

# **Volusia County Code Enforcement Board**



## **Members**

**Chad Lingenfelter, Chair  
Andrew Hall, Vice Chair  
Pete Zahn  
Clay Meek, Board Attorney**

**Clement Nadeau  
Donald Needham**

# **September 21, 2022 Agenda for Hearing at 9:00 a.m.**

**Thomas C. Kelly Administration Center  
County Council Chambers - Second Floor  
123 West Indiana Avenue, DeLand, Florida**

## **NOTICE OF RECORD REQUIRED FOR APPEALS**

Pursuant to Section 286.0105, Florida Statutes, you are hereby notified if an you decide to appeal any decision made by a board, agency or commission of the County of Volusia, including the Code Enforcement Board, with respect to any matter considered at this meeting, you will need a record of the proceedings for your appeal, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Accordingly, you must provide a reliable method for recording or transcribing the proceedings.

## **REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES**

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the County's ADA Title II Coordinator at (386) 248-1760, as soon as possible but no later than 2 business days before the scheduled event or meeting, or immediately upon receiving this notification if the time before the appearance is less than 2 days; if you are hearing or voice impaired, call 711.

**ADDITIONAL INFORMATION REGARDING THE AMERICANS WITH DISABILITIES ACT IS LOCATED ON THE FINAL PAGE OF THIS AGENDA.**

**I. Roll Call**

**II. Agenda Changes**

**III. Disclosure of Ex Parte Communications**

Members of the Volusia County Code Enforcement Board are asked to please disclose, for the record, the substance of any ex parte communications that have occurred before or during the public hearing at which a vote is to be taken on any quasi-judicial matters.

**IV. Approval of Minutes – August 17, 2022**

**V. Orders of Compliance**

**VI. Roll Call of Cases**

**VII. Swearing in of Witnesses**

**VIII. Explain Process for:**

- A. Unfinished Business**
- B. New Cases**
- C. Discussion of Accumulated Fines**

**IX. Unfinished Business**

**CEB2006569 - TARPON IV LLC**

**Sheriff Served**

Complaint No. 20060717094

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CH 72 ART II DIV 8 SEC 72-287 (b) Maintaining a r/v, boat and/or trailer without current tags/validation sticker

Property Location: Garden St, Deland 32720

**Parcel No. 603910220160**

**Zoning:**

**Building & Zoning Compliance Officer - Barbara Baldwin**

Property owner was first notified of the violation on SEP 01, 2006

\*Order of Non-Compliance on May 3, 2007

\*1st Amended Order on May 3, 2007

\*Final Order Imposing Fine Lien issued at the November 15, 2006 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 1, 2022:

**Order of Compliance**

**CEB2020028 - VANESSA BURKE**

**Posted**

Complaint No. 20191212001

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

Property Location: 1330 Niatross St, Astor 32102

**Parcel No. 582802000100**

**Zoning: PUD**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the July 15, 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 August 24, 2022:

**Order of Compliance**

**CEB2020188 – VANESSA BURKE**

**Posted**

**\*\*\*REPEAT VIOLATION\*\*\***

Complaint No. 20200903062

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 Living in RV or RV connected to water, sewer or electric lines, where not permitted

Property Location: 1330 Niatross St, Astor 32102

**Parcel No. 582802000100**

**Zoning: PUD**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on

\*Final Order Imposing Fine Lien issued at the December 16, 2020 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of August 24, 2022:

**Order of Compliance**

**CEB2021383 – VIJAY LUTHRA**

**Served**

Complaint No. 20210824057

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

Property Location: 4709 Van Kleeck Dr, New Smyrna Beach 32169

**Parcel No. 743504020050**

**Zoning: R-4W**

**Code Compliance Manager - Chris Hutchison**

Property owner was first notified of the violation on Oct 22, 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:

\*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 16, 2022:

**Order of Compliance**

**CEB2022141 - BROWNLEE SYDNEY B LAND TRUST 01-01-2021 Served**

Complaint No. 20220316005

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 16 SECTION 72-1103 Description: Removal or stripping of native vegetation from a vacant lot without an approved development order or building permit.

