

City of DeLand



Condemnation Special Magistrate

J. Zolty Special Magistrate

January 30, 2024
Hearing Minutes

DeLand City Hall
City Commission Chambers
120 S. Florida Avenue, DeLand, Florida

x 

- A. CALL TO ORDER AT 2:05 PM
- B. PLEDGE OF ALLEGIANCE
- C. FORMAT FOR PROCEEDINGS
- D. APPROVAL OF MINUTES

December 14, 2023

- E. SWEARING IN OF WITNESSES:

Richard Lovett, Code Enforcement Manager

Larry Hites, Chief Building Official

Samuel Goodwin, Representative

Eric Orberg, Respondent

OTHERS PRESENT:

Julie Zolty, Special Magistrate

Darren Elkind, City Attorney

- F. OLD BUSINESS

- I. Order to Demolish / Impose Fines

Case # CE23-0486

Location: 327 S Delaware Ave

Respondent: Shavin Whitted

Description: The property contains an unsafe building that is dilapidated, unsanitary, in an unsafe condition and is a public nuisance.

Violation: City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances.

Parcel ID: 701710150070

Zoning: R-1

Code Enforcement: Richard Lovett

Appearing Respondent: Did not appear.

DeLand Testimony: Officer Lovett testified that as of December 14, 2023, the property has not come into compliance. The property is in violation of City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances. The City recommends the demolition and removal of dilapidated structure.

Respondent Testimony: Did not appear for testimony.

Magistrate's Finding: The property remains in violation. An order of Demolition on the Property and removal from the Property of all debris and other items, together with the costs of these proceedings, shall be a lien upon the Property.

Case # CE23-0498

Location: 246 E Howry Ave

Respondent: Alice Lee Goodwin

Description: The property contains an unsafe building that is dilapidated, unsanitary, in an unsafe condition and is a public nuisance.

Violation: City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances.

Parcel ID: 701616120030

Zoning: C-2

Code Enforcement: Richard Lovett

Appearing Representative Samuel Goodwin

DeLand Testimony: Officer Lovett testified that as of December 14, 2023, the property has not come into compliance. The property is in violation of City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances. The City recommends the demolition and removal of dilapidated structure.

Representative Testimony: Mr. Goodwin stated there are 5 siblings that are trying to work together to come into compliance. Also stated it is going to cost 27 Thousand to demolish the structure. Mr Goodwin requested more time, would like until the end August 2024 to come into compliance.

Magistrate's Finding: Granted more time. Gave until August 30, 2024 for compliance. The property remains in violation. An order of Demolition on the Property and removal from the Property of all debris and other items, together with the costs of these proceedings, shall be a lien upon the Property.

Case # CE23-0517

Location: 1020 E Howry Ave

Respondent: Duane E Makowski

Description: The property contains an unsafe building that is dilapidated, unsanitary, in an unsafe condition and is a public nuisance.

Violation: City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances.

Parcel ID: 701507030320

Zoning: R-1

Code Enforcement: Richard Lovett

Appearing Respondent: Did not appear.

DeLand Testimony: Officer Lovett testified that as of December 14, 2023, the property has not come into compliance. The property is in violation of City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances. The City recommends the demolition and removal of dilapidated structure.

Respondent Testimony: Did not appear for testimony.

Magistrate's Finding: The property remains in violation. An order of Demolition on the Property and removal from the Property of all debris and other items, together with the costs of these proceedings, shall be a lien upon the Property.

Case # CE23-0519

Location: 211 Luella Ct

Respondent: Eric & Joan Orberg

Description: The property contains an unsafe building that is dilapidated, unsanitary, in an unsafe condition and is a public nuisance.

Violation: City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances.

Parcel ID: 700907000060

Zoning: C-2A

Code Enforcement: Richard Lovett

Appearing Respondent: Eric Orberg

DeLand Testimony: Officer Lovett testified that as of December 14, 2023, the property has not come into compliance. The property is in violation of City of DeLand Code of Ordinances; Chapter 25, Section 25-A-6 (c)(3). Sanitary public nuisances. The City recommends the demolition and removal of dilapidated structure.

Respondent Testimony: Mr. Orberg stated he did get an Engineer Structure Report and believes the only part of the structure that is bad and unsafe is the addition on the NE side corner. He is trying to sell the property and has a buyer who has made an offer.

Magistrate's Finding: The property remains in violation. An order of Demolition on the Property and removal from the Property of all debris and other items, together with the costs of these proceedings, shall be a lien upon the Property.

II. Order of Compliance

No action items

III. Continued Cases

No action items

IV. Lien Reduction

No action items

G. NEW BUSINESS

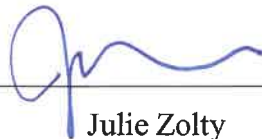
I. Order of Condemnation

No action items

H. NEXT MEETING DATE — To be determined.

H. ADJOURNMENT @ 2:40 PM

DONE AND APPROVED this 22nd day of February, 2024.

By: 
Julie Zolty
Special Magistrate
City of DeLand, Florida