



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

September 20, 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
Clay Meek, Board Attorney
Pete Zahn
Rick Dwyer
Jalene Ferreira
Andrew Hall
Jami Gallegos

MEMBERS ABSENT

Donald Needham

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
Margaret Godfrey, Code Compliance
Josue Garcia, Code Compliance Officer
Robert Chayer, Code Compliance Officer
Fred Eastwood, Code Compliance Officer

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APPROVAL OF MINUTES
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The August 16, 2023 and the September 20, 2023 minutes will be approved at the October 18, 2023 hearing.

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

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

JANETTE K PELL

Property Location: 250 N Sr 415 , Osteen 32764

Parcel No. 920700000110 Zoning: OCV

1: CEB2021151 Served

Complaint No. 20210318026

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 March 25, 2021

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

*1st Amended Order of Non-Compliance issued at the April 19, 2023 hearing:

*2nd Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

*3rd 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 August 8, 2023:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

September 20, 2023

OPENDOOR PROPERTY TRUST I

Property Location: 903 Camphor Ln, Deland 32720

Parcel No. 701702190120 Zoning: R-3

1: CEB2021355 Posted

Complaint No. 20211116012

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). new AC, may not be a complete list

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on November 18, 2021

*Order of Non-Compliance issued at the December 15, 2021 hearing:

*1st Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

*Final Order Imposing Fine Lien issued at the April 20, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of August 8, 2023:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

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:

*1st Amended Order of Non-Compliance issued at the July 19, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of August 15, 2023:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

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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:

*1st Amended Order of Non-Compliance issued at the July 19, 2023 hearing:

Hearing to Impose Fine/Lien

Coleen Miles 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, Ms. Miles and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd 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 January 17, 2024, hearing. After Member Dwyer 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 June 16, 2021

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

*1st Amended Order of Non-Compliance issued at the July 19, 2023 hearing:

Hearing to Impose Fine/Lien

Coleen Miles 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, Ms. Miles and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE II, DIVISION 8, SECTION 72-287 with

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a Hearing to Impose Fine is set for the January 17, 2024, hearing. After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.

6700 TURTLEMOUND RD LLC

Property Location: 6700 Turtle mound Rd, New Smyrna Beach 32169

Parcel No. 850501490010 Zoning: R-9W

1: 20230328008 Posted

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

Code Compliance Officer - Debbie Zechnowitz

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

*Order of Non Compliance issued at the Jun 21, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case with no cap, commencing October 19, 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: 20230328008 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) VN1 Building without a permit

Code Compliance Officer - Debbie Zechnowitz

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

*Order of Non Compliance issued at the Jun 21, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, per case, 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, SECTION 105.1 and 110.1. After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.

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ADAMS & ASSOCIATES REAL ESTATE INVESTMENTS LLC

Property Location: 309 Old Mission Rd, New Smyrna Beach 32168

Parcel No. 741913050080 Zoning: R-4A

1: 20230328049 Posted

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

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on April 7, 2023

*Order of Non Compliance issued at the Jun 21, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one 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 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 October 19, 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 Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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TROY SCOTT

Property Location: 1502 Clearview Ave, Deland 32724

Parcel No. 700400000420 Zoning: R-4A

1: 20230503060 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) VN1 Building without a permit

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on July 18, 2023

*Order of Non Compliance issued at the Aug 16, 2023 hearing:

Hearing to Impose Fine/Lien

There was no one 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Ferreira MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day, with a cap of \$13, 000.00, commencing October 19, 2023, and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTION 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

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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

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

Hearing to Impose Fine/Lien Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

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

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

Hearing to Impose Fine/Lien Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

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FRANK JESKE

Property Location: 101 Ellison Ave, New Smyrna Beach 32168

Parcel No. 734303000280 Zoning: B-4CA

1: 20230724049 Posted

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Appears renovation and or remodel with no evidence of required permits, inspections or approvals. Interior renovations - may not be a complete list. Building / electrical / plumbing permitting & inspections required. [SWO to be posted 7/24/2023 VN1 Building without a permit

Code Compliance Officer - Peter Hinson

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

*Order of Non-Compliance issued at the August 16, 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 a 1st 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 Hall SECONDED the motion, it CARRIED unanimously by voice vote.