Property Location: River Rd, New Smyrna Beach 32169

**Parcel No. 850501720010 Zoning: R-9W**

**Environmental Specialist II - Danielle Gadzala**

Property owner was first notified of the violation on Apr 04, 2022

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of August 22, 2022:

**Order of Compliance**

**CEB2022142 - BROWNLEE SYDNEY B LAND TRUST 01-01-2021 Served**

Complaint No. 20220509041

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

Property Location: River Rd, New Smyrna Beach 32169

**Parcel No. 850501720010 Zoning: R-9W**

**Environmental Specialist II - Danielle Gadzala**

Property owner was first notified of the violation on Sydney Brownlee 6-6-22

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of August 22, 2022:

**Order of Compliance**

**CEB2022147 - POES CROW LLC Served**

**\*\*\*REPEAT VIOLATION\*\*\***

Complaint No. 20220511080

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924 Description: Sea Turtle Lighting violation

Property Location: 203 S Atlantic Ave, New Smyrna Beach 32169

**Parcel No. 740906090030 Zoning: 999**

**Sea Turtle Lighting Specialist - Nicole Weiss**

Property owner was first notified of the violation on 6-15-22

\*Final Order of Non-Compliance/Imposing Fine Lien issued at the July 20, 2022 hearing:

\*Rec'd payment of the 1 Time fine of \$2,000.00 with Check # 1392

\*A Report and Affidavit of Compliance was submitted with a compliance date of August 26, 2022:

**Order of Compliance**

**CEB2020054 – BLAINE BAUGHMAN**

**Served**

Complaint No. 20190530081

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

Property Location: 54 Plaza Dr, Ormond Beach 32176

**Parcel No. 420300030133**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

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

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

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

\*2nd Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

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

**Hearing to Impose Fine/Lien**

**CEB2021142 - RONALD LEE HOUSER**

**Served**

Complaint No. 20201103036

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

Property Location: 136 Seville St, Ormond Beach 32174

**Parcel No. 424220240170**

**Zoning: R-5**

**Code Compliance Officer - Peter Hinson**

Property owner was first notified of the violation on Feb 13, 2021

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

**Hearing to Impose Fine/Lien**

**CEB2021143 - RONALD LEE HOUSER**

**Served**

Complaint No. 20210209029

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

Property Location: 136 Seville St, Ormond Beach 32174

**Parcel No. 424220240170**

**Zoning: R-5**

**Code Compliance Officer - Peter Hinson**

Property owner was first notified of the violation on Feb 13, 2021

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

**Hearing to Impose Fine/Lien**

**CEB2021192 – STEVEN W HAYDEN**

**Posted**

Complaint No. 20200824064

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.

Property Location: 1705 Turtle Hill Rd, Enterprise 32725

**Parcel No. 910901000260**

**Zoning: RREA**

**Environmental Specialist II - Julie McCrystal**

Property owner was first notified of the violation on 7-3-21

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

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

\*2nd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

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

\*4th Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

**Hearing to Impose Fine/Lien**

**CEB2021243 – SHARON BARNES**

**Served**

Complaint No. 20200227056

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). Converted Pole Barn into SFR

Property Location: Lanscam Rd, Deland 32724

**Parcel No. 612101020220**

**Zoning: FRA**

**Zoning Compliance Officer - Debbie Zechnowitz**

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

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

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

**Hearing to Impose Fine/Lien**

**CEB2021276 - BERRYS RIDGE HOA INC**

**Served**

Complaint No. 20180314034

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

Property Location: 3861 N Spring Garden Ave, Deland 32724

**Parcel No. 602002000002**

**Zoning: A-3A, B-2A, RPUDA**

**Environmental Specialist II - Julie McCrystal**

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

\*Order of Non-Compliance issued at the April 20, 2022 hearing:

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

**Hearing to Impose Fine/Lien**

**CEB2021312 - LOS DIAZ PROPERTIES LLC**

**Posted**

Complaint No. 20210909006

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

Property Location: 415 E Country Circle Dr, Port Orange 32128

**Parcel No. 720102001030**

**Zoning: RC,RR**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Oct 4, 2021

\*Order of Non-Compliance issued at the November 17, 2021 hearing:

