Amended Order of Non-Compliance issued at the December 16, 2020 hearing:

\*2nd Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the June 16, 2021 hearing:

\*4th Amended Order of Non-Compliance issued at the December 15, 2021 hearing:

\*5th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

\*6th Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

\*7th Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

\*8th Amended Order of Non-Compliance issued at the April 19, 2023 hearing:

**Hearing to Impose Fine/Lien**

Frank Jeske was present for this hearing.

Debbie Zechnowitz, Code Compliance, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie, Frank Jeske and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 9<sup>th</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the October 18, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**



**MI HERRERA GROUP LLC**

**Property Location: 2286 N Kepler Rd, Deland 32724**

**Parcel No. 603502010080      Zoning: R-4A**

**1: CEB2022029      Posted**

Complaint No. 20220120031

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)

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on January 24, 2022:

\*Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1<sup>st</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the October 18, 2023, hearing. After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.**

**HIGHPOINT HOLDINGS GROUP LLC**

**Property Location: 2322 Nectarine Rd, Deland 32724**

**Parcel No. 700103470070      Zoning: R-4A**

**1: CEB2022058**

Complaint No. 20220119118

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)

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on January 24, 2022

\*Order of Non-Compliance issued at the May 18, 2022 hearing:

\*1st Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

\*2nd Amended Order of Non-Compliance issued at the October 19, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

\*4th Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing October 19, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 After Member Ferreira SECONDED the motion, it CARRIED unanimously by voice vote.**

**FRANK P LALASHUIS JR**

**Property Location: 1578 Bear Paw Ln, Deland 32720**

**Parcel No. 694401000868      Zoning: A-2**

**1: CEB2022072      Served**

Complaint No. 20211207021

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)

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on January 31, 2022

\*Order of Non-Compliance issued at the May 18, 2022 hearing:

\*1st Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

\*2nd Amended Order of Non-Compliance issued at the September 21, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the October 19, 2022 hearing:

\*4th Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

\*5th Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

\*6th Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

Darren Elkind was present for this hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert, Darren Elkind and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, per case, with a cap of \$23,300.00, commencing January 18, 2024 and to continue until compliance is achieved, for violation of 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.**

2: **CEB2022073**      **Served**

Complaint No. 20211213009

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.

**Environmental Specialist II - Danielle Gadzala**

Property owner was first notified of the violation on December 15, 2021

\*Order of Non-Compliance issued at the May 18, 2022 hearing:

\*1st Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

\*2nd Amended Order of Non-Compliance issued at the September 21, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the October 19, 2022 hearing:

\*4th Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

\*5th Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

\*6th Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

Darren Elkind was present for this hearing.

Danielle Gadzala, Environmental Specialist II, presented the case. Danielle went over the case details, showing photos. There was a discussion between Danielle, Darren Elkind and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, per case, with a cap of \$23,300.00, commencing January 18, 2024 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

**CHRISTOPHER R LINSLEY**

**Property Location: 3728 W Intl Speedway Blvd, Daytona Beach 32124**

**Parcel No. 620601360240      Zoning: R-2C(5)A**

**1: CEB2022210**

Complaint No. 20210112042

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

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 16, 2021

\*Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

Christopher Linsley was present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. A discussion was had between Margaret, Christopher Linsley and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1<sup>st</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 with a Hearing to Impose Fine is set for the September 20, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

**2: CEB2022212**

Complaint No. 20210112047

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

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 16, 2021

\*Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

Christopher Linsley was present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. A discussion was had between Margaret, Christopher Linsley and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1<sup>st</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (A) with a Hearing to Impose Fine is set for the September 20, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

**WILL-BEA INVESTMENTS LLC**

**Property Location: 3714 W Intl Speedway Blvd, Daytona Beach 32124**

**Parcel No. 620601390010      Zoning: I-1C(5)A**

**1: CEB2022211**

Complaint No. 20210112037

Violation of CODE OF ORDINANCES, , COUNTY OF VOLUSIA, CHAPTER 72  
ARTICLE III DIVISION 3, SECTION 72-576 I-1(5)A Light Industrial DESCRIPTION:

Contractor storage yard without final site plan approval. Pursuant to Chapter 72, Article III, Division 3, Section 72-576 (a) Final site plan approval is required prior to the issuance of any development permit allowing the commencement of site construction of any development in the unincorporated area of Volusia County.