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HALIFAX PLANTATION SECTION O LLC

Property Location: 3280 Acoma Hwy, Ormond Beach 32174

Parcel No. 313701010012 Zoning: 999, PUD, RA

1: 20230725025 Served

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction Hours of Operation. Construction and Demolition: It is hereby authorized to operate or cause the operation of any tools used in construction, drilling, repair, alteration or demolition work between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, and between 10:00 a.m. and 6:00 p.m. on weekends or holidays, except for emergency work by public service utilities or by special authorization of the Chief Building Official. VN1 Building without a permit

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on June 27, 2023

*Order of Non Compliance issued at the August 1, 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 \$1,000.00 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, SECTION 105.1 AND 110.0. After Member Lingenfelter SECONDED the motion, it CARRIED unanimously by voice vote.

SUNIL BHATIA

Property Location: 3548 John Anderson Dr, Ormond Beach 32176

Parcel No. 321600020022 Zoning: R-3,RC

1: 20230728025

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 STR Short Term Rental Violations

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on July 28, 2023

*Order of Non Compliance issued at the Aug 16, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of September 1, 2023:

Hearing to Impose Fine/Lien

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

September 20, 2023

JANETTE K PELL

Property Location: 250 N Sr 415 , Osteen 32764

Parcel No. 920700000110 Zoning: OCV

1: **CEB2021241** Served

Complaint No. 20210813022

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 8 SECTION 72-291 Altering a commercial property without a final
site plan

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on August 18, 2021

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

*1st Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

*2nd Amended Order of Non-Compliance issued at the June 21, 2023 hearing:

Hearing to Impose Fine/Lien

Mark Pell 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, Mr. Pell and the
Board.

**After discussion and based on the testimony and evidence presented, Member
Hall MOVED to issue a 3rd Amended Order of Non-Compliance of Volusia County
Code of Ordinances, CHAPTER 72, ARTICLE II, DIVISION 8, SECTION 72-291 with
a Hearing to Impose Fine is set for the November 15, 2023, hearing. After Member
Ferreira SECONDED the motion, it CARRIED unanimously by voice vote.**

2: **CEB2021242** Served

Complaint No. 20210813023

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

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on August 18, 2021

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

*1st Amended Order of Non-Compliance issued at the May 17, 2023 hearing:

*2nd 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 September 12, 2023:

Hearing to Impose Fine/Lien

Order of Compliance

**Based on a submitted Report and Affidavit of Compliance, Member Dwyer
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.**

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SUNROCK CAPITAL LLC

Property Location: 1431 General Custer Ave, Daytona Beach 32124

Parcel No. 620601210420 Zoning: R-4(5)A

1: CEB2022069 Posted

Complaint No. 20210707001

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 July 09, 2021

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

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

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

*4th Amended Order of Non-Compliance issued at the June 21, 2023 hearing:

Hearing to Impose Fine/Lien

There was a representative from Sunrock Capital, LLC, 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to issue a 5th 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 November 15, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

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2: **CEB2022070** **Posted**

Complaint No. 20211110038

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 8 SECTION 72-280 Two principal structures on one lot

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on March 28, 2022

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

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the November 16, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the February 15, 2023 hearing:

*4th Amended Order of Non-Compliance issued at the June 21, 2023 hearing:

Hearing to Impose Fine/Lien

There was a representative from Sunrock Capital, LLC, 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to issue a 5th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE II, DIVISION 8, SECTIONS 72-280, with a Hearing to Impose Fine is set for the November 15, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

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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 II DIVISION 8 SECTION 72-291 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 June 16, 2021

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

*1st Amended Order of Non-Compliance issued at the July 19, 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE II, DIVISION 8, SECTIONS 72-280, with a Hearing to Impose Fine is set for the October 18, 2023, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

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MARY BOGETVEIT Kelly Enterprises

