Special Magistrate
Wednesday, July 23, 2025 at 2:00 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

2. APPROVAL OF MINUTES

2.A Consider the adoption of the Code Compliance Special Magistrate Meeting Minutes held on May 28, 2025.

3. SWEARING OF CITY STAFF, RESPONDENTS AND WITNESSES

4. OLD BUSINESS

4.A CCSM-0480-2024- 309 MURRAY ST.; OWNER: MARION JILL DEMPSEY; OFFICER: BEVERLY ABRAHAMSON

4.B CCSM-0071-2025- 206 FLAGLER AVE.; OWNER: 206 FLAGLER PROPERTY LLC; OFFICER: JASON YATES

4.C CCSM-0638-2024- 103 N. ORANGE ST.; OWNER: PEGGE W. GARRIQUES, TR AND/OR ENTITY; OFFICER: JASON YATES

5. NEW BUSINESS

5.A CCSM-0352-2025- 520 S. PENINSULA AVE., UNIT 2C8; OWNER: MARKER 33

ASSOCIATION INC; OFFICER: BARBARA BOBELAK

5.B CCSM-0244-2025- 1998 SR 44; OWNER: GH2 NSB BB LLC: OFFICER: SHELLY LONGFELLOW

6. REPEAT BUSINESS

7. LIEN AMNESTY APPLICATION

8. STAFF REPORT

9. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CONSIDER THE ADOPTION OF THE CODE COMPLIANCE SPECIAL MAGISTRATE MEETING MINUTES HELD ON MAY 28, 2025.

July 23, 2025

Background:

A Code Compliance Special Magistrate Board Meeting was held on Thursday, May 28, 2025. Meeting minutes are attached for your review and adoption consideration.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

May 28 2025 Special Magistrate Minutes for Approval.docx

Special Magistrate Wednesday,
July 23, 2025, at 2:00 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Code Compliance Special Magistrate of the City of New Smyrna Beach, Florida, was held on Wednesday, May 28, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Special Magistrate Jessica Gow called the hearing to order at 2:01 PM and reviewed the procedures for the hearing.

2. APPROVAL OF MINUTES

The Special Magistrate approved the minutes from the April 23, 2025, meeting. She continued to explain the process for the meeting, advised of the appeal process and asked if there are any questions. There were none.

3. SWEARING OF CITY STAFF, RESPONDENTS AND WITNESSES

Code Compliance Secretary Teresa Merck administered the oath to the following City Staff and property representatives/owners: Barbara Bobelak, John Parks, Jason Yates, Herman Trautwein, Beverly Abrahamson, Amber Bage, Richard

Perham, David Reed, Steve Knot, Marion Jill Dempsey, William E. Shrock, Thomas A. Britton, Jr., Nick Patel, Albert Amalfitano, Jill Fuller, Kim Booker, Patrine Ruffer, and Adonna Sullivan.

4. OLD BUSINESS

4.A CCSM-0258-2024- 824 DOWNING ST.; OWNER: CASEY JON STAPPENBECK; OFFICER: HERMAN TRAUTWEIN

The owner is not present for comment.

This property is zoned R2 Single family Residential.

This case was originally found to be in non-compliance by the Special Magistrate on May 29, 2024. This case was continued several times including to the April 23, 2025 hearing, where the Special Magistrate again found the property in non-compliance of NSB City Code Sec. 26-171 (a) - Permits Required and gave a new compliance date of May 15, 2025. Mr. Stappenbeck had a choice of getting a demo permit or a building permit in place to gain compliance.

Mr. Stappenbeck now has a building permit in the works to move the building 6 feet to the West to accommodate the required setbacks.

The board order was posted on the property on April 29, 2025. The board order was mailed certified mail to the property owner and was still in transit according to the USPS on May 20, 2025.

It is my recommendation to the Special Magistrate to find Casey Jon Stappenbeck in compliance, as there is a permit in process to move the building. However, if the owner does not follow through with getting the building permit issued, a new case will be created, and the owner will be looked at as a repeat violator and may be subject to having higher fines imposed.

Based on the testimony and evidence provided, the Special Magistrate found the owner, Casey Jon Stappenbeck, in compliance, as of May 28, 2025.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

4.B CCSM-0280-2024- 2506 MILTON AVE.; OWNER: RICHARD PERHAM; OFFICER: BARBARA BOBELAK

The owner was present to comment.

On March 26, 2025, the Special Magistrate continued this case until May 28, 2025 to give Mr. Perham time to get the required drawings to submit with the permit application.

On March 31, 2025, the Board Order was posted on the property. A copy was also mailed certified mail to the property owner and was signed for and accepted on April 9, 2025.

Mr. Perham has kept in contact with me with updates and we also met at the building department to go over the information he had prior to submitting his permit application. Mr. Perham and I discussed the application with a permitting tech to make sure he had all the required information. She explained to him some of the items that they would be looking for in the permit package.

On May 15, 2025, Mr. Perham called to inform me that he submitted the required permit package. The permit is currently in the review process. After several discussions with City Staff, Mr. Perham is now aware that the process to satisfy the permit and the land development regulations requires the building to be moved to meet the setbacks.

It is my recommendation that the Special Magistrate find Richard Perham and/or entity in compliance with the permit process and in the event Mr. Perham does not follow through to meet the Land Development Regulations and complete all required inspection for the permit, the property would be subject to a repeat violation.

Based on the evidence and testimony, the Special Magistrate agrees with the officer's recommendation and found the property in compliance as of May 28, 2025.

Any violation of the same code by the respondent within five years from the date

of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

4.C CCSM- 0638-2024- 103 N. ORANGE ST.; OWNER: PEGGE GARRIQUES REV TRUST; OFFICER: JASON YATES

The owner was not present to comment.

On April 23, 2025, the Special Magistrate continued this case until today's hearing. The property owner Pegge W. Garriques and/or entity are in violation of Sec. 26-171. (a) – Permits Required and were given until May 28, 2025, to bring the property into full compliance. If the Special Magistrate found that the violation(s) was/were not corrected by this date, a fine of $50.00 per day shall be imposed for each day the violation(s) exist.

The board order was posted on the property on April 29, 2025. The board order was mailed certified mail to the property owner and was signed for and accepted on May 5, 2025, at 4:29pm.

To date, the permit is in the resubmittal status. I called and spoke with the owner of the Construction Company (Clancy's Construction) who took over the job to help get the after-the-fact permit. During this phone call I informed him that the status has changed from the "in review" status to a "resubmittal required" status. However, after that call I never saw any status change, nor have I had any further contact with this construction company or the property owner.

It is Staff's recommendation to the to the Special Magistrate to find Pegge W. Garriques and/or entity in violation of Sec. 26-171. (a) Permits Required and give until July 11, 2025 to bring the property into full compliance. If the owner does not come into compliance, it is Staff's recommendation to impose a fine of $50.00 per day until the property is brought into full compliance.

Based on the evidence and testimony, the Special Magistrate agrees with the officer's recommendation and found the property in violation of Sec. 26-171. (a) - Permits Required and gave until July 11, 2025, to bring the property into compliance. If not brought into compliance, a fine of $50.00 per day may be imposed at the next hearing on July 23, 2025.

Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

4.D CCSM-0715-2024- 4393 S. SEA MIST DR.; OWNER: EMAJIN OPERATIONS LLC TR.; OFFICER: JASON YATES

The owner was not present to comment. David Reed and Steve Knot, neighboring properties, were present to comment.

On March 26, 2025, the Special Magistrate found EMAJIN OPERATIONS LLC TR, S SEA MIST 4393 LAND TRUST and/or entity in violation of LDR 604.051. - Tree Preservation and gave until May 5, 2025, to bring the property into full compliance. If the Board found that the violation(s) were not corrected by this date, then the building permits for both residential single-family homes shall not be issued, until a set number of trees have been donated to the Land Development Conservation, in place of the trees that were removed without a permit. The number of trees removed from both parcels equal a total of 38 with a value of $110,759.00. Another requirement from the Planning Department was a set number of trees which are to be planted at both parcels, this includes four-to-six-inch caliper trees of similar species which were previously removed from these parcels.

The board order was mailed certified mail to the property owner and was signed for and accepted on April 5, 2025. The board order was posted on the property on April 2, 2025.

To date, nothing has been done to correct the violation.

It is Staff's recommendation to the Special Magistrate to impose an order, which will consist of not issuing certificate(s) of occupancy for either single family home at either parcel until the property owner meets the requirements set in place by the Planning Department.

Assistant City Attorney Shey McCurdy discussed with the Special Magistrate that the Building Official wasn't comfortable tying it to the Building Permit and instead suggested that a Landscape plan be submitted along with the Building permit so they can accommodate the trees.

Neighbor David Reed spoke to extend a sincere thank you as his heart felt appreciation of the Magistrates' order.

Neighbor Steve Knott spoke. He was clarifying his understanding of the Order and quantity of trees per parcel and also expressed his thank you for the help and support.

Compliance Coordinator, Channing Maiolo, explained the calculation of the trees removed and the proposed replacement criteria.

Based on the evidence and testimony, the Special Magistrate hereby issues the following Order:

Landscape plans must be submitted with any building permit or site plan submittal that shows compliance with the required tree mitigation for the site. No Certificate(s) of Occupancy may be issued until compliance is achieved by the property owner meeting the requirements set in place by the Planning Department which are summarized as follows:

A set number of trees, to be determined in compliance with the City's Land Development code, shall be donated to the Land Development Conservation, in place of the trees that were removed without a permit. The number of trees removed from both parcels equal a total of 38 trees with a value of $110,759.00. Another requirement from the Planning Department was a set number of trees which are to be planted within the property, which shall include four-to-six-inch caliper trees of similar species which were previously removed from these parcels.

IT IS RESPONDENT'S BURDEN TO REQUEST A RE-INSPECTION TO DETERMINE WHETHER COMPLIANCE IS ACHIEVED AFTER THE DATE OF THIS ORDER. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

4.E CCSM-0016-2025- 4395 S. SEA MIST DR.; OWNER: EMAJIN OPERATIONS LLC TR.; OFFICER: JASON YATES

The owner was not present to comment. David Reed and Steve Knot, neighboring properties, were present to comment.

