

City of DeLand



Code Enforcement Special Magistrate

J. Zolty Special Magistrate

August 24, 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**
July 27, 2023
- E. **SWEARING IN OF WITNESSES**
- F. **NEW BUSINESS**

I. FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Case # CE23-0097

(Tab 3)

Location: 310 E International Speedway Blvd

Respondent: Heidner/Hoffmann, LLC

Description: The business continues to allow discharge of polluting matter in the City's storm systems.

Violation: City of DeLand Code of Ordinances; Chapter 30, Section 76, Discharges of polluting matter in storm systems prohibited.

Parcel ID: 700400000892

Zoning: C-2

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0325

(Tab 4)

Location: 865 W New York Ave

Respondent: Sam A. Barron, Sr. and Linda Barron, Trustees of the Sam A. Barron, Sr. and Linda Barron Trust

Description: The property contains several life safety fire code violations.

Violation: City of DeLand Code of Ordinances; Chapter 12, Section 1, Florida Fire Prevention Code Adopted by Reference, Resolution 2020-07, Compliance Engine required for reporting testing and acceptance documents, NFPA 13:8.17.2.4.7.1 - FDC Sign Requirements, NFPA 13:A.8.17.2.1 - FDC connection should be accessible and ready for use at all times, NFPA 01:11.1.2.3, NFPA 01:11.1.4.3, NFPA 01:11.1.8, NFPA 01:13.3.3.2, NFPA 01:13.3.3.3, NFPA 01:13.6.4.1.1, NFPA 25:14.2.1.1, NFPA 25:5.2.1.1.5 - Sprinklers, NFPA 25:5.4.1.5 – Maintenance, NFPA 01:4.5.8.1, NFPA 01:14.4.1 - Maintenance,

NFPA 01:18.2.3.5.1.2, NFPA 01:11.1.5.6, NFPA 01:11.1.7.3.1, NFPA 01:11.1.3.1, and NFPA 70: Table 110.26 (A) (1) - Working Spaces.

Parcel ID: 700866000050

Zoning: PD

Status: Non-compliance

AMENDED Findings of Fact, Conclusions of Law and Order

Case # CE23-0367

(Tab 5)

Location: 211 Luella Ct

Respondent: Eric Orberg & Joan D. Orberg

Description: The property has a damaged, tarped roof and contains a dangerous structure by way of deterioration or neglect.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, 304.1, General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare, 304.1.1, Unsafe conditions, 301.3, Vacant structures and land, 304.6, Exterior walls, and 304.7, Roofs and drainage.

Parcel ID: 700907000060

Zoning: C-2A

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0414

(Tab 6)

Location: 225 W New York Ave

Respondent: Axia Putnam LLC

Description: The property contains grass or weeds in excess of 12 inches tall.

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

Parcel ID: 700962000090

Zoning: C-2A&H

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

G. OLD BUSINESS

I. ORDER IMPOSING FINE HEARING

Case # CE23-0325

(Tab 7)

Location: 865 W New York Ave

Respondent: Sam A. Barron, Sr. and Linda Barron, Trustees of the Sam A. Barron, Sr. and Linda Barron Trust

Description: The property contains several life safety fire code violations.

Violation: City of DeLand Code of Ordinances; Chapter 12, Section 1, Florida Fire Prevention Code Adopted by Reference, Resolution 2020-07, Compliance Engine required for reporting testing and acceptance documents, NFPA 13:8.17.2.4.7.1 - FDC Sign Requirements, NFPA 13:A.8.17.2.1 - FDC connection should be accessible and ready for use at all times, NFPA 01:11.1.2.3, NFPA 01:11.1.4.3, NFPA 01:11.1.8, NFPA 01:13.3.3.2, NFPA 01:13.3.3.3, NFPA 01:13.6.4.1.1, NFPA 25:14.2.1.1, NFPA 25:5.2.1.1.5 - Sprinklers, NFPA 25:5.4.1.5 – Maintenance, NFPA 01:4.5.8.1, NFPA 01:14.4.1 - Maintenance, NFPA 01:18.2.3.5.1.2, NFPA 01:11.1.5.6, NFPA 01:11.1.7.3.1, NFPA 01:11.1.3.1, and NFPA 70: Table 110.26 (A) (1) - Working Spaces.

