

City of DeLand



Code Enforcement Special Magistrate

J. Zolty Special Magistrate

**April 27, 2023
5:00 P.M.
Hearing Agenda**

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

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. FORMAT FOR PROCEEDINGS
- D. APPROVAL OF MINUTES
- March 23, 2023
- E. SWEARING IN OF WITNESSES
- F. NEW BUSINESS

I. FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Case # CE22-0550

(Tab 1)

Location: 430 W Winnemissett Ave

Respondent: Milton Wilson

Description: The house has been renovated without the required permits.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 2, Local Supplement to the Florida Building Code, Administration, Section 105, Permits Subsection 105.1, Required.

Parcel ID: 700902410020

Zoning: R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0134

(Tab 2)

Location: 508 Bramble Fern Ave

Respondent: Prudent Home LLC

Description: The owner of the single family dwelling continues to allow different occupants abode in the dwelling unit for less than 30 days, which is not permitted in a single family dwelling.

Violation: City of DeLand Code of Ordinances; Chapter 33, Section 12, Family means any one of the following, when living together in a dwelling unit or using it as a common place of abode for 30 days or more in any three-month period:
Dwelling, single-family, means a building designed for or occupied exclusively by one family with independent cooking and bathroom facilities.

Parcel ID: 700711000630

Zoning: R-1AA

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE22-0494

(Tab 3)

Location: 219 N Garfield Ave

Respondent: CMA Volusia properties LLC

Description: The property contains a dangerous structure by way of deterioration or neglect and an unmaintained fence.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 1, Section 108.1.5, Dangerous structure or premises, and Chapter 33, Section 28.06, Fences and Walls. (i) Maintenance.

Parcel ID: 700958000040

Zoning: R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0237

(Tab 4)

Location: 219 N Garfield Ave

Respondent: CMA Volusia properties LLC

Description: The R-1 zoned property continues to have commercial vehicles stored on the property.

Violation: City of DeLand Code of Ordinances; Chapter 33, Section 91.021, Parking restrictions for commercial vehicles. (a) Residential and professional-residential districts.

Parcel ID: 700958000040

Zoning: R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0240

(Tab 5)

Location: 219 N Garfield Ave

Respondent: CMA Volusia properties LLC

Description: The property contains waste, yard trash, rubble, debris, junked, dismantled, nonoperative, and discarded personal property.

Violation: City of DeLand Code of Ordinances; Chapter 16, Section 30, Lot Maintenance, (3) Nuisance Declared, and Chapter 21, Section 01, Abandoned, Junked, Discarded Personal Property. (2) Keeping, Storing, etc., Prohibited.

Parcel ID: 700958000040

Zoning: R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0079

(Tab 6)

Location: 434 S Clara Ave

Respondent: Efrain Estrada Rico

Description: A new roof and pavers were recently constructed at the property without the required permits.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 2, Local Supplement to the Florida Building Code, Administration, Section 105, Permits, Subsection 105.1, Required.

Parcel ID: 701743000540 **Zoning:** R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0241

(Tab 7)

Location: 434 S Clara Ave

Respondent: Efrain Estrada Rico

Description: The property contains accumulations of waste, yard trash, rubble, debris, dismantled, partly dismantled, and nonoperative discarded personal property.

Violation: City of DeLand Code of Ordinances; Chapter 16, Section 30, Lot Maintenance, (3) Nuisance Declared, and Chapter 21, Section 01. Abandoned, Junked, Discarded Personal Property.

Parcel ID: 701743000540 **Zoning:** R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0245

(Tab 8)

Location: 434 S Clara Ave

Respondent: Efrain Estrada Rico

Description: The R-1 zoned property continues to have commercial vehicles stored on the property.

Violation: City of DeLand Code of Ordinances; Chapter 33, Section 91.021, Parking restrictions for commercial vehicles. (a) Residential and professional-residential districts. Within the R-1 zoning districts.

Parcel ID: 701743000540 **Zoning:** R-1

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

G. OLD BUSINESS

I. ORDER IMPOSING FINE HEARING

Case # CE23-0086

(Tab 9)

Location: 830 N Clake St

Respondent: Magna Holdings LLC

Description: The premises is not being maintained and has accumulations of waste, yard trash, rubble or debris all throughout.

Violation: City of DeLand Code of Ordinances; Chapter 16, Section 30, Lot Maintenance, (3) Nuisance Declared, and Chapter 16, Section 4, Lots, premises.

Parcel ID: 700928030020

Zoning: R-12

Status: Non-compliance

Order Imposing Fine/Lien

II. CONTINUED CASES

Case # CE21-0037

(Tab 10)

Location: 234 S Marydell Ave

Respondent: Shellie Marie Robinson

Description: A new roof was installed without the required permit.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 2, Local Supplement to the Florida Building Code, Administration, Section 105, Permits, Subsection 105.1, Required.