On March 26, 2025, the Special Magistrate found EMAJIN OPERATIONS LLC TR, S SEA MIST 4393 LAND TRUST and/or entity in violation of LDR 604.051. - Tree Preservation and gave until May 5, 2025, to bring the property into full compliance. If the Board found that the violation(s) were not corrected by this date, then the building permits for both residential single-family homes shall not be issued, until a set number of trees have been donated to the Land Development Conservation, in place of the trees that were removed without a permit. The number of trees removed from both parcels equal a total of 38 with a value of $110,759.00. Another requirement from the Planning Department was a set number of trees which are to be planted at both parcels, this includes four-to-six-inch caliper trees of similar species which were previously removed from these parcels.

The board order was mailed certified mail to the property owner and was signed for and accepted on April 5, 2025. The board order was posted on property on April 2, 2025.

To date, nothing has been done to correct the violation.

It is Staff's recommendation It is Staff's recommendation to the Special Magistrate to impose an order, which will consist of not issuing certificate(s) of occupancy for either single family home at either parcel until the property owner meets the requirements set in place by the Planning Department.

Assistant City Attorney Shey McCurdy discussed with the Special Magistrate that the Building Official wasn't comfortable tying it to the Building Permit and instead

suggested that a Landscape plan be submitted along with the Building permit so they can accommodate the trees.

Neighbor David Reed spoke to extend a sincere thank you as his heart felt appreciation of the Magistrates' order.

Neighbor Steve Knott spoke. He was clarifying his understanding of the Order and quantity of trees per parcel and also expressed his thank you for the help and support.

Compliance Coordinator, Channing Maiolo, explained the calculation of the trees removed and the proposed replacement criteria.

Based on the evidence and testimony, the Special Magistrate hereby issues the following Order:

Landscape plans must be submitted with any building permit or site plan submittal that shows compliance with the required tree mitigation for the site. No Certificate(s) of Occupancy may be issued until compliance is achieved by the property owner meeting the requirements set in place by the Planning Department which are summarized as follows:

A set number of trees, to be determined in compliance with the City's Land Development code, shall be donated to the Land Development Conservation, in place of the trees that were removed without a permit. The number of trees removed from both parcels equal a total of 38 trees with a value of $110,759.00. Another requirement from the Planning Department was a set number of trees which are to be planted within the property, which shall include four-to-six-inch caliper trees of similar species which were previously removed from these parcels.

IT IS RESPONDENT'S BURDEN TO REQUEST A RE-INSPECTION TO DETERMINE WHETHER COMPLIANCE IS ACHIEVED AFTER THE DATE OF THIS ORDER. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00

per day may be imposed.

4.F CCSM-0071-2025- 206 FLAGLER AVE.; OWNER: 206 FLAGLER PROPERTY LLC; OFFICER: JASON YATES

The owner was not present to comment.

On March 26, 2025, the Special Magistrate found 206 FLAGLER PROPERTY LLC and/or entity in violation of Sec 26-171. (a) - Permits Required and gave until May 5, 2025, to bring the property into full compliance. If the Board found that the violation(s) was/were not corrected by this date, a fine of $100 per day shall be imposed for each day the violation(s) exists.

The board order was mailed certified mail to the property owner and was signed for and accepted on April 16, 2025, at 2:57 pm. The board order was posted on the property on April 2, 2025.

To date, the property owner has applied for the needed permits, and they are currently in the review process.

It is Staff's recommendation to the Special Magistrate to continue this case to the July 23, 2025, hearing. This should allow adequate time to obtain the necessary permits. If the necessary permits aren't obtained by that time, then the Special Magistrate should impose a fine of $100 per day per violation, commencing on May 5, 2025, and continuing until the property is brought into full compliance, with a fine not to exceed the maximum amount of $20,000.

Based on the evidence and testimony, the Special Magistrate agrees with the officer's recommendation and continued the case until July 23, 2025, to bring the property into compliance.

IT IS RESPONDENT'S BURDEN TO REQUEST A RE-INSPECTION TO DETERMINE WHETHER COMPLIANCE IS ACHIEVED AFTER THE DATE OF THIS ORDER. Respondent(s) shall bring the property into compliance with the code provisions

cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

5. NEW BUSINESS

5.A CCSM-0480-2024- 309 MURRAY ST.; OWNER: MARION JILL DEMPSEY; OFFICER: BEVERLY ABRAHAMSON

The owner, Marion Jill Dempsey, was present to comment.

On June 10, 2024, Code Compliance received a complaint regarding wastewater being discharged from the building behind his property, the water discharges onto his property and creates weeds, vines and decay to his wood fence. He also complained about the overall condition of the property.

On June 21, 2024, an inspection was conducted, and the property was found to be in violation of City Code:
Sec. 26-171 (a) - Permits Required – for the rear porch with metal roof & walls
Sec. 26-914 (8) - Maintenance – Landscaping – overgrown grass, weeds, vines, bushes, etc.
IPMC 304.2. - Protective treatment – chipped & peeling paint and discoloration on exterior walls

On March 26, 2025, a Notice of Violation was posted on the property with an initial compliance date of April 15, 2025. A copy was also mailed certified mail to the property owner and was signed for and accepted on March 28, 2025.

On May 28, 2025, a follow up inspection showed violations still exist. There is no permit (application) for rear porch with metal roof and walls, the property appears to be unchanged, there is chipped and peeling paint, discoloration on the exterior walls and the grass/weeds, bushes and vines are overgrown.

It is my recommendation that the Special Magistrate find Marion Jill Dempsey and/or entity in violation of Sec. 26-171 (a) - Permits Required, Sec. 26-914 (8) - Maintenance and IPMC 304.2. - Protective treatment and give until June 18, 2025, to bring the property into full compliance. If the owner does not come into compliance, it is my recommendation to impose a fine in the amount of $25.00 per day per violation until the property is brought into full compliance. The fine amount shall not exceed $20,000.

Officer Abrahamson presented photos taken the morning of May 28, 2025.

The owner spoke on her behalf explaining she was out of the country all of March and April. She explained the drain hose from the washer was in the wrong pipe and she put it in the correct one fixing the leaking water issue. The owner presented drawings of the shed that needed permits after the fact that she will have certified in Deland. The owner explained the roof issue. She requested more time, until the end of the summer, to have new drawings engineered for the porch and stairs.

Based on the evidence and testimony, the Special Magistrate found the property in violation of Sec. 26-171 (a) - Permits Required, Sec. 26-914 (8) -Maintenance and IPMC 304.2. - Protective treatment and gave until July 1, 2025, to bring the property into full compliance and to notify the code inspector to determine compliance. The next hearing will be on July 23, 2025, and a fine of $25.00 per day per violation maybe imposed.

IT IS RESPONDENT'S BURDEN TO REQUEST A RE-INSPECTION TO DETERMINE WHETHER COMPLIANCE IS ACHIEVED AFTER THE DATE OF THIS ORDER. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

5.E CCSM-0791-2024- 520 S. PENINSULA AVE., UNIT 1C6; OWNER: WILLIAM E. SHROCK; OFFICER: BEVERLY ABRAHAMSON

The owner was present to comment.

On October 30, 2024, Code Compliance received a complaint regarding a structure of some type built over a drainage area without a permit.

On November 5, 2024, an inspection was conducted, and the property was found to be in Violation of Sec. 26-171(a) - Permits Required**.**

On April 30, 2025, a Notice of Violation was posted on the property with an initial compliance date of May 5, 2025. A copy was also mailed certified mail to the property owner, but the USPS Tracking website shows that it is being returned to sender “Unclaimed”.

On May 28, 2025, a follow up inspection showed an application for a permit was submitted on January 23, 2025. The permit application went through the review process and on January 27, 2025, the building plans reviewer requested additional information to be submitted. On May 13, 2025, the respondent submitted what was requested. After speaking with the reviewer, he told Officer Abrahamson that because the structure is a wood structure under a condominium, that the fire department would have to look at the plans as well. The fire department plans reviewer commented on May 27, 2025, “Permit does not indicate if this is for commercial or residential. If on commercial property, site plan needs to be submitted to show location with measurements demonstrating location to buildings”.

It is Officer Abrahamson’s recommendation that the Special Magistrate find William E. Shrock, and/or entity in violation of Sec. 26-171(a) - Permits Required and give until June 13, 2025, to bring the property into full compliance. If the owner does not come into compliance, it is my recommendation to impose a fine in the amount of $50.00 per day until the property is brought into full compliance. The fine amount shall not exceed $25,000.

William Shrock, owner, spoke on his behalf. He explained the HOA was part of the delay and that he was out of the country for a while as well. The owner submitted info, drawings and photos to the building department and was unsure if June would allow enough time to get the permit and approval.

Based on the evidence and testimony, the Special Magistrate found the property in violation of Sec. 26-171 (a) - Permits Required, and gave until July 1, 2025, at 1:00 PM, to bring the property into full compliance and to notify the code inspector to determine compliance. The next hearing will be on July 23, 2025, and a fine of $50.00 per day per violation may be imposed, not to exceed the maximum of $25,000.

IT IS RESPONDENT'S BURDEN TO REQUEST A RE-INSPECTION TO DETERMINE WHETHER COMPLIANCE IS ACHIEVED AFTER THE DATE OF THIS ORDER. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

5.F CCSM-0810-2024- 305 JULIA ST.; OWNER: 305 NSB INVESTMENT LLC; OFFICER: JOHN PARKS

Case was moved to July 17, 2025, Code Board hearing due to a conflict of interest.

5.G CCSM-0127-2025- 720 S. DIXIE FREEWAY; OWNER: ORCHARD HOLDINGS LLC; OFFICER: JOHN PARKS

The owner was not present to comment.

This property is zoned B-3 Highway Service Business

Violations cited:

Sec. 26-171 (a) - Permits Required

Sec. 38-31 - Storage

Sec. 70-5 - Boxes, barrels, similar materials on sidewalks or streets (Right of Ways)

On March 26, 2025, I observed signs in the right of way, as well as vehicles appearing to be inoperable on the property. I also had been dealing with permitting issues for various businesses located at the parcel. A check of the permit system found work that had taken place without permits and several permits that had outstanding issues such as expired or resubmittal required. The property was found to be in violation of Sections 26-171. (a) - Permits Required, Sec. 38-31 – Storage, and Sec. 70-5 - Boxes, barrels, similar materials on sidewalks or streets (Right of Ways).

On April 9, 2025, a Notice of Violation was posted on the property with an initial compliance date of April 14, 2025. A copy was also mailed certified mail to the property owner and was signed for and accepted on April 11, 2025.