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 16, 2021

\*Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

Darren Elkind was present for this hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Darren Elkind and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1<sup>st</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE III DIVISION 3, SECTION 72-576 I-1 with a Hearing to Impose Fine is set for the September 20, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

**LAURA ISELA MARIN CASTANEDA**

**Property Location: 2648 Frances Dr, Deland 32724**

**Parcel No. 602806000280      Zoning: MH-5A**

**1: CEB2022242**

Complaint No. 20220329016

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

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jul 08, 2022

\*Order of Non-Compliance issued at the January 18, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, with a cap of \$6,000.00, commencing August 17, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 118 ARTICLE II SEC. 118.34 After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

**LLOYD GLYNN BARNARD**

**Property Location: 3866 S Atlantic Ave, Daytona Beach 32118**

**Parcel No. 630205070340      Zoning: R-9**

**1: CEB2022274**

Complaint No. 20221006038

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

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on September 26, 2022

\*Order of Non-Compliance issued at the January 18, 2023 hearing:

\*1st Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

\*2nd Amended Order of Non-Compliance issued at the April 19, 2023 hearing:

\*3rd Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Fred Eastwood, Code Compliance, presented the case. Fred went over the case details, showing photos. A discussion was had between Fred and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 4<sup>th</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 with a Hearing to Impose Fine is set for the August 16, 2023, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**



2: **CEB2022275**

Complaint No. 20221006036

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)

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on September 26, 2022

\*Order of Non-Compliance issued at the January 18, 2023 hearing:

\*2nd Amended Order of Non-Compliance issued at the April 19, 2023 hearing:

\*3rd Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Fred Eastwood, Code Compliance, presented the case. Fred went over the case details, showing photos. A discussion was had between Fred and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 4<sup>th</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the August 16, 2023, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

**WILLIAM FREDERICK DIAZ**

**Property Location: 1130 W New York Ave, Orange City 32763**

**Parcel No. 800401100400      Zoning: R-4**

1: **CEB2023020**

Complaint No. 20220621037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-842 Description: Failure to comply with tree replacement requirements.

**Environmental Specialist II - Julie McCrystal**

Property owner was first notified of the violation on July 19, 2022

\*Order of Non-Compliance issued at the April 19, 2023 hearing:

\*1st Amended Order of Non-Compliance issued at the June 21, 2023 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 18, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**STREAM HOLDINGS LLC**

**Property Location: 3565 John Anderson Dr, Ormond Beach 32176**

**Parcel No. 321605010140      Zoning: R-4**

**1: 20230310021      Posted**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Hotel/Motel where not permitted and use of premises where not permitted. Allowing rentals less than 30 days with 2 documented stays Mar 2023. Appears future rentals booked on calendar for Apr 1-9 and May 17-19. Advertising less than 30-night minimum stay on Airbnb. May not be a complete list. Link to Airbnb - <https://www.airbnb.com/rooms/83480325734030837>

STR Short Term Rental Violations

**Code Compliance Officer – Peter Hinson**

Property owner was first notified of the violation on April 6, 2023

\*Order of Non-Compliance issued at the June 21, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for this hearing.

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. There was a discussion between Peter and the Board.

**After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing August 17, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

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

### **CITY LIMITS DELAND LLC**

**Property Location: 4425 N Us Hwy 17 , Deland 32724**

**Parcel No. 603908000114      Zoning: B-4A,R-3A**

**1: 20221129021**

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 to main building. Shed and stage. May not be a complete list VN1 Building without a permit

#### **Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr Guysmore and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

2: **20230217005**

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  
T/T Big Trucks, Buses

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr Guysmore and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (A) With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

3: **20230217005**

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 FNP Fence w/o Permit

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr Guysmore and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

4: **20230217005**

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA, CHAPTER 10 AMUSEMENTS & ENTERTAINMENT ARTICLE II, OUTDOOR ENTERTAINMENT. Outdoor Entertainment Violation OEP Outdoor Entertainment

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr Guysmore and the Board.