Property Location: 3790 Cardinal Blvd, Port Orange 32127

Parcel No. 630211000030 Zoning: R-9

1: CEB2022268

Complaint No. 20220809079

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 August 9, 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 May 17, 2023 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of September 8, 2023:

Hearing to Impose Fine/Lien

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

KAILIN BROUSSEAU

Property Location: 410 N Boundary Ave, Deland 32720

Parcel No. 700827000530 Zoning: I-1(3),I-1(3)A

1: CEB2022278

Complaint No. 20220908032

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 September 14, 2022

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

*1st Amended Order of Non-Compliance issued at the August 16, 2023 hearing:

Hearing to Impose Fine/Lien

Kailin Brousseau 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd 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 Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

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2: **CEB2022279**

Complaint No. 20220913016

Violation of 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 September 14, 2022

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

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

Hearing to Impose Fine/Lien

Kailin Brousseau 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd 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 October 18, 2023, hearing. After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

BRANDON JAMES & RANI K NEGRICH

Property Location: 1201 Tall Pine Dr, Osteen 32764

Parcel No. 922300010750 Zoning: RC

1: **CEB2022285**

Complaint No. 20200823003

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 August 26, 2020

*The Enforcement Official continued this case from the February 15, 2023 hearing:

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

Hearing to Impose Fine/Lien

Mark Jones, Attorney, was present for this hearing.

Julie McCrystal, Environmental Specialist II presented the case. Julie McCrystal, went over the case details, showing photos. There was a discussion between Julie McCrystal, Mr. Jones and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 1, SECTION 72-884, with a Hearing to Impose Fine is set for the January 17, 2024, hearing. After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.

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2: **CEB2023013**

Complaint No. 20200924048

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) accessory structures, enclosed porch, may not be a complete list

Code Compliance Officer – Fred Eastwood

Property owner was first notified of the violation on September 26, 2020

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

Hearing to Impose Fine/Lien

Mark Jones, Attorney, was present for this hearing.

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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st 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 January 17, 2024, hearing. After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

RICHARD TODD KENNEDY

Property Location: 1207 Tall Pine Dr, Osteen 32764

Parcel No. 922300010740 Zoning: RC

1: CEB2022287

Complaint No. 20220708049

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 July 20, 2022

*The Enforcement Official continued this case from the February 15, 2023 hearing:

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

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

Hearing to Impose Fine/Lien

There was no one present for this hearing.

Julie McCrystal, Environmental Specialist II presented the case. Julie went over the case details, showing photos. There was a discussion between Julie and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 2nd 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 January 17, 2024, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

X. Hearings and Presentation of Filed Notices of Violations

OCEANIA PLAZA CONDO ASSOC

Property Location: 421 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 740909010001

1: 20230509084

Violation of VOLUSIA COUNTY CODE OF ORDINANCES CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924 (a) (1, 2, 6). Lights illuminating and/or visible from the beach during sea turtle nesting season from May 1st through October 31st.

Environmental Management – Nicole Weiss

Property owner was first notified of the violation on May 15, 2023

There was no one present for the hearing.

Nicole Weiss, Sea Turtle Lighting Specialist, presented the case. Nicole went over the case details, showing photos. There was a discussion between Nicole 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 12, SECTION 72-924, With a compliance date of October 17, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote

September 20, 2023

DAYTONA JV LLC

Property Location: 451 S Atlantic Ave, Daytona Beach

Parcel No. 530902020220

1: 20230504065

CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 Sec 72-924 (a) (1, 2, 3) Lights illuminating and/or visible from the beach during sea turtle nesting season from May 1st through October 31st.

Environmental Management – Nicole Weiss

Property owner was first notified of the violation on August 28, 2023

****REPEAT VIOLATION****

There was no one present for the hearing.

Nicole Weiss, Sea Turtle Lighting Specialist, presented the case. Nicole went over the case details, showing photos. There was a discussion between Nicole and the Board.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to issue an Order of Non-Compliance for a repeat violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 12, SECTION 72-924, With a compliance date of September 28, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote

CORONADO TOWERS CONDO ASSOCIATION

Property Location: 705 N Atlantic Ave, New Smyrna Beach

Parcel No. 745517000001

1: 20230601068

CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924 (a) (1, 2) Lights illuminating and/or visible from the beach during sea turtle nesting season from May 1st through October 31st.