There have been numerous e-mails, phone calls and discussions with the property owner regarding the violations. Officer Parks has made several changes to the compliance date for the associated code cases and delayed the hearing date several times. As of May 14, 2025, all violations for the parcel have been corrected except for Section 26-171. (a) - Permits Required. There are three expired permits that require attention (note one is a fire sprinkler system permit that expired on April 22, 2024 – possible life safety issue) and one other permit that is in a status of fees due, with a possible resubmittal required upon payment.

On May 27, 2025, Officer Parks was able to confirm through e-mail with the building department that all the current permits are now in a valid status. Due to the amount of code cases involving the Violation of Section 26-171. (a) – Permits Required for the parcel, and the number of opportunities that were given to the property owner to bring the property into compliance, it is staff's recommendation that the Special Magistrate find Orchard Holdings LLC and/or entity in violation of Section 26-171. (a) - Permits Required as noted in the Notice of Violation, with a finding of non-compliance between April 14, 2025, and May 23, 2025, with no fine. The finding of non-compliance after the compliance date of April 14, 2025, is for the purpose of potential future violations of Section 26-171. (a) - Permits Required as the owner has demonstrated a history of violating this section repeatedly in the past.

Based on the evidence and testimony, the Special Magistrate found the property in Violation of Sec. 26-171 (a) - Permits Required from April 14, 2025, to May 23, 2025, with no fine. As of May 24, 2025, the property is in compliance.

Any violation of the same code by the respondent within five years from the date of this order shall be treated as a repeat violation of which a fine of up to $500.00 per day may be imposed.

7. LIEN AMNESTY APPLICATION

7.A LA-0001-2025- MAGNOLIA PARCEL- 734403003900; OWNER: THOMAS A. BRITTON, JR.; OFFICER: BARBARA BOBELAK

The owner was present to comment.

Staff recommends reducing the fine from $20,048.20 to $ 9,021.69 and to be paid within 15 business days of today, May 28, 2025.

The reduction factors taken into consideration are 25% for the violator and 20% for no previous code violations and 10% for complying within 1-3 years. The adjustments were made based on the guidelines adopted by the City Commission.

The property owner, Thomas A. Britton, spoke on his behalf. He explained he lives in Pittsburgh and didn't receive the first Notice and was unaware and that's why it took 3 years to come into compliance.

Based on the evidence and testimony, the Special Magistrate agrees with staff's recommendation of a 55% reduction of the lien, totaling $9,021.69, to be paid within 15 business days to the city, or it will revert back to the full amount.

7.B LA-0004-2025- 1650 S. ATLANTIC AVE; OWNER: GHANESHAY INVESTMENT,

LLC; OFFICER: BARBARA BOBELAK

The owner was present to comment.

Staff recommends reducing the fine from $28,444.86 to $12,800.19 and to be paid within 15 business days of today, May 28, 2025.

The reduction factors taken into consideration are 25% for the violator and 10% for complying within 1 -3 years and 20% for no previous case history. The adjustments were made based on the guidelines adopted by the City Commission.

The property owner, Nick Patel, and his realtor, Albert Amalfitano, spoke on behalf of the property. Conversations ensued amongst the Special Magistrate, the owner, the realtor, the Assistant City Attorney, Shey McCurdy and Officer Bobelak.

Based on the evidence and testimony, the Special Magistrate agrees with staff's recommendation of a 55% reduction of the lien, totaling $12,800.19 to be paid within 15 business days to the city, or it will revert back to the full amount.

7.C LA-0006-2025- 430 BOUCHELLE DR.; OWNER: BOUCHELLE ISLAND XXVI COA; OFFICER: BARBARA BOBELAK

The Property Manager, Jill Fuller, her attorney, Kim Booker, both were present to speak on behalf of the property.

Staff recommends reducing the fine from $39,165.39 to $21,540.96.

The reduction factors taken into consideration are 25% for the violator and 20% for complying within 6 - 12 months. The property had previous code violations for same city code and complied prior to a hearing. The adjustments were made based on the guidelines adopted by the City Commission.

Kim Booker, attorney for South Atlantic Communities, Property Manager for 430 Bouchelle Dr., ensued in conversations with the Special Magistrate and Assistant City Attorney, Shey McCurdy. Attorney Booker provided one set of Public Record

Request documents and continued to speak about prior cases and explained repeatedly a lack of due process.

Attorney McCurdy voiced that these issues would need to be appealed in the jurisdiction of the Circuit Court. The Special Magistrate explained that we are here to either argue the Lien Amnesty here today or continue the Lien Amnesty case.

The decision of all parties agreed to Order a continuance of the case to the Special Magistrate hearing on August 27, 2025.

7.D LA-0005-2025- 1270 KENARD ST.; OWNER: ADONNA SUE SULLIVAN; OFFICER: BARBARA BOBELAK

The owner was present to comment.

Staff recommends reducing the fine total to $42,550.01.

Total reduction amount if approved: $36,485.53. The reduction factors taken into consideration are 50% for the new owner and the interest amount for each lien. The adjustments were made based on the guidelines adopted by the City Commission.

Property owner, Adonna Sullivan, spoke on her behalf, explaining why she feels the amount owed should be less.

Assistant City Attorney Shey McCurdy and the Special Magistrate explained a brief history of the case and the Nuisance Abatement aspect of the case that are hard costs that must be paid.

A 3-year payment method plan was briefly discussed to take into consideration.

The decision of all parties agreed to Order a continuance of the case to the Special Magistrate hearing on August 27, 2025.

8. STAFF REPORT

9. ADJOURNMENT

As there was no further business to discuss, Special Magistrate declared the meeting adjourned at 3:49 P.M.

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCSM-0480-2024- 309 MURRAY ST.; OWNER: MARION JILL DEMPSEY; OFFICER: BEVERLY ABRAHAMSON

July 23, 2025

Background:

Violation of City Code Sec. IPMC 304.2 - Protective treatment; Sec. 26-171. (a) - Permits Required; Sec. 26-914.(8) - Landscaping

Compliance Date: April 15, 2025

Method of Service: Property posted on April 9, 2025; Certified mail signed for on March 28, 2025.

Findings:

At the May 28, 2025 Special Magistrate hearing, the property was found in Violation of:
Sec. 26-171(a) Permits Required -for the rear porch with metal roof & walls
Sec. 26-914(8) Maintenance -Landscaping -overgrown grass, weeds, vines, bushes, etc.
IPMC 304.2 Protective treatment -chipped & peeling paint and discoloration on exterior walls
New Compliance date: July 1, 2025.
Method of Service: Property posted on May 30, 2025; Certified mail signed for on June 3, 2025.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCSM-0480-2024- 309 Murray St.pdf

CE-0480-2024 307 – 309 MURRAY STREET
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	06/10/2024
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	Beverly Abrahamson	**Description:**	Waste water from back building (multiple structures on the property)		

Parcel: 744126000142 Main	**Address:** 309 Murray St Main New Smyrna Beach, FL 32168	**Zone:** B-3 (HIGHWAY SERVICE BUSINESS)

Complainant

Hunter Tolbert

305 Murray St
New Smyrna Beach, FL 32168

Mobile: 3868823294

Owner

Own-A-Pad Real Estate
Marion Jill Dempsey

817 S A1A
New Smyrna Beach, FL 32169

Business: (386) 428-4811

Mobile: (386) 547-4507

Complainant

Robert Lasic

140 Country Circle Dr
Port Orange, FL 32128

Mobile: 3863417320

Complainant

Robert Lasic

P.O. Box 1891
New Smyrna Beach, FL 32168

Mobile: 3863417320

Note	Created By	Date and Time Created
1. Robert Lasic called back to make sure Code Compliance received this complaint. He requested someone to meet him at his property on Mary Ave to see what he is reporting. Setup a meeting for Wednesday, June 12 @ 8:45 a.m.	Barbara Bobelak	6/11/2024 6:34 am
2. Inspection changed to Friday, 6/21/2024 at 1 p.m., conducted a site inspection with Robert Lasic from his property on Ball Street. From this area I could view the neighboring property from areas where fence panels were missing. I could see the pipe coming out of the north side of the building, no water was being discharged at this time. The pipe should drain into an approved drain not onto the ground. The property is overgrown and needs to be mowed. BTR is up-to-date.	Barbara Bobelak	6/26/2024 11:18 am
3. Photos from previous site visit are in the case folder. Beverly if you have any questions on the photos in the folder let me know.	Barbara Bobelak	9/5/2024 11:22 am
4. Assigned to: Beverly Abrahamson	Barbara Bobelak	9/5/2024 11:27 am

Activity Type	Activity Number	Activity Name	User	Created On
Phone Call	PC-003111-2024	Complaint	Cynthia Langdon	06/10/2024

Volusia County Property Appraiser
123 W. Indiana Ave., Rm. 102
DeLand, FL. 32720
Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3875974 **Parcel ID: 744126000142**
DEMPSEY MARION JILL **309 MURRAY ST, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3875974
Parcel ID:	744126000142
Township-Range-Section:	17 - 34 - 41
Subdivision-Block-Lot:	26 - 00 - 0142
Owner(s):	DEMPSEY MARION JILL - FS - Fee Simple - 100%
Mailing Address On File:	817 S A1A NEW SMYRNA BEACH FL 32169
Physical Address:	309 MURRAY ST, NEW SMYRNA BEACH 32168
Property Use:	0800 - MFR <10 UNITS
Tax District:	601-NEW SMYRNA BEACH
2023 Final Millage Rate:	17.0554
Neighborhood:	4622
Subdivision Name:	FINNEGANS NEW SMYRNA
Homestead Property:	No