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

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

**Hearing to Impose Fine/Lien**

**CEB2021360 – Brett Marks TR, Sea Eight Dynasty Tr**

**Posted**

Complaint No. 20210810084

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). Building

Property Location: 325 N Putnam Grove Rd, Oak Hill 32759

**Parcel No. 953701000141**

**Zoning: A-1**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on 12-10-21

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

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

\*2nd Amended Order of Non-Compliance issued at the July 20, 2022 hearing:

**Hearing to Impose Fine/Lien**

**CEB2021382 - EDELGARD B PIERCE**

**Served**

Complaint No. 20211021037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Maintaining a (duplex/multifamily) dwelling and/or use where not permitted

Property Location: 6468 River Rd, New Smyrna Beach 32169

**Parcel No. 850501720110**

**Zoning: R-9W**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 1-4-22

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

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

\*2nd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

**Hearing to Impose Fine/Lien**



**CEB2021384 - EDELGARD B PIERCE**

**Served**

Complaint No. 20210723010

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). House has been converted into 3 living areas. PA states that there are 3 bedrooms and 3 bathrooms. According to the original drawings, the house was built as a 2 bedroom, 3 bathroom home. The property now has 2 kitchens, 4 bathrooms and 5 bedrooms. No evidence of the required permits and inspection approvals.

Property Location: 6468 River Rd, New Smyrna Beach 32169

**Parcel No. 850501720110**

**Zoning: R-9W**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 1-4-22

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

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

\*2nd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

**Hearing to Impose Fine/Lien**

**CEB2021385 - EDELGARD B PIERCE**

**Served**

Complaint No. 20211214002

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Property Location: 6468 River Rd, New Smyrna Beach 32169

**Parcel No. 850501720110**

**Zoning: R-9W**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on E Pierce 1-4-22

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

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

\*2nd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

\*3rd Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

**Hearing to Impose Fine/Lien**

**CEB2022035 – SALMON PROPERTIES LLC**

**Served**

Complaint No. 20211122047

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

Property Location: 2133 5th Ave, Deland 32724

**Parcel No. 700101290130**

**Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Dec 01, 2021

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

\*1st Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

\*2nd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

**Hearing to Impose Fine/Lien**

**CEB2022036 - SALMON PROPERTIES LLC**

**Served**

Complaint No. 20220131011

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). Renovations

Property Location: 2133 5th Ave, Deland 32724

**Parcel No. 700101290130**

**Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Dec 01, 2021

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

\*1st Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

\*2nd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

**Hearing to Impose Fine/Lien**

**CEB2022072 - FRANK P JR & STEPHANIE LALASHUIS**

**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). structure built with out permits

Property Location: 1578 Bear Paw Ln, Deland 32720

**Parcel No. 694401000868**

**Zoning: A-2**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jan 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:

**Hearing to Impose Fine/Lien**

**CEB2022073 - FRANK P JR & STEPHANIE LALASHUIS**

**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.

Property Location: 1578 Bear Paw Ln, Deland 32720

**Parcel No. 694401000868**

**Zoning: A-2**

**Environmental Specialist II - Danielle Gadzala**

Property owner was first notified of the violation on Dec 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:

**Hearing to Impose Fine/Lien**

**CEB2022080 - JAMES G LECAKIS EST**

**Served**

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

Property Location: 4625 Audubon Ave, Deleon Springs 32130

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

**Code Compliance Officer - Robert Chayer**

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

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

**Hearing to Impose Fine/Lien**

**CEB2022116 – MONICA SANCHEZ**

**Served**

Complaint No. 20220118008

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). Mobile home

Property Location: 5026 Audubon Ave, Deleon Springs 32130

**Parcel No. 694401001111                      Zoning: A-3**

**Code Compliance Officer - Robert Chayer**

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

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

**Hearing to Impose Fine/Lien**

**CEB2022117 – MONICA SANCHEZ**

**Served**

Complaint No. 20220512040

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

Property Location: 5026 Audubon Ave, Deleon Springs 32130

**Parcel No. 694401001111                      Zoning: A-3**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on 5-18-22

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

**Hearing to Impose Fine/Lien**

**CEB2022123 - DP LLC TR / 410 E Bennett Land Trust**

**Served**

Complaint No. 20220331026

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). House has been converted to a duplex and has 2 full kitchens.