Environmental Management – Nicole Weiss

Property owner was first notified of the violation on June 2, 2023

Brian Nichols was present for the hearing.

Nicole Weiss, Sea Turtle Lighting Specialist, presented the case. Nicole went over the case details, showing photos. There was a discussion between Nicole and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance for a violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 12, SECTION 72-924, With a compliance date of October 17, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Ferreira SECONDED the motion, it CARRIED unanimously by voice vote

September 20, 2023

M & G PONCE INLET LLC

Property Location: 33 Inlet Harbor Rd, Ponce Inlet 32127

Parcel No. 64300020060

1: 20230512079

CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III
DIVISION 12 SECTION 72-924 (a) (1, 2, 5).

Lights illuminating and/or visible from the beach during sea turtle nesting season from May 1st through October 31st.

Environmental Management – Nicole Weiss

Property owner was first notified of the violation on May 15, 2023

Franchesco Cipolla was present for the hearing.

Nicole Weiss, Sea Turtle Lighting Specialist, presented the case. Nicole went over the case details, showing photos. There was a discussion between Nicole and the Board.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Non-Compliance and an Order of Dismissal for a repeat violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 12, SECTION 72-924, After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote

OSCAR DANIEL GUTIERREZ & MARIA CASTANEDA

Property Location: 1203 Leon Ln, Daytona Beach 32117

Parcel No. 523705000190 Zoning: R-5

1: 20230131086 Posted

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Carport enclosed without the required permits, inspections or approvals. According to Volusia County Property Appraiser information, carport was enclosed in year 2019. Carport appears to be converted into a living space with addition of exterior door and windows. DEMO Permit Reference #20220304010 - Cancelled May 21, 2022. May not be a complete list. VN1 Building without a permit

Code Compliance Officer - Peter Hinson

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

There was no one present for the 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 Hall MOVED to issue an Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTION 105.1 and 110.0, With a compliance date of November 10, 2023 and a Hearing to Impose Fine is set for the November 15, 2023 hearing After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

E&E BUSINESS VENTURE INC

Property Location: 308 Albany Ave, Deland 32724

Parcel No. 701519040370 Zoning: R-4A

1: 20230316001

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. Building, siding, sheathing, roofing, structural, interior / exterior renovations. Electrical, mechanical, plumbing, roofing. Permitting & inspections required. May not be a complete list.

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 18, 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 Hall MOVED to issue an Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTION 105.1 and 110.0, With a compliance date of October 6, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote.

PROPERTY INVESTMENTS MH LLC

Property Location: 412 Warren Ave, New Smyrna 32168

Parcel No. 741801230050 Zoning: R-4A

1: 20230522073

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 June 2, 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 of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I, SECTION 58-3, With a compliance date of October 6, 2023 and a Hearing to Impose Fine is set for the October 18, 2023 hearing After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

JEFF & LIZZA LYNN

Property Location: 3750 Juniper Ln, Ormond Beach 32174

Parcel No. 403501001340 Zoning: RRA

1: 20230607061

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

Environmental Specialist II - Danielle Gadzala

Property owner was first notified of the violation on June 7, 2023

Withdrawn

WT INVESTMENT PROPERTY GROUP FL LLC

Property Location: 1820 10th Ave, Deland 32724

Parcel No. 700102200280 Zoning: R-4A

1: 20230714014

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
TRE Tree removal without permit

Environmental Specialist II - Danielle Gadzala

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

There was no one 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance, for violation of Volusia County Code of Ordinances CHAPTER 72, Article III, DIVISION 10 SECTION 72-834(2), With a compliance date of October 16, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote

September 20, 2023

2: 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 II - Danielle Gadzala

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

There was no one 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 and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance, for violation of Volusia County Code of Ordinances CHAPTER 72, Article III, DIVISION 11 SECTION 72-884, With a compliance date of October 16, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote