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$472,581	$410,057	$0	$472,581	1.5000	$708.87
0012	DISCRETIONARY	$472,581	$410,057	$0	$472,581	0.7480	$353.49
0011	REQ LOCAL EFFORT	$472,581	$410,057	$0	$472,581	3.1610	$1,493.83
0050	GENERAL FUND	$472,581	$410,057	$62,524	$410,057	3.3958	$1,392.47
0053	LAW ENFORCEMENT FUND	$472,581	$410,057	$62,524	$410,057	1.4541	$596.26
0055	LIBRARY	$472,581	$410,057	$62,524	$410,057	0.4209	$172.59
0520	MOSQUITO CONTROL	$472,581	$410,057	$62,524	$410,057	0.1781	$73.03
0530	PONCE INLET PORT AUTHORITY	$472,581	$410,057	$62,524	$410,057	0.0692	$28.38
0058	VOLUSIA ECHO	$472,581	$410,057	$62,524	$410,057	0.2000	$82.01
0057	VOLUSIA FOREVER	$472,581	$410,057	$62,524	$410,057	0.2000	$82.01
0065	FLORIDA INLAND NAVIGATION DISTRICT	$472,581	$410,057	$62,524	$410,057	0.0288	$11.81
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$472,581	$410,057	$62,524	$410,057	0.8162	$334.69
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$472,581	$410,057	$62,524	$410,057	0.1793	$73.52
0271	NEW SMYRNA BCH I&S 2005	$472,581	$410,057	$62,524	$410,057	0.1900	$77.91
0272	NEW SMYRNA BCH I&S 2018	$472,581	$410,057	$62,524	$410,057	0.0990	$40.60
0270	NEW SMYRNA BEACH	$472,581	$410,057	$62,524	$410,057	4.4150	$1,810.40
						17.0554	$7,331.88

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	1	$95.00	$101.00
			$101.00

Estimated Ad Valorem Tax:	$7,331.88
Estimated Non-Ad Valorem Tax:	$101.00
Estimated Taxes:	**$7,432.88**
Estimated Tax Amount without SOH:	$8,161.06

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2023	$171,511	$250,732	$422,243	$372,779	$0	$372,779	$0
2022	$171,511	$226,147	$397,658	$338,890	$0	$338,890	$0
2021	$101,094	$206,988	$308,082	$308,082	$0	$308,082	$0
2020	$101,094	$196,818	$297,912	$297,912	$0	$297,912	$0
2019	$68,890	$250,092	$318,982	$291,490	$0	$291,490	$0
2018	$62,001	$207,883	$269,884	$264,991	$0	$264,991	$0
2017	$27,556	$213,235	$240,901	$240,901	$0	$240,901	$0
2016	$27,666	$202,303	$229,969	$224,754	$0	$224,754	$0
2015	$22,167	$211,168	$233,335	$204,322	$0	$204,322	$0

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

E 1/2 OF W 165 FT OF S 1/2 OF LOT 14 FINNEGANS NEW SMYRNA PER OR 5187 PG 3059 PER OR 5786 PGS 2007-2009 INC PER OR 7716 PG 2225

Outlook

[Draft] 309 Murray Street

From

Draft saved Thu 12/5/2024 9:31 AM

Good Morning Ms. Dempsey!

I spoke with you on Tuesday regarding the complaint received on the above-referenced property.
There is a pipe coming out of the north side of the building, has (waste) water discharging. The discharge should drain into an approved drain not onto the ground.
The grass/weeds are overgrown
vines growing up the sides of the structures and all over the fences
chipping, peeling paint
discoloration on the sides of the structures
Clean up the area over the front door of 309 where the roof was removed, there is still tar and white paint showing
Please accept this as a courtesy notice, if compliance is not achieved by December 19th, I will generate and send out a Notice of Violation/Notice of Hearing

I thank you in advance for your cooperation in getting these violations corrected.

If you have a

Beverly Abrahamson

Code Compliance Officer

City of New Smyrna Beach

210 Sams Ave.

New Smyrna Beach, FL 32168

Office (386) 410-2876

Cell (386)478-3350

babrahamson@cityofnsb.com

www.cityofnsb.com

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL 32168
386-410-2870

Violation Notice

Case Number: **CE-0480-2024**
Case Type: **Code Enforcement**
Date Case Established: **06/10/2024**
Compliance Deadline: **04/15/2025**

Owner: MARION JILL DEMPSEY

Mailing Address

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address	Parcel
309 MURRAY ST NEW SMYRNA BEACH, FL 32168	**744126000142**

Violation: IPMC 304.2 - Protective treatment.
Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
Corrective Action: Correct chipping, peeling paint and discoloration on exterior walls
Compliance Date: 04/15/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL 32168
386-410-2870

Violation Notice

Case Number: **CE-0480-2024**
Case Type: **Code Enforcement**
Date Case Established: **06/10/2024**
Compliance Deadline: **04/15/2025**

Violation: Sec. 26-171. (a) - Permits Required
Required. A building permit shall be procured from the building inspector by every contractor or any other person responsible for the performance of any work except painting before doing such work or construction of any character, whether permanent or temporary, where the cost exceeds $1,000.00 or an inspection is required; however, a building permit shall be required for any structure classified as a fence regardless of cost.
Corrective Action: Obtain the required permit for the rear porch with metal roof & walls.
Compliance Date: 04/15/2025

Violation: Sec. 26-914.(8) - Landscaping
Maintain all yards and landscaping by watering, cutting, pruning, and mowing all lawns and vegetation. Yards and lawns shall be kept free of weeds.
Corrective Action: Mow all grass/weeds, trim bushes/trees. Remove weeds/vines from all structures.
Compliance Date: 04/15/2025

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL 32168
386-410-2870

Violation Notice

Case Number: **CE-0480-2024**

Case Type: **Code Enforcement**

Date Case Established: **06/10/2024**

Compliance Deadline: **04/15/2025**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Violation is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:9214 8901 9403 8306 9876 63
(✓) Post
( ) Hand Delivery

Sincerely,

Teresa Merck
Administrative Specialist

Beverly Abrahamson
Code Compliance Officer
Phone: (386) 410-2876
Email: babrahamson@cityofnsb.com
3/26/2025

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA BEACH, FL 32169

CASE NO. CE-0480-2024
309 MURRAY ST
NEW SMYRNA BEACH, FL 32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate for the City of New Smyrna Beach on **May 28, 2025, at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA BEACH, FL 32169

CASE NO. CE-0480-2024
309 MURRAY ST
NEW SMYRNA BEACH, FL 32168

NOTICE TO PERSONS WITH DISABILITIES

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 210 Sams Avenue, New Smyrna Beach, Telephone (386) 410-2630, not later than seven days prior to the proceeding.

RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Special Magistrate with respect to any matter considered at the hearing, you will need a record of the proceedings, and, for such purpose, you may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. $268.0105, Fla. Stat.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:9214 8901 9403 8306 9876 63

(✓) Post

( ) Hand Delivery

Teresa Merck
Administrative Specialist

Beverly Abrahamson
Code Compliance Officer
Phone: (386) 410-2876
Email: babrahamson@cityofnsb.com
3/26/2025

Network:Apr 9, 2025 at 12:10:45 PM EDT
Local:Apr 9, 2025 at 12:10:45 PM EDT
N 29° 1' 40.023", W 80° 55' 37.021"
307 Murray St
New Smyrna Beach FL 32168
United States

UNITED STATES POSTAL SERVICE

Date Produced: 03/31/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8306 9876 63. Our records indicate that this item was delivered on 03/28/2025 at 11:06 a.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 817 A1A, NEW SMYRNA BEACH, FL 32169

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA BEACH, FL 32169

Customer Reference Number: C5764854.34954664

2

UNITED STATES POSTAL SERVICE®

Return address:

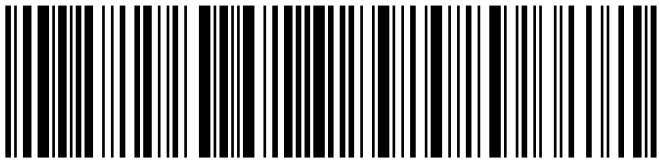
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA BEACH, FL 32169

MAILING DATE: 03/26/2025
DELIVERY DATE: 03/28/2025

USPS CERTIFIED MAIL



9214 8901 9403 8306 9876 63

USPS Tracking Label Number: 9214 8901 9403 8306 9876 63

USPS Tracking History	Location	Date / Time
USPS IN POSSESSION OF ITEM	NEW SMYRNA BEACH,FL 32168	03/26/2025 11:31
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	03/26/2025 11:52
DEPART POST OFFICE	NEW SMYRNA BEACH,FL 32168	03/26/2025 18:04
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/26/2025 22:56
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/27/2025 20:05
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/28/2025 00:47
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	03/28/2025 11:06

CASE #: SM0480-2024 309 MURRAY ST

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach, Florida, a municipal corporation,
Petitioner,

CASE NO.: CCSM-0480-2024

VS.

MARION JILL DEMPSEY,
Respondent(s)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **May 28, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative X did ____did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

   Address: 309 MURRAY ST, NEW SMYRNA BEACH 32168
   Parcel: 744126000142
   Legal description: E 1/2 OF W 165 FT OF S 1/2 OF LOT 14 FINNEGANS NEW SMYRNA PER OR 5187 PG 3059 PER OR 5786 PGS 2007-2009 INC PER OR 7716 PG 2225

2. The property was first inspected by a Code Compliance Officer on **June 21, 2024**. At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **March 26, 2025,** identifying the specific violation(s). The violation(s) was/were to be corrected by **April 15, 2025**. The Code Compliance Officer reinspected the property on **May 28, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26-171(a) Permits Required – for the rear porch with metal roof & walls
Sec. 26-914(8) Maintenance – Landscaping – overgrown grass, weeds, vines, bushes, etc.
IPMC 304.2 Protective treatment – chipped & peeling paint and discoloration on exterior walls

IT IS THEREUPON ORDERED that:

A. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. **July 1, 2025**, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**. If the Special Magistrate finds that the violation(s) was/were not corrected by the date set forth above, a fine of **$25.00 per day for each section of code that remains in violation** may be imposed, not to exceed the maximum of $20,000.

B. **NEXT HEARING DATE:** This case shall be reviewed by the Special Magistrate at a public hearing on **July 23, 2025**, at **2:00 p.m.**, in the City Chambers, 214 Sams Ave., New Smyrna Beach, FL. The Special Magistrate will consider setting a fine and lien on the above case at this Public Hearing.

This Order may be appealed to the Circuit Court within 30 days of its execution.

DONE AND ORDERED on **May 28, 2025**.

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 817 S A1A, NEW SMYRNA BEACH FL 32169 by:

(_√_) Certified Mail, Return Receipt Requested, Receipt #9214 8901 9403 8315 8428 09

(_√_) Post

(___) Hand Delivery

Teresa Merck
By: Teresa Merck, Code Compliance Clerk
Date: May 28, 2025

Network:May 30, 2025 at 12:23:24 PM EDT
Local:May 30, 2025 at 12:23:24 PM EDT
N 29° 1' 39.697", W 80° 55' 37.186"
308 Murray St
New Smyrna Beach FL 32168
United States

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach,
Florida, a municipal corporation,
Petitioner,

VS.