Property Location: 410 Bennett Ave, Deland 32724

**Parcel No. 700400000621                      Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 04, 2022

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

**Hearing to Impose Fine/Lien**

**CEB2022124 - DP LLC TR / 410 E Bennett Land Trust**

**Served**

Complaint No. 20220331027

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Maintaining a (duplex/multifamily) dwelling and/or use where not permitted

Property Location: 410 Bennett Ave, Deland 32724

**Parcel No. 70040000621**

**Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 04, 2022

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

**Hearing to Impose Fine/Lien**

**CEB2022168 – BROKEN HOOK LLC**

**Served**

Complaint No. 20220524111

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924 Description:

Property Location: 451 S Atlantic Ave, Daytona Beach 32118

**Parcel No. 53090202220**

**Zoning: 999**

**Sea Turtle Lighting Specialist - Nicole Weiss**

Property owner was first notified of the violation on 7-11-22

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

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

**Hearing to Impose Fine/Lien**

**CEB2022171 – BRIAN & TINA VON HEIN**

**Posted**

Complaint No. 20220519072

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

Property Location: 303 Pine Cone Dr, Ormond Beach 32174

**Parcel No. 403501000870**

**Zoning: RR**

**Environmental Specialist II - Julie McCrystal**

Property owner was first notified of the violation on

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

**Hearing to Impose Fine/Lien**

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

### **CEB2022203 - PLAZA RESORT ATLANTIC OCEAN LLC**

**Posted**

Complaint No. 20220503053

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924 Description: Sea Turtle Lighting violation

Property Location: 600 N Atlantic Ave, Suite 406, Daytona Beach 32118

**Parcel No. 530409060010**

**Zoning: 999**

**Sea Turtle Lighting Specialist - Nicole Weiss**

Property owner was first notified of the violation on Aug 09, 2022

### **CEB2021278 - JOSEPH C MACALUSO**

**Sheriff Served**

Complaint No. 20210811033

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

Property Location: 1443 E New York Ave, Deland 32724

**Parcel No. 701106000060**

**Zoning: B-4CA**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on

### **CEB2021306 – COURTNEY & JILL WHITTAKER**

**Posted**

Complaint No. 20210929077

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Excavation without the required permits, exemptions and/or approval.

Property Location: 1140 Lake Harney Woods Blvd, Mims 32754

**Parcel No. 031601000180**

**Zoning: FR,RC**

**Code Compliance Manager - Chris Hutchison**

Property owner was first notified of the violation on Sep 30, 2021

### **CEB2021307 - COURTNEY & JILL WHITTAKER**

**Posted**

Complaint No. 20210929076

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). shed, wrap around patio/porch, pole barn, awning over pool deck, electrical and may not be a complete list

Property Location: 1140 Lake Harney Woods Blvd, Mims 32754

**Parcel No. 031601000180**

**Zoning: FR,RC**

**Code Compliance Manager - Chris Hutchison**

Property owner was first notified of the violation on Sep 30, 2021

**CEB2021309 - COURTNEY & JILL WHITTAKER**

**Posted**

Complaint No. 20211007050

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 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. 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 structure or converted into an accessory structure even when altered, stripped or otherwise rebuilt  
Property Location: 1140 Lake Harney Woods Blvd, Mims 32754

**Parcel No. 031601000180**

**Zoning: FR,RC**

**Code Compliance Manager - Chris Hutchison**

Property owner was first notified of the violation on Sep 30, 2021

**CEB2021311 - COURTNEY & JILL WHITTAKER**

**Posted**

Complaint No. 20210927035

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

Property Location: 1140 Lake Harney Woods Blvd, Mims 32754

**Parcel No. 031601000180**

**Zoning: FR,RC**

**Environmental Specialist II - Julie McCrystal**

Property owner was first notified of the violation on Sep 30, 2021

**CEB2021308 - JILL WHITTAKER**

**Sheriff Served**

Complaint No. 20210929082

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Excavation without the required permits, exemptions and/or approval.