~~RONALD C HARMAN TR SHIVAN DUA & DANIELLE SCHLEGELV~~

Property Location: 1548 Stone Tr, Enterprise 32725

Parcel No. 910804000250 Zoning: R-3(1) EA

1: 20230731002

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 on July 31, 2023

There was no one 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 Zahn MOVED to issue an Order of Non-Compliance, for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTION 105.1 AND 110.1, With a compliance date of November 10, 2023 and a Hearing to Impose Fine is set for November 15, 2023 After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote

September 20, 2023

MARIANNA JONES

Property Location: 1543 Voorhis Ave, Deland 32724

Parcel No. 701400000450 Zoned: R-4A

1: 20230809013

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 on August 9, 2023

Elisa Jones and Mr. Merrywether were 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, Ms. Jones, Mr. Merrywether and the Board.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to issue an Order of Non-Compliance, for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTION 105.1 AND 110.1, With a compliance date of October 13, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote

2: 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 – Fred Eastwood

Property owner was first notified on August 9, 2023

Elisa Jones and Mr. Merrywether were 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, Ms. Jones, Mr. Merrywether and the Board.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to issue an Order of Non-Compliance with an Order of Dismissal and Referred to CLCA, for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I, SECTION 58-3, After Member Gallegos SECONDED the motion, it CARRIED unanimously by voice vote

September 20, 2023

CITY LIMITS DELAND LLC

Property Location: 4425 US Hwy 17, Deland 32724

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

1: 20230815070

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

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on August 22, 2023

Peter Ferrentino (Owner), Mike Tuma (Lawyer) were 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, Peter Ferrentino, Mr. Tuma, and the Board.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Non-Compliance, for violation of Volusia County Code of Ordinances CHAPTER 10, With a compliance date of October 9, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Dwyer SECONDED the motion, it CARRIED unanimously by voice vote.

~~2. 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 – Fred Eastwood

Property owner was first notified on August 9, 2023 **DUPLICATE CASE**

September 20, 2023

PROPERTY INVESTMENTS MH LLC

Property Location: 412 Warren Ave, New Smyrna 32168

Parcel No. 741801230050 Zoning: R-4A

1: 20230817030

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). SWO posted Construction which requires permitting and inspections with no evidence of required permits, inspections, or approvals. Interior exterior renovations, structural alterations, electrical, plumbing, windows, exterior doors – may not be a complete list. Building, mechanical, electrical, plumbing, permitting & inspections required

Code Compliance Officer – Robert Chayer

Property owner was first notified of the violation on August 17, 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, for violation of Volusia County Code of Ordinances CHAPTER 22-2 SECTIONS 105.1 AND 110.1, With a compliance date of October 6, 2023 and a Hearing to Impose Fine is set for October 18, 2023 After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

HALVORSON J COOPER

Property Location: 1301 13th St, Daytona Beach 32117

Parcel No. 423309000290 Zoning: R-4

1: 20230821004

VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, R-4 Urban Single-Family Residential Improperly Maintained structure and systems. Finished Enclosed Porch roof dilapidated and caved in, structural damage to principal structure, garage roof dilapidated, appears inside of house uninhabitable and not to living conditions according to neighbors. Property in a state of blight, unmaintained with junk, abandoned vehicles and abandoned boats overtaking the property. May not be a complete list.

Code Compliance Officer – Peter Hinson

Property owner was first notified of the violation on June 22, 2021

Rachel Hamlet present for the hearing.

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. There was a discussion between Peter, Rachel Hamlet 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, Referred to CLCA, 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.