MARION JILL DEMPSEY,
Respondent(s)

CASE NO.: CCSM-0480-2024

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **May 28, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative __X__ did ____did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

   Address: 309 MURRAY ST, NEW SMYRNA BEACH 32168
   Parcel: 744126000142
   Legal description: E 1/2 OF W 165 FT OF S 1/2 OF LOT 14 FINNEGANS NEW SMYRNA PER OR 5187 PG 3059 PER OR 5786 PGS 2007-2009 INC PER OR 7716 PG 2225

2. The property was first inspected by a Code Compliance Officer on **June 21, 2024**. At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **March 26, 2025,** identifying the specific violation(s). The violation(s) was/were to be corrected by **April 15, 2025**. The Code Compliance Officer reinspected the property on **May 28, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26-171(a) Permits Required – for the rear porch with metal roof & walls
Sec. 26-914(8) Maintenance – Landscaping – overgrown grass, weeds, vines, bushes, etc.
IPMC 304.2 Protective treatment – chipped & peeling paint and discoloration on exterior walls

Network:May 30, 2025 at 12:23:35 PM EDT
Local:May 30, 2025 at 12:23:35 PM EDT
N 29° 1' 39.810", W 80° 55' 36.670"
308 Murray St
New Smyrna Beach FL 32168
United States

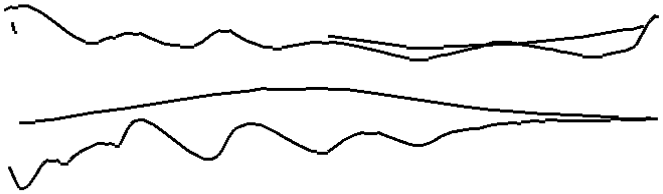
UNITED STATES POSTAL SERVICE

Date Produced: 06/04/2025

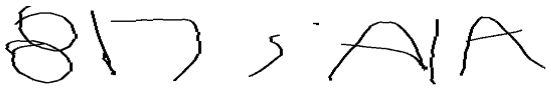
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8315 8428 09. Our records indicate that this item was delivered on 06/03/2025 at 11:29 a.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA FL 32169-2807

Customer Reference Number: C5935369.36009692

2

UNITED STATES POSTAL SERVICE®

Return address:

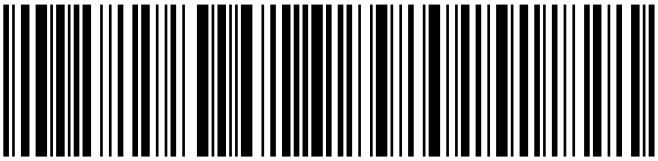
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

MARION JILL DEMPSEY
817 S A1A
NEW SMYRNA FL 32169-2807

MAILING DATE: 05/30/2025
DELIVERY DATE: 06/03/2025

USPS CERTIFIED MAIL



9214 8901 9403 8315 8428 09

USPS Tracking Label Number: 9214 8901 9403 8315 8428 09

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	05/30/2025 08:48
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	05/31/2025 19:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/31/2025 20:17
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/31/2025 22:00
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	06/01/2025 20:38
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	06/02/2025 00:55
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	06/03/2025 11:29

CASE #: 309 MURRAY ST SM-0480-2024 BA


Network:Oct 2, 2024 at 4:28:03 PM EDT
Local:Oct 2, 2024 at 4:28:03 PM EDT
N 29° 1' 39.854", W 80° 55' 36.581"
306 Murray St
New Smyrna Beach FL 32168
United States

+


Network:Feb 26, 2025 at 3:09:23 PM EST
Local:Feb 26, 2025 at 3:09:23 PM EST
N 29° 1' 40.120", W 80° 55' 36.963"
307 Murray St
New Smyrna Beach FL 32168
United States




Network:Feb 26, 2025 at 3:09:33 PM EST
Local:Feb 26, 2025 at 3:09:33 PM EST
N 29° 1' 40.462", W 80° 55' 37.073"
309 Murray St
New Smyrna Beach FL 32168
United States


Network:Feb 26, 2025 at 3:09:47 PM EST
Local:Feb 26, 2025 at 3:09:47 PM EST
N 29° 1' 40.462", W 80° 55' 37.073"
309 Murray St
New Smyrna Beach FL 32168
United States


Network:Feb 26, 2025 at 3:10:45 PM EST
Local:Feb 26, 2025 at 3:10:45 PM EST
N 29° 1' 40.717", W 80° 55' 37.373"
309 Murray St
New Smyrna Beach FL 32168
United States


Network:Feb 26, 2025 at 3:11:42 PM EST
Local:Feb 26, 2025 at 3:11:42 PM EST
N 29° 1' 41.114", W 80° 55' 37.062"
309 Murray St
New Smyrna Beach FL 32168
United States


Network:Feb 26, 2025 at 3:11:45 PM EST
Local:Feb 26, 2025 at 3:11:45 PM EST
N 29° 1' 41.114", W 80° 55' 37.062"
309 Murray St
New Smyrna Beach FL 32168
United States

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCSM-0071-2025- 206 FLAGLER AVE.; OWNER: 206 FLAGLER PROPERTY LLC; OFFICER: JASON YATES

July 23, 2025

Background:
Violation of City Code Sec. 26-171. (a) - Permits Required
Compliance date: March 14, 2025
Method of Service: Property posted on February 14, 2025; Certified mail signed for on February 22, 2025.

Findings:
At the Special Magistrate hearing on March 26, 2025, the property/owner were found in Violation of City Code Sec. 26-171. (a) - Permits Required.
New Compliance date: May 5, 2025.
Method of Service: Property posted on April 2, 2025; Certified mail signed for on April 16, 2025.
At the Special Magistrate hearing on May 28, 2025, the Special Magistrate continued the hearing to July 23, 2025.
Method of Service: Property posted on May 30, 2025; Certified mail signed for on June 2, 2025.

Fiscal Analysis:
None

Strategic Plan Item:
No

Staff Report Created By: Teresa Merck

Attachments:

CCSM-0071-2025- 206 Flagler Ave.pdf

CE-0071-2025 - 206 FLAGLER AVENUE (ASIAN FUSION)
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**	**SPECIAL MAGISTRATE**	**Opened Date:**	02/06/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	Jason Yates	**Description:**	Structural remodeling to the rear of the building being done without permits.		

Parcel: 745509000040 Main	**Address:** 206 Flagler Av New Smyrna Beach, FL 32169 Main	**Zone:** MU (MIXED USE (CENTRAL BUSINESS DISTRICT))

Complainant

Helena Cleary

108 Linda Rd
New Smyrna Beach, FL 32168

Mobile: 3866901243

Owner

Aa Garden Fusion Inc
Ngan Ngo & Tuan Nguyen & Kimchau Ngo

120 N Riverside Dr
Edgewater, FL 32132

Business: 386-410-4772

Note	Created By	Date and Time Created
1. Incident Description: Structural remodeling to the rear of the building is being done without permits, as well as before 8 AM, disturbing local wildlife.	Barbara Bobelak	2/6/2025 7:15 am
2. Assigned to: Jason Yates	Barbara Bobelak	2/6/2025 7:16 am

Activity Type	Activity Number	Activity Name	User	Created On
Email	ACT-003644-2025	Online Complaint	Barbara Bobelak	02/06/2025

From: noreply@civicplus.com
To: Code Enforcement
Subject: Online Form Submittal: Contact Code Compliance
Date: Wednesday, February 5, 2025 4:54:16 PM

CAUTION: EXTERNAL EMAIL

Contact Code Compliance

Please use this form to request an inspection at a location in the City of New Smyrna Beach. Fields with an asterisk next to them are required. The Florida Legislature in 2021 passed Senate Bill 60, which amended Florida Statute 125.69 (4)(b), Florida Statute 162.06 (1)(b), and Florida Statute 162.21 (3)(b). Effective July 1, 2021, Florida Statute prohibits Code Compliance officers from investigating anonymous tips unless the violation presents an imminent threat to public health, safety, welfare, or the imminent destruction of habitat or sensitive resource.

Please provide your name and contact information.

First Name	Helena
Last Name	Cleary
Street Address	108 Linda Road
City	New Smyrna Beach
State	Fl
Zip Code	32168
Phone Number	3866901243
Reply E-mail	Helenamaycleary@gmail.com

Please provide information about the incident you would like us to investigate.

Street Address	206 Flagler ave
Incident Description	Structural remodeling to the rear of the building is being done without permits, as well as before 8 AM, disturbing local wildlife.
Name of Property Owner or Tenant (if known)	AA garden fusion
File Upload	*Field not completed.*

Email not displaying correctly? View it in your browser.

