

**VOLUSIA COUNTY CONTRACTOR LICENSING & CONSTRUCTION APPEALS BOARD
MINUTES**

DATE: March 04, 2020
TIME: 4:00 p.m.
PLACE: County Council Chambers, Thomas Kelly Administration Building, 123 W. Indiana Ave., DeLand, Fl.

I. Call to Order at 4:00 p.m.

II. Roll Call

John Meinelt - Chairman
Mitchell Cole - Vice Chairman
Alan Cajacob
James Jones
Michael Wojtuniak
Michael McDonald

III. The Minutes of the 02/05/2020 meeting were approved as written.

IV. Swearing in of Witnesses

V. There were no Ex Parte Communications

VI. Unfinished Business - none

VII. Public Hearings and Presentation of Applications or Cases

A. Items Continued – none

B. New Business

Appeal of Building Official decision –
Volusia County Code of Ordinances Chapter 22, Section 22-37.

CLCA-20-03-001 Mr. George Miles appealed to the decision of the Building Official in response to the request of removing the existing roof at the jobsite address: 4204 Quail Nest Ln, New Smyrna Beach, FL 33311 (roof over/existing shingle. Mr. Eric Gebo, Chief Plan Examiner, presented the case. Mr. George Miles was also present.

Florida Building Code: 706.3 *Recovering versus replacement*

Per Mr. Miles, the owner should be allowed to overlay her existing roof and be compliant with existing codes and regulations since she is not removing the original shingles. Per Staff the owner will need to remove the roof based on Florida Building Code 706.3.5 which reads: *new roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck where any of the following condition occur: - Where the existing roof is to be used for attachment for a new roof system and compliance with the securement provisions of Section 1504.1 of the Florida Building Code, Building cannot be met.*” The single family residence at

4204 Quail Nest Ln, New Smyrna Beach was built in 1994, prior to the Florida Building Code. There is no evidence of any previous re-roof permits that included a sheathing inspection: the compliance with the Florida Building Code – Existing Building could not be determined – *exception 5 applies*.

Mr. Cajacob made the motion to uphold the decision of the Building Official to deny the appeal. Mr. Wojtuniak seconded it. The motion carried.

Alleged Violation(s) of Volusia County Code of Ordinances, Chapter 58, Health And Sanitation, Article III Section 58-84 And 58-85, Relating To An Unsafe Or Dilapidated Building(s).

CLCA-20-02-001 Address: 5776 James St., Deleon Springs FL 32130 owner: Cesar Barrera

Mr. Thomas Legler, Chief Building inspector, presented the case. The owner, Mr. Barrera, was also present.

Code Enforcement received initial complaint regarding the condition of this property on February 15, 2019. Code Enforcement conducted the initial inspections and found home to be in disrepair. The notice of violation was sent via certified mail to the owner Mr. Cesar Barrera on February 19, 2019, which was returned as not deliverable. The owner came to discuss how to bring the property to compliance with Code Compliance on March 5, and March 25, 2019. The notice of violation was posted on the property on April 29, 2019.

The property was found in non-compliance and referred at the November Code enforcement hearing and referred to Contractor Licensing Construction Appeal Board hearing for consideration of a Resolution of Condemnation. Notices of hearing were sent to the property owner and posted at the property. Electricity has been disconnected from the home. Staff is requesting the adoption of a Resolution of Condemnation with a compliance date of April 4, 2020.

Mr. Cole made the motion to adopt the Resolution of Condemnation. Mr. McDonald seconded it. The motion carried.

CLCA-20-02-003 Address: 5780 James St., Deleon Springs FL 32130 owner: Cesar Barrera

Mr. Thomas Legler, Chief Building inspector, presented the case. The owner, Mr. Barrera, was also present.

Code Enforcement received initial complaint regarding the condition of this property on May 17, 2019. Code Enforcement conducted the initial inspections and found the home in disrepair. The notice of violation was sent to the owner, Mr. Cesar Barrera, on June 11, 2019 which was received and sign for on June 13, 2019. The notice of violation was posted on the property on June 31, 2019. The property was found in non-compliance at the November Code Enforcement

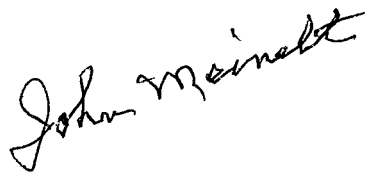
hearing and referred to Contractor Licensing Construction Appeal Board hearing for consideration of a Resolution of Condemnation.

Notice of hearing was sent to the owner and the electricity has been disconnected. Staff is requesting the adoption of a Resolution of Condemnation with a compliance date of April 4, 2020.

Mr. Cajacob made the motion to adopt the Resolution of Condemnation. Mr. McDonald seconded it. The motion carried.

~~CLCA 19-12-002 Address: 300 Oak Dr., Deland FL 32724 owner: Mr. Jim Ball~~
(60 days continuance)

- VIII. Board Comments -none
- IX. Citizen Comments -none
- X. Adjourn at 4:53 p.m.

A handwritten signature in cursive script that reads "John Meinelt". The signature is written in black ink and is positioned to the right of the agenda items.

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.