VOLUSIA COUNTY CONTRACTOR LICENSING & CONSTRUCTION APPEALS BOARD 
MINUTES

DATE: May 3, 2023
TIME: 4:00 p.m. Wednesday
PLACE: County Council Chambers, Thomas Kelly Administration Building, 123 West Indiana Avenue, DeLand, FL.

I. Call to Order at 4:00.

II. Roll Call.

John Meinelt - Chairman
Mitchell Cole - Vice Chairman
James Jones
Mark Barber
Michael McDonald
Michael Wojtuniak

III. The Minutes of the March 1st 2023 meeting were approved as written.

IV. Swearing in of Witnesses.

V. Ex Parte Communications:

A. There were no Ex Parte communications.

VI. Unfinished Business.

A. There was no unfinished business.

VII. Public Hearings and Presentation of Applications or Cases

A. Items Continued

1. There were no items continued.

B. New Items - Structure is unsafe or dilapidated in accordance with Article II, Section 58-84(a)(4)(7)(8), Section 58-84(b)(2)(3) and Section 58-84(c), Code of Ordinances, County of Volusia.

1. CLCA-23-04-001, 141 Evergreen Terrace, DeLand, FL 32724, Owned by Marvin Feaster. Structure is unsafe or Dilapidated.

Kerry Leuzinger, Chief Building Official presents the case. This case goes back to 2017 when Code Enforcement had a case for work without a permit on a roof. Mr. Feaster said he had plans to renovate the property. By 2018 work was being performed without a permit. The roof permit eventually expired. We lost touch with Mr. Feaster but he is present here today and will speak later. Code Enforcement found it in violation and set fine and lien which has capped out at $5,000.00 and it remains at that point and remains unpaid. In December of 2022, the code Board referred this case to CLCA. Taxes on the property have been paid and Mr. Feaster has had some problems with vandalism and squatters on the property. A Notice of
Determination was posted on March 24, 2023 on both the main property and the shed. The Notice of Hearing was posted on March 24, 2023. A Stop Work Order was posted on this property in 2018. This was a Mobile Home at one point and it appears some type of addition was attempted. The interior has been gutted down to the studs. Our recent pictures show the property much in the same condition as it has been since 2018. No permits have been applied for or issued. The power is off and has been off. Mr. Leuzinger requested adoption of a resolution of condemnation with a compliance date of June 5th 2023. Mr. Feaster is here. Marvin Feaster states his name as such. Mr. Feaster states that he would like to get a permit to tear it down. Mr. Leuzinger requests that the Resolution stand and that Mr. Feaster has until June 5th to apply for a permit to tear down the home and clean up the property. That is what we want and we wouldn’t have our contractor tear it down. Mr. Feaster was informed by the Chairman, John Meinelt, that if they condemn the property today and he does not tear it down, the County will tear it down and you will have to pay for it. Mr. Feaster responded that he understood. Michael Wojtuniak made a motion to adopt the Resolution of Condemnation with a compliance date of June 5th 2023. Mike McDonald seconds the motion. Board Members vote to adopt the Resolution, no one opposed and motion carries.

2. CLCA-23-04-002, 547 Spring Hill Court, Osteen, FL 32764, Owned by Albert Hunt. Structure is unsafe or Dilapidated.

Kerry Leuzinger, Chief Building Official presents the case. The original owner in this case was Albert Hunt but it has since changed hands. We did notice the new Owners as well. The new Owners are present and will need to be sworn in before speaking. The Notice of Determination was posted on March 30, 2023. The Notice of Hearing was posted on March 30, 2023. Both of these were also mailed to the new owners. This code case started last June. There were no permits issued or applied for at that time. The code board referred the case to CLCA in November. Paul Traider, Contractor Licensing Investigator takes us through the photos from the property. This property started out as a single wide mobile home. The former owner built a block structure around the mobile home and intended to try to make this into a home but the construction was never permitted, there was no engineering and the construction that we can see is not going to meet code. I want to make sure that the new owner understands what it will take to make it habitable or remove the structure. Mr. Leuzinger requested adoption of a resolution of condemnation with a compliance date of June 5th 2023. The Owner, Mr. Jose Soto Gonzalez is sworn in and states his name as such. The new owner states that he was unaware that the work that was performed was done without a permit. He says that he would like to apply for a permit for Demolition and place a trailer on the property instead. Mr. Leuzinger requests that the resolution stands but based on the testimony he would not have a problem moving the compliance date out a few months to give the new owner some time to resolve the matter. Michael Wojtuniak made a motion to adopt the Resolution of Condemnation with a revised compliance date of September 1st 2023. Mitchell Cole seconds the motion. The situation is explained to the new property owner with regards to the resolution and the requirements to either bring the structure to code or demolish it. Clay Meek clarifies that they are looking to make September 1st a date by which the Owner has to at least make a decision of whether he’d like to pursue saving the structure and going forward with a build or demolishing the structure. Board Members vote to adopt the Resolution, no one opposed and motion carries.

VIII. Staff Comments.
Kerry Leuzinger introduces Nick Ventura, Deputy Building Official and states that we are making moves to bring things back to the way they once were and that the Board will be seeing him present the cases to the board starting with the next meeting.

IX. Citizen Comments.

There were no citizen comments.

X. Adjourn at 4:23 PM.

If any person decides to appeal a decision made by the CLCA with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.