Volusia County Property Appraiser
123 W. Indiana Ave., Rm. 102
DeLand, FL. 32720
Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3901134 **Parcel ID: 745509000040**
206 FLAGLER PROPERTY LLC **206 FLAGLER AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3901134
Parcel ID:	745509000040
Township-Range-Section:	17 - 34 - 55
Subdivision-Block-Lot:	09 - 00 - 0040
Owner(s):	206 FLAGLER PROPERTY LLC - FS - Fee Simple - 100%
Mailing Address On File:	120 N RIVERSIDE DR EDGEWATER FL 32132
Physical Address:	206 FLAGLER AVE, NEW SMYRNA BEACH 32169
Property Use:	2100 - RESTAURANT
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	7032
Subdivision Name:	COOPER WALKER GRANT
Homestead Property:	No

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$694,597	$694,597	$0	$694,597	1.5000	$1,041.90
0012	DISCRETIONARY	$694,597	$694,597	$0	$694,597	0.7480	$519.56
0011	REQ LOCAL EFFORT	$694,597	$694,597	$0	$694,597	3.0370	$2,109.49
0050	GENERAL FUND	$694,597	$694,597	$0	$694,597	3.2007	$2,223.20
0053	LAW ENFORCEMENT FUND	$694,597	$694,597	$0	$694,597	1.5994	$1,110.94
0055	LIBRARY	$694,597	$694,597	$0	$694,597	0.3891	$270.27
0520	MOSQUITO CONTROL	$694,597	$694,597	$0	$694,597	0.1647	$114.40
0530	PONCE INLET PORT AUTHORITY	$694,597	$694,597	$0	$694,597	0.0692	$48.07
0058	VOLUSIA ECHO	$694,597	$694,597	$0	$694,597	0.2000	$138.92
0057	VOLUSIA FOREVER	$694,597	$694,597	$0	$694,597	0.2000	$138.92
0065	FLORIDA INLAND NAVIGATION DISTRICT	$694,597	$694,597	$0	$694,597	0.0288	$20.00
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$694,597	$694,597	$0	$694,597	0.7506	$521.36
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$694,597	$694,597	$0	$694,597	0.1793	$124.54
0271	NEW SMYRNA BCH I&S 2005	$694,597	$694,597	$0	$694,597	0.0000	$0.00
0272	NEW SMYRNA BCH I&S 2018	$694,597	$694,597	$0	$694,597	0.0895	$62.17
0270	NEW SMYRNA BEACH	$694,597	$694,597	$0	$694,597	4.6370	$3,220.85
						16.7933	$11,664.58

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	2	$104.00	$208.00
			$208.00

Estimated Ad Valorem Tax:	$11,664.58
Estimated Non-Ad Valorem Tax:	$208.00
Estimated Taxes:	**$11,872.58**
Estimated Tax Amount without SOH:	$11,872.58

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$520,650	$179,886	$700,536	$700,536	$0	$700,536	$0
2023	$520,650	$171,384	$692,034	$648,245	$0	$648,245	$0
2022	$520,650	$155,939	$676,589	$589,314	$0	$589,314	$0
2021	$429,000	$106,740	$535,740	$535,740	$0	$535,740	$0
2020	$422,500	$151,833	$574,333	$495,969	$0	$495,969	$0
2019	$422,500	$145,284	$567,784	$450,881	$0	$450,881	$0
2018	$351,000	$141,653	$492,653	$409,892	$0	$409,892	$0
2017	$325,000	$135,325	$460,325	$372,629	$0	$372,629	$0
2016	$292,500	$125,658	$418,158	$338,754	$0	$338,754	$0

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

LOT 4 COOPER SUB WALKER GRANT MB 4 PG 96 (16-109) & INC E 50 FT LOT 43 ASSRS SUB WALKER GRANT MB 3 PG 150 (22-176) PER OR 4238 PG 4782 PER OR 6869 PG 2004

City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL
32168
386-410-2870

Case Number: **CE-0071-2025**

Violation Notice

Case Type: Code Enforcement
Date Case Established: 02/06/2025
Compliance Deadline: 03/14/2025

Owner: NGAN NGO & TUAN NGUYEN & KIMCHAU NGO

Mailing Address

NGAN NGO & TUAN NGUYEN & KIMCHAU NGO
120 N RIVERSIDE DR
EDGEWATER, FL 32132

Notice of Violation for the following location:

Address	Parcel
206 FLAGLER AV NEW SMYRNA BEACH, FL 32169	**745509000040**

Violation: Sec. 26-171. (a) - Permits Required
Required. A building permit shall be procured from the building inspector by every contractor or any other person responsible for the performance of any work except painting before doing such work or construction of any character, whether permanent or temporary, where the cost exceeds $1,000.00 or an inspection is required; however, a building permit shall be required for any structure classified as a fence regardless of cost.

Corrective Action: Obtain an after the fact permit for construction already performed.
Compliance Date: 03/14/2025

Violation: Sec. 26-172. - Penalties for work commencing before permit issuance.
Any person who commences any work on a building or structure or electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 200 percent of the normal permit fee plus $50.00; except that during or following a natural disaster such as a hurricane, tornado, or sever windstorm, the penalty shall be 200 percent of the normal permit fee plus $100.00. The penalty shall be in lieu of the penalty imposed by section 104.7.2 of the 2007 Florida Building Code adopted in section 26-36.

(Ord. No. 49-97, § 1, 10-28-1997; Ord. No. 88-07, § 8, 9-11-2007; Ord. No. 28-09,§ 3, 8-25-2009)

Compliance Date: 03/14/2025

City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL
32168
386-410-2870

Case Number: **CE-0071-2025**

Violation Notice

Case Type: **Code Enforcement**

Date Case Established: **02/06/2025**

Compliance Deadline: **03/14/2025**

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Violation is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:9214 8901 9403 8301 0829 67

(✓) Post

( ) Hand Delivery

Sincerely,

Teresa Merck

Teresa Merck
Administration Specialist

Jason Yates
Code Compliance Officer
Phone: (386) 410-2878
Email: jyates@cityofnsb.com

2/14/25

206 FLAGER AVE SM-0071-2025

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

NGAN NGO & TUAN NGUYEN & KIMCHAU NGO
120 N RIVERSIDE DR
EDGEWATER, FL 32132

CASE NO. CE-0071-2025
206 FLAGLER AV
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **March 26, 2025 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

NGAN NGO & TUAN NGUYEN & KIMCHAU NGO
120 N RIVERSIDE DR
EDGEWATER, FL 32132

CASE NO. CE-0071-2025
206 FLAGLER AV
NEW SMYRNA BEACH, FL 32169

NOTICE TO PERSONS WITH DISABILITIES

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 210 Sams Avenue, New Smyrna Beach, Telephone (386) 410-2630, not later than seven days prior to the proceeding.

RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Special Magistrate with respect to any matter considered at the hearing, you will need a record of the proceedings, and, for such purpose, you may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. $268.0105, Fla. Stat.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that is Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:9214 8901 9403 8301 0829 67

(✓) Post

( ) Hand Delivery

Teresa Merck
Administration Specialist

Jason Yates
Code Compliance Officer
Phone: (386) 410-2878
Email: jyates@cityofnsb.com
2/14/2025

206 FLAGLER AVE SM-0071-2025

Network:Feb 14, 2025 at 10:10:52 AM EST
Local:Feb 14, 2025 at 10:10:52 AM EST
N 29° 2' 18.738", W 80° 54' 7.785"
225–235 Flagler Ave
New Smyrna Beach FL 32169
United States

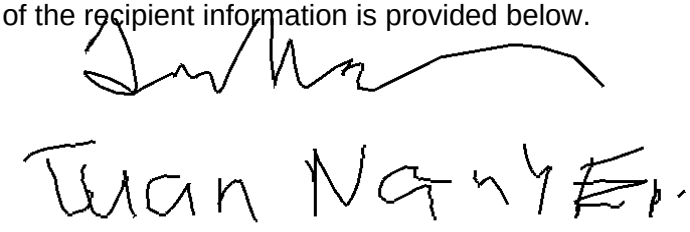
UNITED STATES POSTAL SERVICE

Date Produced: 02/24/2025

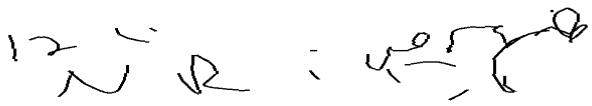
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8301 0829 67. Our records indicate that this item was delivered on 02/22/2025 at 03:16 p.m. in EDGEWATER, FL 32132. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

NGAN NGO
TUAN NGUYEN
KIMCHAU NGO
120 N RIVERSIDE DR
EDGEWATER FL 32132-1716

Customer Reference Number: C5660243.34356575

2

UNITED STATES POSTAL SERVICE®

Return address:

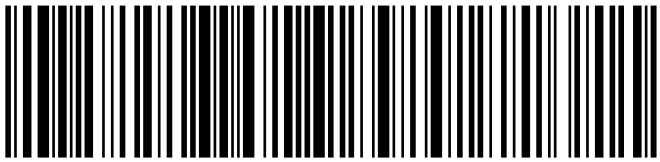
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

NGAN NGO
TUAN NGUYEN
KIMCHAU NGO
120 N RIVERSIDE DR
EDGEWATER FL 32132-1716

MAILING DATE: 02/14/2025
DELIVERY DATE: 02/22/2025

USPS CERTIFIED MAIL



9214 8901 9403 8301 0829 67

USPS Tracking Label Number: 9214 8901 9403 8301 0829 67

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	02/14/2025 08:37
NO AUTHORIZED RECIPIENT AVAILABLE	EDGEWATER,FL 32132	02/18/2025 16:42
DELIVERED LEFT WITH INDIVIDUAL	EDGEWATER,FL 32132	02/22/2025 15:16

CASE #: SM-0071-2025 206 FLAGLER AVE JY

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach, Florida, a municipal corporation,
Petitioner,

CASE NO.: CCSM-0071-2025

VS.

206 Flagler Property LLC and/or entity,
Respondent(s)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **March 26, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did ✓did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

   Address: 206 FLAGLER AVE, NEW SMYRNA BEACH 32169
   Parcel: 745509000040
   Legal description: LOT 4 COOPER SUB WALKER GRANT MB 4 PG 96 (16-109) & INC E 50 FT LOT 43 ASSRS SUB WALKER GRANT MB 3 PG 150 (22-176) PER OR 4238 PG 4782 PER OR 6869 PG 2004

2. The property was first inspected by a Code Compliance Officer on **February 11, 2025.** At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **February 13, 2025,** identifying the specific violation(s). The violation(s) was/were to be corrected by **March 14, 2025**. The Code Compliance Officer reinspected the property on **March 24, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26.171.(a) – Permits required

IT IS THEREUPON ORDERED that:

A. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. **May 5, 2025,** and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**. If the Special Magistrate finds that the violation(s) was/were not corrected by the date set forth above, a fine of **$100.00 per day for each section of code that remains in violation** may be imposed, not to exceed a maximum fine of $20,0000.

B. **NEXT HEARING DATE:** This case shall be reviewed by the Special Magistrate at a public hearing on **May 28, 2025**, at **2:00 p.m.**, in the City Chambers, 214 Sams Ave., New Smyrna Beach, FL. The Special Magistrate will consider setting a fine and lien on the above case at this Public Hearing.

This Order may be appealed to the Circuit Court within 30 days of its execution.

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

DONE AND ORDERED on **March 26, 2025**.

Jessica Gow
Special Magistrate

ATTEST:

Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 120 N RIVERSIDE DR., EDGEWATER FL 32132 by:

(_√_) Certified Mail, Return Receipt Requested, Receipt #9214 8901 9403 8306 8861 02

(_√_) Post

(___) Hand Delivery

By: Teresa Merck, Code Compliance Clerk
Date: April 1, 2025

Network:Apr 2, 2025 at 1:05:22 PM EDT
N 29° 2' 19.816", W 80° 54' 7.917"
206 Flagler Ave
New Smyrna Beach FL 32169
United States

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach, Florida, a municipal corporation,
Petitioner,

VS.

