

City of DeLand



Code Enforcement Special Magistrate

J. Zolty Special Magistrate

October 26, 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**
September 28, 2023
- E. **SWEARING IN OF WITNESSES**
- F. **NEW BUSINESS**

I. FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Case # CE22-0275

(Tab 3)

Location: 918 E Minnesota Ave

Respondent: Rena McPherron

Description: Eleven windows were installed without a 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: 701014010090

Zoning: R-1B

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0387

(Tab 4)

Location: Cassadaga Rd

Respondent: Pieter C. Ambachtsheer and Kathy C. Ambachtsheer, As Trustees, Under The Pieter C. Ambachtsheer and Kathy C. Ambachtsheer

Description: The property contains an unpermitted and prohibited barbed wire fence on a parcel without a permitted principal development.

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, Chapter 33, Section 28.06, Fences and Walls. (h) Prohibited materials, and Chapter 33, Section 27.04, Outdoor storage or display of personal property in various zoning districts. (a) General requirements.

Parcel ID: 810603030010

Zoning: PD

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0403

(Tab 5)

Location: 125 N Clara Ave

Respondent: 3rd Gen Investing, LLC

Description: A building renovation was completed 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: 700962000082

Zoning: R-1A

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0543

(Tab 6)

Location: 920 N Spring Garden Ave

Respondent: SAS Spring Arbor Managers LLC

Description: The plumbing fixtures, mechanical appliances, handrails and guards are not being maintained and in a safe working condition. The business is also operating without the required Business Tax Receipt.

Violation: City of DeLand Code of Ordinances; International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 5, Section 504.1, General. Plumbing, Chapter 5, Section 504.3, Plumbing system hazards, International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 6, Section 603.1, Mechanical appliances, International Property Maintenance Code, as adopted and amended by Ordinance 2019-02, Chapter 3, Section 304.12, Handrails and guards, and Chapter 17, Section 17-1001, Required.

Parcel ID: 700600000381

Zoning: PD

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0544

(Tab 7)

Location: 920 N Spring Garden Ave

Respondent: SAS Spring Arbor Managers LLC

Description: The fire sprinkler systems are not in good repair, the Fire Alarm Systems are not being maintained in accordance with the applicable codes, carbon monoxide detectors are not installed along with the smoke detectors, the fire extinguishers are not certified, not all egresses allow for proper access, and the clothes dryers are not clean, maintained and free of excessive accumulations of lint.

Violation: City of DeLand Code of Ordinances; Chapter 12, Section 12-1, Florida Fire Prevention Code Adopted by Reference, 7th Edition of the Florida Fire

Prevention Code NFPA 24, 25, NFPA 101-9.6.1.3, NFPA 101-31.3.4.5, NFPA 10-73.1.1, NFPA 101-7.1.10, 7.1.10.2.1, and NFPA 1-11.5.11.1.

Parcel ID: 700600000381

Zoning: PD

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Case # CE23-0549

(Tab 8)

Location: 920 N Spring Garden Ave

Respondent: SAS Spring Arbor Managers LLC

Description: The backflow prevention assemblies have not been tested and reported as required per the code.

Violation: City of DeLand Code of Ordinances; Chapter 30, Section 30-57, Cross connection control program, Subsection 4.5, (a) Testing of Backflow Prevention Assemblies.

Parcel ID: 700600000381

Zoning: PD

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

G. OLD BUSINESS

I. ORDER IMPOSING FINE HEARING

Case # CE23-0367

(Tab 9)

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

Order Imposing Fine/Lien

II. CONTINUED CASES

No Action Items

III. ORDER OF COMPLIANCE

No Action Items

IV. LIEN REDUCTION

No Action Items

H. NEXT MEETING

December 14, 2023

I. ADJOURNMENT