**After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to Dismiss After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

5: **20230217005**

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA, CHAPTER 26, BUSINESSES, ARTICLE III, ITINERANT MERCHANTS Itinerant merchant host license violation HLV Host License Violation

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr Guysmore and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 26, ARTICLE III With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

6: **20230519035**

Violation of Site Plan Site Plan not in compliance with approval Section 72-502(d)  
Issuance of development orders and development permits. All development or  
construction commenced pursuant to a valid development order or development permit  
shall be completed in a manner which is consistent with the approved development  
order or development permit.

Site Plan - Site plan not in compliance with approval

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the  
hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case  
details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr  
Guysmore and several witnesses present for the case.

**After discussion and based on the testimony and evidence presented, Member  
Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia  
County Code of Ordinances Section 72-502(d) With a compliance date of October  
10, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing.  
After Member Needham SECONDED the motion, it CARRIED unanimously by  
voice vote.**

7: **20230519049**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Chapter 72, Article I, Definitions and Interpretations, Section 72-2 Definitions. Accessory use or structure: Any use or detached structure clearly incidental, subordinate, and related to the principal use or structure and located on the same lot with such principal use or structure. Accessory uses or structures shall include, but not be limited to, sheds; storage buildings; gazebos; pergolas; carports; detached garages; bulkheads; seawalls; retaining walls; docks; wharfs; piers; floating docks; boat slips; boathouses; and moorings. Provided, however, a recreational vehicle, motor vehicle; mobile home; trailer or semi-trailer; railroad car; bus, truck or automobile body, or other similar unit shall not be used as an accessory building or structure, or converted into an accessory building or structure even when altered, stripped, or otherwise built MIS Miscellaneous Violations

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on May 30, 2023

Peter Ferantino, property owner, and Cliff Guysmore (Attorney) was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Ferantino, Mr Guysmore and several witnesses present for the case.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, Article I With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.**

**ISLAND INVESTMENTS OF FLORIDA LLC**

**Property Location: 1708 Montgomery Dr, Daytona Beach 32117**

**Parcel No. 423301040050      Zoning: R-4**

**1: 20230614018      Posted**

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). Construction which requires permitting and inspections with no evidence of required permits, inspections, or approvals. Windows, electrical, interior renovations building, electrical permitting, inspections required may not be a complete list. VN1 Building without a permit

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 14, 2023

Mr Husier was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr Husier and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of September 13, 2023 and a Hearing to Impose Fine is set for the September 20, 2023 hearing. After Member Gallegos SECONDED the motion, it did not carry unanimously by voice vote,**

**2: 20230614030      Served**

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 FNP Fence w/o Permit

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 14, 2023

Mr Husier was present for the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. There was a discussion between Margaret, Mr. Husier and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) With a compliance date of September 13, 2023 and a Hearing to Impose Fine is set for the September 20, 2023 hearing. After Member Gallegos SECONDED the motion, it did not carry unanimously by voice vote,**



**RAINFOREST POOLS**

**\*REPEAT VIOLATION\***

**Property Location: 5797 Lake Winona Rd, Deleon Springs 32130**

**Parcel No. 693801210010      Zoning: I-1**

**1: 20230703033      Posted**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72  
ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted in I-1 zoning.

**Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on February 21, 2023

No one was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance with a one-time fine of \$7,500.00 for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote,**

**KYLE E JUDKINS**

**Property Location: 2231 Pine Hill Pl, Orange City 32763**

**Parcel No. 800330000110      Zoning: R-4**

**1: CEB2023015**

Complaint No. 20220920054

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)

**Code Compliance Officer – Fred Eastwood**

Property owner was first notified of the violation on January 25, 2023

Dawn Charles, complainant, was present for the hearing.

Fred Eastwood, Code Compliance, presented the case. Fred went over the case details, showing photos. There was a discussion between Fred and the Board.