206 Flagler Property LLC and/or entity,
Respondent(s)

CASE NO.: CCSM-0071-2025

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **March 26, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did __✓__did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

Address: 206 FLAGLER AVE, NEW SMYRNA BEACH 32169
Parcel: 745509000040
Legal description: LOT 4 COOPER SUB WALKER GRANT MB 4 PG 96 (16-109) & INC E 50 FT LOT 43 ASSRS SUB WALKER GRANT MB 3 PG 150 (22-176) PER OR 4238 PG 4782 PER OR 6869 PG 2004

2. The property was first inspected by a Code Compliance Officer on **February 11, 2025.** At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **February 13, 2025**, identifying the specific violation(s). The violation(s) was/were to be corrected by **March 14, 2025**. The Code Compliance Officer reinspected the property on **March 24, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26.171.(a) – Permits required

IT IS THEREUPON ORDERED that:

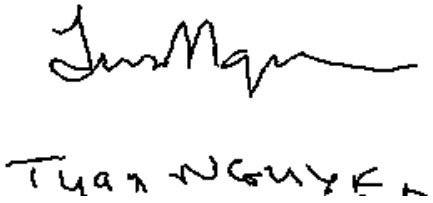
UNITED STATES POSTAL SERVICE

Date Produced: 04/17/2025

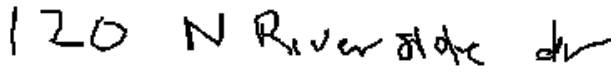
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8306 8861 02. Our records indicate that this item was delivered on 04/16/2025 at 02:57 p.m. in EDGEWATER, FL 32132. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

206 FLAGLER PROPERTY LLC
120 N RIVERSIDE DR
EDGEWATER FL 32132-1716

Customer Reference Number: C5782145.35053837

2

UNITED STATES POSTAL SERVICE®

Return address:

CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

206 FLAGLER PROPERTY LLC
120 N RIVERSIDE DR
EDGEWATER FL 32132-1716

MAILING DATE: 04/02/2025
DELIVERY DATE: 04/16/2025

USPS CERTIFIED MAIL



9214 8901 9403 8306 8861 02

USPS Tracking Label Number: 9214 8901 9403 8306 8861 02

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	04/02/2025 08:38
USPS IN POSSESSION OF ITEM	NEW SMYRNA BEACH,FL 32168	04/02/2025 13:57
DEPART POST OFFICE	NEW SMYRNA BEACH,FL 32168	04/02/2025 18:37
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/03/2025 21:31
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/04/2025 21:14
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/05/2025 00:31
NO AUTHORIZED RECIPIENT AVAILABLE	EDGEWATER,FL 32132	04/05/2025 15:08
REMINDER TO SCHEDULE REDELIVERY	EDGEWATER,FL 32132	04/10/2025 03:13
NO AUTHORIZED RECIPIENT AVAILABLE	EDGEWATER,FL 32132	04/10/2025 15:19
DELIVERED INDIVIDUAL PICKED UP AT PO	EDGEWATER,FL 32132	04/16/2025 14:57

CASE #: SM-0071-2025 206 FLAGLER AVE JY

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

CASE NO.: **CCSM-0071-2025**

VS

206 FLAGLER PROPERTY LLC,
Respondents/Owners.

ORDER CONTINUING HEARING

This case was heard on **May 28, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did _X_did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **July 23, 2025,** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168 at 2:00 PM.

Address: 206 FLAGLER AVE, NEW SMYRNA BEACH 32169
Parcel: 745509000040
Legal description: LOT 4 COOPER SUB WALKER GRANT MB 4 PG 96 (16-109) & INC E 50 FT LOT 43 ASSRS SUB WALKER GRANT MB 3 PG 150 (22-176) PER OR 4238 PG 4782 PER OR 6869 PG 2004

DONE AND ORDERED this **28th** day of **May 2025**.

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 120 N RIVERSIDE DR., EDGEWATER FL 32132 by:

(_v_) Certified Mail, Return Receipt Requested, Receipt #:9214 8901 9403 8315 8385 29
(_v_) Post
(___) Hand Delivery

Teresa Merck
Signature: Teresa Merck
Title: Code Compliance
Date: May 29, 2025

Network:May 30, 2025 at 11:52:31 AM EDT
Local:May 30, 2025 at 11:52:31 AM EDT
N 29° 2' 19.609", W 80° 54' 7.881"
206 Flagler Ave
New Smyrna Beach FL 32169
United States

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

VS

206 FLAGLER PROPERTY LLC,
Respondents/Owners.

CASE NO.: **CCSM-0071-2025**

ORDER CONTINUING HEARING

This case was heard on **May 28, 2025,** before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did _X_did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **July 23, 2025,** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168 at 2:00 PM.

Address: 206 FLAGLER AVE, NEW SMYRNA BEACH 32169
Parcel: 745509000040
Legal description: LOT 4 COOPER SUB WALKER GRANT MB 4 PG 96 (16-109) & INC E 50 FT LOT 43 ASSRS SUB WALKER GRANT MB 3 PG 150 (22-176) PER OR 4238 PG 4782 PER OR 6869 PG 2004

DONE AND ORDERED this **28th** day of **May 2025.**

TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 120 N RIVERSIDE DR., EDGEWATER FL 32132 by:

(_V_) Certified Mail, Return Receipt Requested, Receipt #:9214 8901 9403 8315 8385 29
(_V_) Post
(___) Hand Delivery

Signature: Teresa Merck
Title: Code Compliance
Date: May 29, 2025

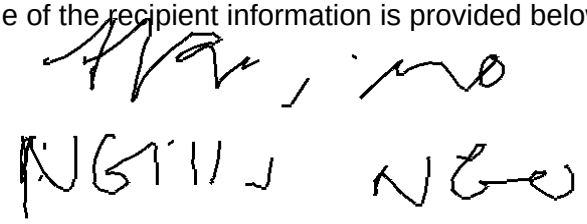
UNITED STATES POSTAL SERVICE

Date Produced: 06/03/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8315 8385 29. Our records indicate that this item was delivered on 06/02/2025 at 03:40 p.m. in EDGEWATER, FL 32132. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 120 N RIVERSIDE DR,
EDGEWATER, FL 32132

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

206 FLAGLER PROPERTY LLC
120 N RIVERSIDE DR
EDGEWATER FL 32132-1716

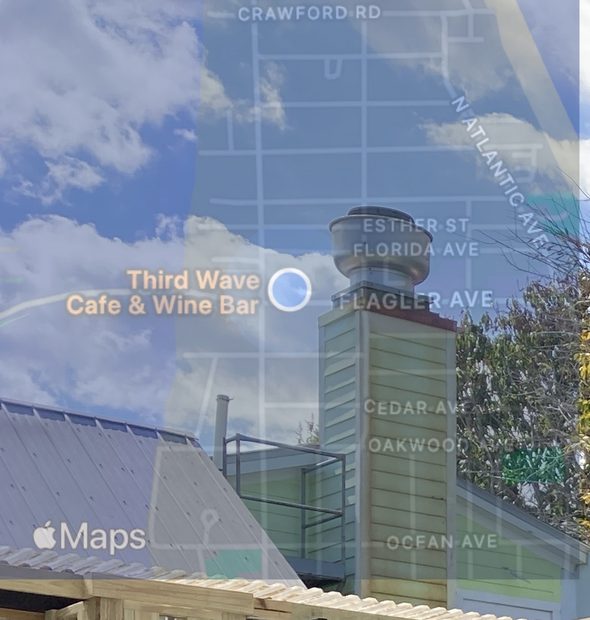
Customer Reference Number: C5933371.35982448

2

Network:Apr 2, 2025 at 1:05:48 PM EDT
N 29° 2' 19.816", W 80° 54' 7.917"
206 Flagler Ave
New Smyrna Beach FL 32169
United States

Network:Feb 11, 2025 at 12:29:25 PM EST
Local:Feb 11, 2025 at 12:29:25 PM EST
N 29° 2' 19.556", W 80° 54' 8.117"
206 Flagler Ave
New Smyrna Beach FL 32169
United States

Network:Feb 11, 2025 at 12:29:34 PM EST
Local:Feb 11, 2025 at 12:29:34 PM EST
N 29° 2' 19.909", W 80° 54' 7.936"
206 Flagler Ave
New Smyrna Beach FL 32169
United States



Network:Feb 11, 2025 at 12:29:36 PM EST
Local:Feb 11, 2025 at 12:29:36 PM EST
N 29° 2' 19.909", W 80° 54' 7.936"
206 Flagler Ave
New Smyrna Beach FL 32169
United States



Network:Feb 11, 2025 at 12:29:42 PM EST
Local:Feb 11, 2025 at 12:29:42 PM EST
N 29° 2' 19.909", W 80° 54' 7.936"
206 Flagler Ave
New Smyrna Beach FL 32169
United States

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCSM-0638-2024- 103 N. ORANGE ST.; OWNER: PEGGE W. GARRIQUES, TR AND/OR ENTITY; OFFICER: JASON YATES

July 23, 2025

Background:

Violation of City Code Sec. 26-171. (a) - Permits Required
Compliance date: October 25, 2024
Method of Service: Property posted on October 2, 2024; Stop Work Order posted August 20, 2024; Certified mail sent on October 1, 2024.