Property Location: 1120 Lake Harney Woods Blvd, Mims 32754

**Parcel No. 031601000190**

**Zoning: FR,RC**

**Code Compliance Manager - Chris Hutchison**

Property owner was first notified of the violation on Sep 30, 2021

**CEB2021310 - JILL WHITTAKER**

**Sheriff Served**

Complaint No. 20210929080

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). siding, windows, enclosing the porch, may not be a complete list

Property Location: 1120 Lake Harney Woods Blvd, Mims 32754

**Parcel No. 031601000190**

**Zoning: FR,RC**

**Code Compliance Manager - Chris Hutchison**

Property owner was first notified of the violation on Sep 30, 2021

**CEB2022144 - JEAN B ALEPIN TR & KIM MARIE KING-ALEPIN TR Posted**

Complaint No. 20211026019

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

Property Location: 320 Prevatt Rd, Seville 32190

**Parcel No. 382900000092 Zoning: A-1,A-3**

**Environmental Specialist I - Danielle Gadzala**

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

**CEB2022173 - OPENDOOR PROPERTY J LLC**

**Served**

Complaint No. 20220708069

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. (2) New windows. Heat required per R303.10. Building, Mechanical, Electrical - Permitting & inspections residential required. May not be a complete list.

Property Location: 9 Aspen St, Daytona Beach 32124

**Parcel No. 620603070180 Zoning: R-4(5)A**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on 7-16-22

**CEB2022175 - OPENDOOR PROPERTY J LLC**

**Served**

Complaint No. 20220719009

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

Property Location: 68 Carol Rd, Ormond Beach 32176

**Parcel No. 323403001360 Zoning: R-5**

**Code Compliance Officer - Peter Hinson**

Property owner was first notified of the violation on 7-29-22

**CEB2022177 - CONFIDENTIAL DATA F.S. 119.07**

**Served**

Complaint No. 20200812063

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

Property Location: 6562 Turtle mound Rd, New Smyrna Beach 32169

**Parcel No. 850501470310 Zoning: R-9W**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Aug 24, 2020

**CEB2022195 - DAYTONA SEA BREEZE 3299 LLC**

**Served**

Complaint No. 20220629029

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). Plumbing work

Property Location: 4043 S Atlantic Ave, Port Orange 32127

**Parcel No. 631202000870                      Zoning: R-9(S)**

**Code Compliance Officer - Fred Eastwood**

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

**CEB2022196 – LISA KILGORE**

**Posted**

Complaint No. 20211025025

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

Property Location: 4151 Swamp Deer Rd, New Smyrna Beach 32168

**Parcel No. 820101060290                      Zoning: RA**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on May 10, 2022

**CEB2022197 – LISA KILGORE**

**Posted**

Complaint No. 20210208020

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). Home built without permits

Property Location: 4151 Swamp Deer Rd, New Smyrna Beach 32168

**Parcel No. 820101060290                      Zoning: RA**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on May 10, 2022

**CEB2022204 - CHARLES W MASON**

**Posted**

Complaint No. 20220713022

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

Property Location: 1270 Kenard St, New Smyrna Beach 32168

**Parcel No. 731200000390                      Zoning: A-3A**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on July 13, 2022



**CEB2022205 - CHARLES W MASON**

**Posted**

Complaint No. 20220713027

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

Property Location: 1270 Kenard St, New Smyrna Beach 32168

**Parcel No. 731200000390**

**Zoning: A-3A**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on July 13, 2022

**XI. Requests for Discussion of Accumulated Fines**

**CEB2006567/568/569/570 - TARPON IV LLC**

**Sheriff Served**

Complaint Nos. 20060717094/7055/7056/20061012030

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CH 72 ART II DIV 8 SEC 72-287 (b) Maintaining a r/v, boat and/or trailer without current tags/validation sticker/Chapter 118, Art. II, Section 118-34, Vehicles without tags, Ord. 80-8 as amended, Art. VII, Section RR, accessory use without principal structure, 80-8, as amended, Art. VII, Section RR, junkyard where not permitted.