CHARLES H KLEINSCHMIDT

Property Location: 2629 Alhambra Ave, Deland 32720

Parcel No. 792304001050 Zoning: R-4

1: CEB2022158 Posted

Complaint No. 20200302048

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 March 05, 2020

CONTINUED 10-18-23

September 20, 2023

2: **CEB2022159** **Posted**

Complaint No. 20200302050

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

Code Compliance Officer – Debbie Zechnowitz

Property owner was first notified of the violation on July 1, 2022

CONTINUED 10-18-23

BANERSY CORP

Property Location: 1440 Annapolis Ave, Daytona Beach 32124

Parcel No. 620602250040 Zoning: R-4(5)A

1: **CEB2022225**

Complaint No. 20220429033

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 - Danielle Gadzala

Property owner was first notified of the violation on June 7, 2022

CONTINUED 2-21-24

GERARDO CASTANEDA HERNANDEZ

Property Location: 200 W Baxter St, Deleon Springs 32130

Parcel No. 694100000021 Zoning: R-3

1: **CEB2023040**

Complaint No. 20221104037

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 March 6, 2023

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
Hall MOVED to issue an Order of Non-Compliance, for violation of Volusia County
Code of Ordinances CHAPTER 22-2 SECTIONS 105.1 AND 110.1, With a
compliance date of October 13, 2023 and a Hearing to Impose Fine is set for
October 18, 2023 After Member Gallegos SECONDED the motion, it CARRIED
unanimously by voice vote.**

September 20, 2023

XI. Requests for Discussion of Accumulated Fines

OPENDOOR PROPERTY TRUST I

Property Location: 903 Camphor Ln, Deland 32720

Parcel No. 701702190120 Zoning: R-3

1: CEB2021355

Complaint No. 20211116012

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. Mechanical. May not be a complete list.

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on December 2, 2021

*Order of Non-Compliance issued at the December 15, 2021 hearing:

*1st Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

*Final Order Imposing Fine/Lien issued at the April 20, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of August 24, 2023:

Request for Reduction of Fine/Lien \$111,500.00 to \$500.00

Scott Baker was present at the hearing.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to \$500.00 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

MKS ENVIRONMENTAL INC

Property Location: 5797 Lake Winona Rd, Deleon Springs 32130

Parcel No. 693801210010 Zoning: I-1

1: CEB2022185

Complaint No. 20220310015

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 March 11, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

*2nd Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

Request for Discussion of Fine/Lien Start Date

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 1st Amended Order Imposing Fine/Lien commencing November 15, 2023, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTION 105.1 AND 110.3. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

2: CEB2022187

Complaint No. 20220310007

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 March 11, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

*2nd Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

Request for Discussion of Fine/Lien Start Date

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 1st Amended Order Imposing Fine/Lien commencing November 15, 2023, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 118, ARTICLE II, SECTION 118.34. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

3: **CEB2022188**

Complaint No. 20220310006

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 March 11, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

*2nd Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

Request for Discussion of Fine/Lien Start Date

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 1st Amended Order Imposing Fine/Lien commencing November 15, 2023, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72, ARTICLE II, DIVISION 7, SECTION 72-241. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

4: **CEB2022189**

Complaint No. 20210301026

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

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on August 9, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the January 18, 2023 hearing:

*2nd Amended Order of Non-Compliance issued at the March 15, 2023 hearing:

Request for Discussion of Fine/Lien Start Date

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 1st Amended Order Imposing Fine/Lien commencing November 15, 2023, for violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72, ARTICLE II, DIVISION 8, SECTION 72-284.06. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

MARIANNA JONES

Property Location: 1543 Voorhis Ave, Deland 32724

Parcel No. 70140000450 Zoned: R-4A

1: ~~20230809013~~ 20230725030

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 – Fred Eastwood

Property owner was first notified on September 8, 2023

There was no one 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
Hall 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 13, 2023 and a Hearing to Impose Fine is set for
October 18, 2023 After Member Gallegos SECONDED the motion, it CARRIED
unanimously by voice vote.**

September 20, 2023

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 – Robert Chayer

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

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

*Final Order Imposing Fine Lien issued at the June 16, 2021 hearing:

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

Request for Reduction of \$34,600.00

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to \$1,000.00 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

WILLIAM F BOHLEN

Property Location: 1845 2nd Ave, Deland 32724

Parcel No. 700101130130 Zoning: R-4A

1: CEB2022157 Served

Complaint No. 20220425018

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. Residential renovation. Siding, stucco / lath, interior renovation. Plumbing, electrical. Building, Electrical, Plumbing - Permitting & inspections required. May not be a complete list.