Parcel ID: 700866000050

Zoning: PD

Status: Non-compliance

Order Imposing Fine/Lien

Case # CE22-0559

(Tab 8)

Location: 1000 Springdale Ct

Respondent: Stevenstore L Perry and Dexter L Perry

Description: The owner of the R-1, Single-Family Dwelling District, continues to allow the property to be used as a common place of abode for less than 30 days in any three-month period, to 2 or more unrelated persons.

Violation: City of DeLand Code of Ordinances; Chapter 33, Section 12, Definitions. 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: 3. A maximum of two unrelated persons, together with their natural family who are related to each other by law, blood, marriage or adoption. Dwelling, single-family, means a building designed for or occupied exclusively by one family with independent cooking and bathroom facilities.

Parcel ID: 702021000070

Zoning: R-1

Status: Non-compliance

Order Imposing Fine/Lien

Case # CE23-0434

(Tab 9)

Location: 1000 Springdale Ct

Respondent: Stevenstore L Perry and Dexter L Perry

Description: The roof and flashing are not sound, tight and free of defects that admit rain.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 3, Section 304.7, Roofs and drainage.

Parcel ID: 702021000070

Zoning: R-1

Status: Non-compliance
Order Imposing Fine/Lien

Case # CE23-0435

(Tab 10)

Location: 1000 Springdale Ct

Respondent: Stevenstore L Perry and Dexter L Perry

Description: A building renovation was constructed at the house 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: 702021000070

Zoning: R-1

Status: Non-compliance

Order Imposing Fine/Lien

Case # CE23-0289

(Tab 11)

Location: 1329 N Woodland Blvd

Respondent: 1329 DeLand Inc.

Description: The exterior of the structure is not being maintained nor in good repair.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 3, Section 304.1, General.

Parcel ID: 700409000010

Zoning: C-2

Case # CE23-0436

(Tab 12)

Location: 1329 N Woodland Blvd

Respondent: 1329 DeLand Inc.

Description: The property contains a damaged and nonconforming sign.

Violation: City of DeLand Code of Ordinances; Chapter 33, Section 102.04, (d) Nonconforming signs, as adopted and amended by Ordinance 2020-07, (b) 3.

Parcel ID: 700409000010

Zoning: C-2

II. CONTINUED CASES

No Action Items

III. ORDER OF COMPLIANCE

Case # AB21-00048 AKA 2019-86 (Tab 13)

Location: 1601 N Woodland Blvd

Respondent: RS Lending INC

Description: The property contained an accumulation of waste, yard trash, or rubble and debris and grass or weeds are in excess of 12 inches tall.

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

Parcel ID: 603306010010 **Zoning:** C-2

Compliance (Fine paid \$308.30)

Case # CE21-0052 AKA 15-0810 (Tab 14)

Location: 618 W Voorhis Ave

Respondent: Thomas Gooden Jr., Thomasina Gooden & Alton G. Gooden

Description: Unsafe structure on the property.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 7-2, Local Supplement to the Florida Building Code, Administration, Subsection 101.2.1, Unsafe buildings shall be abated using the International Property Maintenance Code 2003 Edition.

Parcel ID: 701715000060 **Zoning:** R-1

Compliance (Fine due \$25,000.00)

Case # CE22-0418 (Tab 15)

Location: 1601 N Woodland Blvd

Respondent: RS Lending INC

Description: The property contained an accumulation of waste, yard trash, or rubble and debris and grass or weeds are in excess of 12 inches tall.