**After discussion and based on the testimony and evidence presented, Member Gallegos MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of August 11, 2023 and a Hearing to Impose Fine is set for the August 16, 2023 hearing. After Member Zahn SECONDED the motion, it did not carry unanimously by voice vote,**

**LEWIS EDWARD SEXTON JR**

**Property Location: 995 E Washington Ave, Pierson 32180**

**Parcel No. 48250000052      Zoning: A-3**

**1: CEB2023033**

Complaint No. 20220825016

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

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on August 27, 2022

Lewis Sexton, was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing. After Member Dwyer SECONDED the motion, it did not carry unanimously by voice vote,**

**2: CEB2023034**

Complaint No. 20220825016

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

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on August 27, 2022

Lewis Sexton, was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B) With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing. After Member Dwyer SECONDED the motion, it did not carry unanimously by voice vote,**

3: **CEB2023035**

Complaint No. 20220825014

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

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on August 27, 2022

Lewis Sexton, was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing. After Member Dwyer SECONDED the motion, it did not carry unanimously by voice vote,**

4: **CEB2023036**

Complaint No. 20210303110

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

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on August 27, 2022

Lewis Sexton, was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 118-SEC. 118.34 With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing. After Member Dwyer SECONDED the motion, it did not carry unanimously by voice vote,**

**5: CEB2023037**

Complaint No. 20210303108

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

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on August 27, 2022

Lewis Sexton, was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the Board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 With a compliance date of October 10, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing. After Member Dwyer SECONDED the motion, it did not carry unanimously by voice vote,**

**ANTHONY D VEGA**

**Property Location: 308 Endora St, Ormond Beach 32174**

**Parcel No. 412404000350      Zoning: MH-4A, RCAD**

**1: CEB2023042**

Complaint No. 20210514020

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering a wetland buffer without first obtaining a wetland alteration permit

**Environmental Specialist II – Julie McCrystal**

Property owner was first notified of the violation on July 3, 2023

**Continued to August 18, 2023**

**2: CEB202304**

Complaint No. 20210514018

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.

**Environmental Specialist II – Julie McCrystal**

Property owner was first notified of the violation on July 3, 2023

**Continued to August 18, 2023**

**6700 TURTLEMOUND RD LLC**

**Property Location: 6700 Turtlemound Rd, New Smyrna Beach 32169**

**Parcel No. 850501490010                      Zoning: R-9W**

**1: 20230328008**

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).

**Code Compliance Officer – Debbie Zechnowitz**

Property owner was first notified of the violation on April 3, 2023

\*Order of Non-Compliance was issued at the June 21, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for the hearing.

Debbie Zechnowitz, Code Compliance, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie and the board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1<sup>st</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the September 20, 2023, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

**2. 20230328008**

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

**Code Compliance Officer – Debbie Zechnowitz**

Property owner was first notified of the violation on April 3, 2023

\*Order of Non-Compliance was issued at the June 21, 2023 hearing:

**Hearing to Impose Fine/Lien**

There was no one present for the hearing.

Debbie Zechnowitz, Code Compliance, presented the case. Debbie went over the case details, showing photos. There was a discussion between Debbie and the board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1<sup>st</sup> Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I SECTION 58-3 with a Hearing to Impose Fine is set for the September 20, 2023, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

**KORI MULKEY**

**Property Location: 375 Park Dr, Deland 32724**  
**Parcel No. 602803000250                      Zoning: MH-5A**  
**1: 20230124058**

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

**Code Compliance Officer – Robert Chayer**

Property owner was first notified of the violation on May 10, 2023  
There was no one present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. There was a discussion between Robert and the board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance with an Order of Dismissal and be referred to the Contractor Licensing and Constructions Appeals Board for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE. After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.**

**SASHA URBAN**

**Property Location: No Street, New Smyrna Beach 32168**  
**Parcel No. 723000000890                      Zoning: A1, RC**  
**1: CEB2023031**

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.