Code Compliance Officer - Robert Chayer

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

*Order of Non-Compliance issued at the October 19, 2022 hearing:

*Order Imposing Fine/Line issued at the November 16, 2022 hearing:

*1st Amended Order Imposing Fine/Line issued at the December 21, 2022

*A Report and Affidavit of Compliance was submitted with a compliance date of August 15, 2023:

Order of Compliance

Request for Reduction of \$52,000.00

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to \$1,000.00 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

WILLIAM F BOHLEN

Property Location: 100 Ponce Deleon Blvd, Deleon Springs 32130

Parcel No. 693801100200

Zoning: B-4(D)

CEB2021203

Complaint No. 20210526016

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

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 28, 2021

*Order of Non-Compliance issued at the March 16, 2022 hearing:

*Order Imposing Fine/Line issued at the May 18, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of September 19, 2023:

Order of Compliance

Request for Reduction of \$5,000.00

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to \$1,000.00 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

CEB2021204

Property Location: 100 Ponce Deleon Blvd, Deleon Springs 32130

Parcel No. 693801100200

Zoning: B-4(D)

Complaint No. 20210526015

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). Bldg/Demo with no permit

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 28, 2021

*Order of Non-Compliance issued at the March 16, 2022 hearing:

*Order Imposing Fine/Line issued at the May 18, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of September 19, 2023:

Order of Compliance

Request for Reduction of \$5,000.00

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to \$1,000.00 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

WILLIAM F BOHLEN

CEB2021205

Property Location: 100 Ponce Deleon Blvd, Deleon Springs 32130

Parcel No. 693801100200

Zoning: B-4(D)

Complaint No. 20210526014

Violation of 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 28, 2021

*Order of Non-Compliance issued at the March 16, 2022 hearing:

*Order Imposing Fine/Line issued at the May 18, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of September 19, 2023:

Order of Compliance

Request for Reduction of \$5,000.00

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to Reduce the fine to \$1,000.00 payable within 30 days, once payment is received the Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

September 20, 2023

MARJORIE DALTON

Property Location: 401 Lake Gertie Rd, Deland 32720

Parcel No. 700500000330

Zoning: R-3A

CEB2021394

Complaint No. 20210224031

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

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Feb 26, 2021

*Order of Non-Compliance issued at the February 16, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

*3rd Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

*Final Order Imposing Fine Lien issued at the August 17, 2022 hearing:

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

Order of Compliance

Request for Reduction of \$17,700.00

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to Reduce the fine to Zero Dollars and No Cents. Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE II, DIVISION 8, SECTION 72-287 After Member Gallegos SECONDED the motion, Member Ferreira Opposed the motion, It then carried by voice vote of 5-1.

September 20, 2023

MARJORIE DALTON

Property Location: 401 Lake Gertie Rd, Deland 32720

Parcel No. 700500000330

Zoning: R-3A

CEB2019316

Complaint No. 20190812028

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

Code Compliance Officer - Robert Chayer

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

*Order of Non-Compliance issued at the February 16, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

*3rd Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

*Final Order Imposing Fine Lien issued at the August 17, 2022 hearing:

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

Order of Compliance

Request for Reduction of \$17,700.00

Based on a submitted Report and Affidavit of Compliance, Member Dwyer 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.

After discussion and based on the testimony and evidence presented, Member Dwyer MOVED to Reduce the fine to Zero Dollars and No Cents. Board will issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE II, DIVISION 8, SECTION 72-287 After Member Gallegos SECONDED the motion, Member Ferreira Opposed the motion, It then carried by voice vote of 5-1.

XII. New Business

- 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**

Chris Hutchison let the Board know there were a few members that need to submit their paperwork to be re-appointed to the Board.

September 20, 2023

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ADJOURNMENT

There being no further business to discuss before the Board, the meeting adjourned at 1:36 p.m.

Respectfully submitted,

Jacque Fleming
Code Enforcement Board Clerk

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

WITNESS MY HAND this 20th day of September, 2023, in the City of DeLand, County of Volusia, State of Florida.

**Jacquie Fleming
Code Board Clerk**

September 20, 2023