Parcel ID: 701702040190

Zoning: R-1A

Status: Non-compliance

Order Continuing Hearing

Case # CE23-0127

(Tab 11)

Location: 830 N Clake St

Respondent: Magna Holdings LLC

Description: The garbage containers and recycling containers are not being stored in full compliance with the code.

Violation: City of DeLand Code of Ordinances; Chapter 15, Section 4.1, Storage of garbage cans, garbage containers, recycling containers, and yard trash, and Chapter 15, Section 4.2, Placing garbage cans, garbage containers, recycling containers and yard trash at curbside; hours permitted.

Parcel ID: 700928030020

Zoning: R-12

Status: Non-compliance

Order Continuing Hearing

III. ORDER OF COMPLIANCE

Case # 18-0900 AKA CE23-0235

(Tab 12)

Location: 134 S Orange Ave

Respondent: Jessica Christie

Description: No water service at the property.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 2, Local supplement to the Florida Building Code, Administration 101.1, Title, Chapter 2, Florida Building Code Existing Building Definitions. Unsafe.

Parcel ID: 701705030300 **Zoning:** R-1A

Compliance (Fine Due 2,750.00)

Case # 11-0902 AKA CE21-0270 (Tab 13)

Location: 344 S Delaware Ave

Respondent: Otis White

Description: Unsafe structure on the property.

Violation: City of DeLand Code of Ordinances; Chapter 7, Building and Housing Codes, Section 101.2.1, Unsafe Structures, Subsection 108.2 of the International Property Maintenance Code, Closing of Vacant Structures.

Parcel ID: 701710160390 **Zoning:** R-1

Compliance (Fine Due 13,750.00) **Lien Reduction to follow (See Tab 19)**

Case # 11-0903 AKA CE21-0271 (Tab 14)

Location: 344 S Delaware Ave

Respondent: Otis White

Description: Unsafe electrical installation.

Violation: City of DeLand Code of Ordinances; Chapter 10, Electrical Section 10.8, (a) Unsafe Installation.

Parcel ID: 701710160390 **Zoning:** R-1

Compliance (Fine Due 13,750.00) **Lien Reduction to follow (See Tab 20)**

Case # CE22-0486 (Tab 15)

Location: 226 S Hill AV

Respondent: 226 S Hill LLC

Description: The house contains bedroom egress windows that are screwed shut.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 2, Local Supplement to the Florida Building Code, Administration, Section 104.6, Requirements not covered by code.

Parcel ID: 701507030010 **Zoning:** R-1

Compliance (No Fines Due)

Case # CE22-0503 (Tab 16)

Location: 415 E Beresford Ave

Respondent: Elijah Von Debaron

Description: Two air conditioning systems were installed at the property without the required permit.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 2, Local Supplement to the Florida Building Code, Administration, Section 105, Permits, Subsection 105.1, Required.

Parcel ID: 701640000450

Zoning: R-1B

Compliance (Fine Due 1,050.00)

Case # CE23-0082

(Tab 17)

Location: 845 N Amelia Ave

Respondent: Maria A Zapien, Maria A Benitez and Alexis Zapien

Description: The property contains accumulations of discarded personal property, waste, yard trash, rubble, debris and the grass or weeds were in excess of 12 inches tall.

Violation: City of DeLand Code of Ordinances; Chapter 16, Section 30, Lot Maintenance, (3) Nuisance Declared, Chapter 21, Section 01, Abandoned, Junked, Discarded Personal Property. (2) Keeping, Storing, and Chapter 16, Section 4, Lots, premises.

Parcel ID: 700943000070

Zoning: R-1B

Compliance (No Fines Due)

Case # CE23-0086

(Tab 18)

Location: 830 N Clake St

Respondent: Magna Holdings LLC

Description: The premises is not being maintained and has accumulations of waste, yard trash, rubble or debris all throughout.

Violation: City of DeLand Code of Ordinances; Chapter 16, Section 30, Lot Maintenance, (3) Nuisance Declared, and Chapter 16, Section 4, Lots, premises.

Parcel ID: 700928030020

Zoning: R-12

Compliance (No Fines Due)

IV. LIEN REDUCTION

Case # 11-0902 AKA CE21-0270

(Tab 19)

Location: 344 S Delaware Ave

Respondent: Otis White

Description: Unsafe structure on the property.

Violation: City of DeLand Code of Ordinances; Chapter 7, Building and Housing Codes, Section 101.2.1, Unsafe Structures, Subsection 108.2 of the International Property Maintenance Code, Closing of Vacant Structures.

Parcel ID: 701710160390

Zoning: R-1

Order Recommending Lien Reduction

Case # 11-0903 AKA CE21-0271

(Tab 20)

Location: 344 S Delaware Ave

Respondent: Otis White

Description: Unsafe electrical installation.

Violation: City of DeLand Code of Ordinances; Chapter 10, Electrical Section 10.8, (a) Unsafe Installation.

Parcel ID: 701710160390

Zoning: R-1

Order Recommending Lien Reduction

H. NEXT MEETING

May 25, 2023

I. ADJOURNMENT