**Environmental Specialist II – Danielle Gadzala**

Property owner was first notified of the violation on March 15, 2023  
Sasha Urban was present for the hearing.

Danielle Gadzala, Environmental Specialist II, presented the case. Danielle went over the case details, showing photos. There was a discussion between Danielle, Mr. Urban and the board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 11, SECTION 72-884 With a compliance date of October 13, 2023 and a Hearing to Impose Fine is set for the October 19, 2023 hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

**CHRISTOPHER RICHARD DIAZ**

**Property Location: 4629 Kola Rd, New Smyrna Beach 32168**

**Parcel No. 723100001590      Zoning: A-1**

**1: CEB2022234**

Complaint No. 20220614069

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.

**Environmental Specialist II - Julie McCrystal**

Property owner was first notified of the violation on June 21, 2022

\*Order of Non-Compliance issued at the January 18, 2023 hearing:

\*Final Order Imposing Fine/Lien issued at the April 19, 2023 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 18, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**RAINFOREST POOLS**

**Property Location: 5797 Lake Winona Rd, Deleon Springs 32130**

**Parcel No. 693801210010      Zoning: I-1**

**1: 20230220015      Posted**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted in I-1 zoning.

**Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on February 21, 2023

\*Order of Non-Compliance issued at the March 15, 2023, hearing:

\*Final Order Imposing Fine/Lien issued at the April 19, 2023 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 18, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

## XI. Requests for Discussion of Accumulated Fines

**TODD COMEENS**

**Property Location: 1390 Ann Ave, Deleon Springs 32130**

**Parcel No. 600505940010**

**Zoning: A-3**

**1: CEB2019378 -**

**Served**

Complaint No. 20190925013

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)

**Code Compliance Officer – Robert Chayer**

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

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

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 10, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**Request For Reduction of Fine/Lien in the amount of \$4,000.00**

Todd Comeens was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details showing photos. There was a discussion between Robert, Mr. Comeens and the board.

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



**2: CEB2019379**

**Parcel No. 600505940010**

Complaint No. 20190925015

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.

**Code Compliance Officer – Robert Chayer**

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

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

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 10, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**Request For Reduction of Fine/Lien in the amount of \$4,000.00**

Todd Comeens was present for the hearing.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details showing photos. There was a discussion between Robert, Mr. Comeens and the board.

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

**DENITHORNE BROTHERS INC**

**Property Location: 3936 Oriole Ave, Port Orange 32127**

**Parcel No. 631203001881**

**Zoning: R-9(S)**

**1: CEB2021185**

**Posted**

Complaint No. 20200723026

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

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Apr 16, 2021

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

\*Final Order Imposing Fine Lien issued at the December 15, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of July 11, 2023:

**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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote by the rest of the Board Members.**

**Request for Discussion of Fine/Lien in the amount of \$13,425.00**

Mr Denithorne was present for the hearing.

Debbie Zechnowitz, Code Compliance, presented the case. Debbie went over the case details showing photos. There was a discussion between Debbie, Mr. Denithorne and the board.

**After discussion and based on the testimony and evidence presented, Member Zahn MOVED to Reduce the fine to One Thousand Dollars payable within 30 days or it reverts back to the original amount. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.**

## **XII. New Business**

- A. Tally Sheets (Quarterly)**
- B. As Entertained by Chairman  
Don Needham left at 11:07 a.m.**
- C. As Entertained by Board Attorney**
- D. As Entertained by Staff Attorney**
- E. As Entertained By Staff**

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### **ADJOURNMENT**

**There being no further business to discuss before the Board, the meeting adjourned at 12:20.**

**Respectfully submitted,**

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**Jacque Fleming  
Code Enforcement Board Clerk**

July 19, 2023

**CERTIFICATE**

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

**I, Jacquie Fleming, 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 July 19, 2023, at 123 West Indiana Avenue, Deland, Florida.**

**WITNESS MY HAND this 19<sup>th</sup> day of July, 2023, in the City of DeLand, County of Volusia, State of Florida.**

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**Jacquie Fleming  
Code Board Clerk**

July 19, 2023