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

Parcel ID: 603306010010 **Zoning:** C-2

Compliance (Fine paid \$4,500.00)

Case # CE22-0420 (Tab 16)

Location: 1601 N Woodland Blvd

Respondent: RS Lending INC

Description: The property contained multiple walls tagged with graffiti.

Violation: City of DeLand Code of Ordinances; Chapter 21, Section 7, Despoiling Property, and Chapter 16, Section 4, Lots, Premises.

Parcel ID: 603306010010 **Zoning:** C-2

Compliance (Fine paid \$4,500.00)

Case # CE23-0177

(Tab 17)

Location: 409 W Beresford Ave

Respondent: Azarelli Investments LLC

Description: The property contained a newly installed air conditioning unit 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: 701738000180

Zoning: R-1

Compliance (No fine due)

Case # CE23-0201

(Tab 18)

Location: 1575 S State Road 15A

Respondent: ESS storage Acquisition Sixty One LLC

Description: The property contained a business operating without the required Business Tax Receipt.

Violation: City of DeLand Code of Ordinances; Chapter 17, Section 1001, Required.

Parcel ID: 702000000900

Zoning: PD

Compliance (No fine due)

Case # CE23-0253

(Tab 19)

Location: 808 S Clara Av

Respondent: Darrell Maurice Price, Diedra P. Stanford & Norris Wendell Price

Description: The property was being occupied and did not have water service.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 6, Section 601.2, Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that does not comply with the requirements of this chapter and Chapter 6, Section 604.1, Facilities required.

Parcel ID: 701739020170

Zoning: R-1

Compliance (Fine due \$250.00)

Case # CE23-0317

(Tab 20)

Location: 808 S Clara Av

Respondent: Darrell Maurice Price, Diedra P. Stanford & Norris Wendell Price

Description: The property was being occupied and did not have electricity at the home.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 6, Section 601.2, Responsibility and Chapter 6, Section 604.1, Facilities required.

Parcel ID: 701739020170 **Zoning:** R-1

Compliance (Fine due \$250.00)

Case # CE23-0267

(Tab 21)

Location: 1601 N Woodland Blvd

Respondent: RS Lending INC

Description: The property contained an accumulation of waste, yard trash, or rubble and debris and grass or weeds are in excess of 12 inches tall.

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

Parcel ID: 603306010010 **Zoning:** C-2

Compliance (Fine paid \$11,500.00)

Case # CE23-0320

(Tab 22)

Location: 1601 N Woodland Blvd

Respondent: RS Lending INC

Description: The property contained an accumulation of waste, yard trash, or rubble and debris and grass or weeds are in excess of 12 inches tall.

Violation: City of DeLand Code of Ordinances; Chapter 16, Section 30, Lot Maintenance, (3) Nuisance Declared, in case No. CE23-0267.

Parcel ID: 603306010010 **Zoning:** C-2

Compliance (Fine paid \$25,000.00)

Case # CE23-0329

(Tab 23)

Location: 523 E Voorhis Av

Respondent: Tranquility Concepts LLC

Description: The property continues to have grass or weeds in excess of 12 inches tall and yard trash or debris throughout the property.

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

Parcel ID: 701618000420 **Zoning:** R-2

Compliance (Fine due \$3,150.00)

IV. LIEN REDUCTION

Case # CE21-0052 AKA 15-0810

(Tab 24)

Location: 618 W Voorhis Ave

Respondent: Thomas Gooden Jr., Thomasina Gooden & Alton G. Gooden

Description: Unsafe structure on the property.

Violation: City of DeLand Code of Ordinances; Chapter 7, Section 7-2, Local Supplement to the Florida Building Code, Administration, Subsection 101.2.1, Unsafe buildings shall be abated using the International Property Maintenance Code 2003 Edition.

Parcel ID: 701715000060

Zoning: R-1

Order Recommending Lien Reduction

H. NEXT MEETING

September 28, 2023

I. ADJOURNMENT