Property Location: Garden St, Deland 32720

**Parcel No. 603910220160**

**Zoning:**

**Building Compliance Officer – Margaret Godfrey**

Property owner was first notified of the violation on SEP 01, 2006

\*Order of Non-Compliance on May 3, 2007

\*1st Amended Order on May 3, 2007

\*Final Order Imposing Fine Lien issued at the November 15, 2006 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 1, 2022:

**Request for Discussion of Fine/Liens of \$941,116 on all above listed cases**

**CEB2018181 - OCEAN SHORE HOLDINGS INC**

**Served**

Complaint No. 20170516044

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). (Renovations/remodel

Property Location: 1294 Ocean Shore Blvd, Ormond Beach 32176

**Parcel No. 420313001390**

**Zoning: B-4**

**Building Compliance Officer – Margaret Godfrey**

Property owner was first notified of the violation on May 24, 2017

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

\*Final Order Imposing Fine Lien issued at the March 20, 2019 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of November 11, 2019:

\*Order of Compliance issued at the July 20, 2022 hearing:

**Request for Discussion of Fine/Lien of \$20,700.00**

**CEB2021079 – ANTHONY COOPER**

**Served**

Complaint No. 20210214003

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

Property Location: 494 Old Daytona Rd, Deland 32724

**Parcel No. 603304000010**

**Zoning: I-1A**

**Environmental Specialist II - Todd Hannah**

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

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

\*1st Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

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

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

\*1st Amended Order Imposing Fine/Lien issued at the June 15, 2022 hearing:

**Request for Discussion of Fine/Lien of Start Date of September 22, 2022**

**CEB2021128 - ANTHONY COOPER**

**Served**

Complaint No. 20210220006

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-291. Contractor storage yard with no final site plan

Property Location: 494 Old Daytona Rd, Deland 32724

**Parcel No. 603304000010**

**Zoning: I-1A**

**Code Compliance Officer - Robert Chayer**

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

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

\*1st Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

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

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

\*1st Amended Order Imposing Fine/Lien issued at the June 15, 2022 hearing:

**Request for Discussion of Fine/Lien of Start Date of September 22, 2022**

**CEB2021129 - ANTHONY COOPER**

**Served**

Complaint No. 20210220007

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Property Location: 494 Old Daytona Rd, Deland 32724

**Parcel No. 603304000010**

**Zoning: I-1A**

**Code Compliance Officer - Robert Chayer**

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

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

\*1st Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

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

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

\*1st Amended Order Imposing Fine/Lien issued at the June 15, 2022 hearing:

**Request for Discussion of Fine/Lien of Start Date of September 22, 2022**

## **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**

## **XIII. Adjournment**

**COUNTY OF VOLUSIA  
NOTICE UNDER THE AMERICANS  
WITH DISABILITIES ACT (TITLE II)**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the County of Volusia (“County”) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. County does not discriminate on the basis of disability in its hiring or employment practices and complies with all the regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

County will generally, upon request, provide appropriate aids and services leading to effective communications for qualified persons with disabilities so they can participate equally in County programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. County will make such reasonable modification to policies and programs for qualified persons with disabilities to ensure they have equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcome in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of County, should contact the office of the County’s ADA Title II Coordinator at (386) 248-1760 as soon as possible but no later than 2 business days before the scheduled event or meeting. This paragraph shall likewise apply to written requests by a physically handicapped person needing a special accommodation to attend a public meeting in accordance with section 286.26, Florida Statutes.

Complaints that a program, service, or activity of County is not accessible to persons with disabilities should be directed to the County in accordance with the *County of Volusia Grievance Procedure under the Americans with Disabilities Act (Title II)*. A copy of the procedure may be obtained by contacting the office of the County’s ADA Coordinator, (386) 248-1760.

County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who are in wheelchairs.