Findings:

Case was continued multiple times.
At the Special Magistrate hearing on May 28, 2025, the owner/entity was found in Violation of City Code Sec. 26-171. (a) - Permits Required.
New compliance date: July 11, 2025
Method of Service: Property posted on June 2, 2025; Certified mail sent and signed for on June 16, 2025.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCSM-0638-2024 103 N. Orange St.pdf

CODE CASE DETAILED REPORT CE-0638-2024
FOR CITY OF NEW SMYRNA BEACH

Case Type: Code Enforcement
Status: In Progress
Assigned To: Jason Yates
Project:
District: New Smyrna Beach
Description: Addition of deck without a permit
Opened Date: 08/20/2024
Closed Date: NOT CLOSED

Parcel: 744137010150 Main
Address: 103 N Orange St Main
New Smyrna Beach, FL 32168
Zone: MU (MIXED USE (CENTRAL BUSINESS DISTRICT))

Contractor
Three Bucks Construction Llc
-Dba Witch Doctor Woodworks
Matthew Vedder
5913 Riverside Drive
Port Orange, FL 32127
Business: (386) 843-0619

Owner
Garriques Pegge W Tr Pegge W
Garriques Rev Trust
4604 Van Kleeck Dr
New Smyrna Beach, FL 32169
Mobile: 3864275557

Violator
Garriques Pegge W Tr Pegge W
Garriques Rev Trust
4604 Van Kleeck Dr
New Smyrna Beach, FL 32169
Mobile: 3864275557

Note	Created By	Date and Time Created
1. On 08-20-2024 I was reporting to 103 N Orange St. for a business tax receipt inspection, when I noticed a deck being built. I checked our system and found that no permit was issued or applied for. I issued a stop work order and took photos of the job, which have been uploaded. I was informed by the GC (Matthew Vedder) that it was originally just a repair job but, during the repair it turned into a whole replacement job. I informed him that a permit was needed for this job and he informed me that he would go apply for one. Case continues	Jason Yates	8/27/2024 9:18 am
2. On 08-26-2024 I reached out to Matthew Vedder to see where he was in the process of applying for an after the fact permit. He informed me that he went into the building dept to see what was needed from them. They explained to him that he would need an engineer to submit drawing of the decking/ramp. I called the Building Dept after this conversation and they confirmed what Matthew spoke of. Case continues.	Jason Yates	8/27/2024 9:25 am

Activity Type	Activity Number	Activity Name	User	Created On
Notice of Violation Letter Sent	NOV-003449-2024		Jason Yates	10/01/2024

Violation Code: Sec. 26-171. (a)
Code Description: Permits Required
Corrective Action: Obtain a building permit for decking
Violation Status: In Violation
Citation Issue Date: 10/01/2024
Compliance Date: 10/25/2024
Resolved Date:

Volusia County Property Appraiser
123 W. Indiana Ave., Rm. 102
DeLand, FL. 32720
Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3878752 **Parcel ID: 744137010150**
GARRIQUES PEGGE W TR **105 N ORANGE ST, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3878752
Parcel ID:	744137010150
Township-Range-Section:	17 - 34 - 41
Subdivision-Block-Lot:	37 - 01 - 0150
Owner(s):	GARRIQUES PEGGE W TR - TR - Trust - 100% PEGGE W GARRIQUES REV TRUST - TR - Trust - 100%
Mailing Address On File:	4604 VAN KLEECK DR NEW SMYRNA BEACH FL 32169
Physical Address:	105 N ORANGE ST, NEW SMYRNA BEACH 32168
Property Use:	1200 - STORE/OFF/RES
Tax District:	601-NEW SMYRNA BEACH
2024 Proposed Millage Rate:	17.1307
Neighborhood:	7468
Subdivision Name:	
Homestead Property:	No

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$752,561	$527,772	$0	$752,561	1.5000	$1,128.84
0012	DISCRETIONARY	$752,561	$527,772	$0	$752,561	0.7480	$562.92
0011	REQ LOCAL EFFORT	$752,561	$527,772	$0	$752,561	3.0370	$2,285.53
0050	GENERAL FUND	$752,561	$527,772	$224,789	$527,772	3.2862	$1,734.36
0053	LAW ENFORCEMENT FUND	$752,561	$527,772	$224,789	$527,772	1.5994	$844.12
0055	LIBRARY	$752,561	$527,772	$224,789	$527,772	0.3891	$205.36
0520	MOSQUITO CONTROL	$752,561	$527,772	$224,789	$527,772	0.1647	$86.92
0530	PONCE INLET PORT AUTHORITY	$752,561	$527,772	$224,789	$527,772	0.0692	$36.52
0058	VOLUSIA ECHO	$752,561	$527,772	$224,789	$527,772	0.2000	$105.55
0057	VOLUSIA FOREVER	$752,561	$527,772	$224,789	$527,772	0.2000	$105.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$752,561	$527,772	$224,789	$527,772	0.0288	$15.20
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$752,561	$527,772	$224,789	$527,772	0.7506	$396.15
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$752,561	$527,772	$224,789	$527,772	0.1793	$94.63
0271	NEW SMYRNA BCH I&S 2005	$752,561	$527,772	$224,789	$527,772	0.0000	$0.00
0272	NEW SMYRNA BCH I&S 2018	$752,561	$527,772	$224,789	$527,772	0.0914	$48.24
0270	NEW SMYRNA BEACH	$752,561	$527,772	$224,789	$527,772	4.8870	$2,579.22
						17.1307	$10,229.11

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	2	$104.00	$208.00
			$208.00

Estimated Ad Valorem Tax:	$10,229.11
Estimated Non-Ad Valorem Tax:	$208.00
Estimated Taxes:	**$10,437.11**
Estimated Tax Amount without SOH:	$13,099.90

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2023	$420,000	$315,106	$735,106	$479,793	$0	$479,793	$0
2022	$330,000	$262,384	$592,384	$436,175	$0	$436,175	$0
2021	$165,000	$231,523	$396,523	$396,523	$0	$396,523	$0
2020	$142,500	$233,008	$375,508	$372,582	$0	$372,582	$0
2019	$135,000	$219,206	$354,206	$338,711	$0	$338,711	$0
2018	$127,500	$226,495	$353,995	$307,919	$0	$307,919	$0
2017	$105,000	$222,717	$327,717	$279,926	$0	$279,926	$0
2016	$90,000	$203,741	$293,741	$254,478	$0	$254,478	$0
2015	$82,500	$189,486	$271,986	$231,344	$0	$231,344	$0

AltKey: 3878752 **Parcel ID: 744137010150**

GARRIQUES PEGGE W TR **105 N ORANGE ST, NEW SMYRNA BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	1200-MIXED, STORE and OFFICE	SQUARE FEET			15000			28	$420,000

Total Land Value: **$420,000**

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	Depreciated Value
1	DEC-DECK WOOD	2003	326	1	$1,704

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
5838 / 3230	2006134871	06/15/2001	WD-WARRANTY DEED	UNQUALIFIED	Improved	$100
4702 / 3884	2001126224	06/15/2001	WD-WARRANTY DEED	UNQUALIFIED	Improved	$150,000
4123 / 1806	1996122751	07/15/1996	WD-WARRANTY DEED	UNQUALIFIED	Improved	$80,000
2724 / 1060		08/15/1985	WD-WARRANTY DEED	UNQUALIFIED	Improved	$80,000
2267 / 1474		05/15/1981	WD-WARRANTY DEED	UNQUALIFIED	Improved	$70,000
2080 / 1649		06/15/1979	CD-COUNTY DEED	UNQUALIFIED	Improved	$20,000
1911 / 1904		07/15/1977	QC-QUIT CLAIM DEED	UNQUALIFIED	Improved	$9,500

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3879830	301 LIVE OAK ST	NEW SMYRNA BEACH	0800-MFR <10 UNITS	7468	05/20/2024	$1,050,000
3879554	115 S LIVE OAK ST	NEW SMYRNA BEACH	1200-STORE/OFF/RES	7468	03/21/2024	$1,300,000
3880226	118 LIVE OAK ST	NEW SMYRNA BEACH	1000-VACANT COMM	7468	01/17/2024	$417,600
3879821	208 DOUGLAS ST	NEW SMYRNA BEACH	1200-STORE/OFF/RES	7468	01/11/2024	$247,900
3880293	200 LIVE OAK ST	NEW SMYRNA BEACH	1200-STORE/OFF/RES	7468	12/27/2023	$749,000
3879571	204 MAGNOLIA ST	NEW SMYRNA BEACH	1200-STORE/OFF/RES	7468	08/07/2023	$1,250,000

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0638-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/20/2024**
Compliance Deadline: **10/25/2024**

Owner: GARRIQUES PEGGE W TR PEGGE W GARRIQUES REV TRUST

Mailing Address

GARRIQUES PEGGE W TR PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address

103 N ORANGE ST
NEW SMYRNA BEACH, FL 32168

Parcel

744137010150

Violation: Sec. 26-171. (a) - Permits Required
Required. A building permit shall be procured from the building inspector by every contractor or any other person responsible for the performance of any work except painting before doing such work or construction of any character, whether permanent or temporary, where the cost exceeds $1,000.00 or an inspection is required; however, a building permit shall be required for any structure classified as a fence regardless of cost.
Corrective Action: Obtain a building permit for decking
Compliance Date: 10/25/2024

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0638-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/20/2024**
Compliance Deadline: **10/25/2024**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Violation is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number: 9489 0090 0027 6512 8131 89
(✓) Post
( ) Hand Delivery

Sincerely,

Jason Yates
Code Compliance Officer
Phone: (386) 410-2878
Email: jyates@cityofnsb.com

10/1/24

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

GARRIQUES PEGGE W
TR PEGGE W
GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH,
FL 32169

CASE NO. CE-0638-2024
103 N ORANGE ST
NEW SMYRNA BEACH, FL
32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **November 13, 2024 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

GARRIQUES PEGGE W
TR PEGGE W
GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH,
FL 32169

CASE NO. CE-0638-2024
103 N ORANGE ST
NEW SMYRNA BEACH, FL
32168

NOTICE TO PERSONS WITH DISABILITIES

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 210 Sams Avenue, New Smyrna Beach, Telephone (386) 410-2630, not later than seven days prior to the proceeding.

RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Special Magistrate with respect to any matter considered at the hearing, you will need a record of the proceedings, and, for such purpose, you may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. $268.0105, Fla. Stat.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that is Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested — Receipt Number: 9489009000276512813189

(✓) Post

( ) Hand Delivery

Jason Yates
Code Compliance Officer
Phone: (386) 410-2878
Email: jyates@cityofnsb.com
10/1/2024

Network:Oct 2, 2024 at 12:00:01 PM EDT
Local:Oct 2, 2024 at 12:00:01 PM EDT
N 29° 1' 28.009", W 80° 55' 32.034"
105 N Orange St
New Smyrna Beach FL 32168
United States

[redacted]

City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0638-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/20/2024**
Compliance Deadline: **10/25/2024**

Owner: GARRIQUES PEGGE W TR PEGGE W GARRIQUES REV TRUST

Mailing Address

GARRIQUES PEGGE W TR PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address

103 N ORANGE ST
NEW SMYRNA BEACH, FL 32168

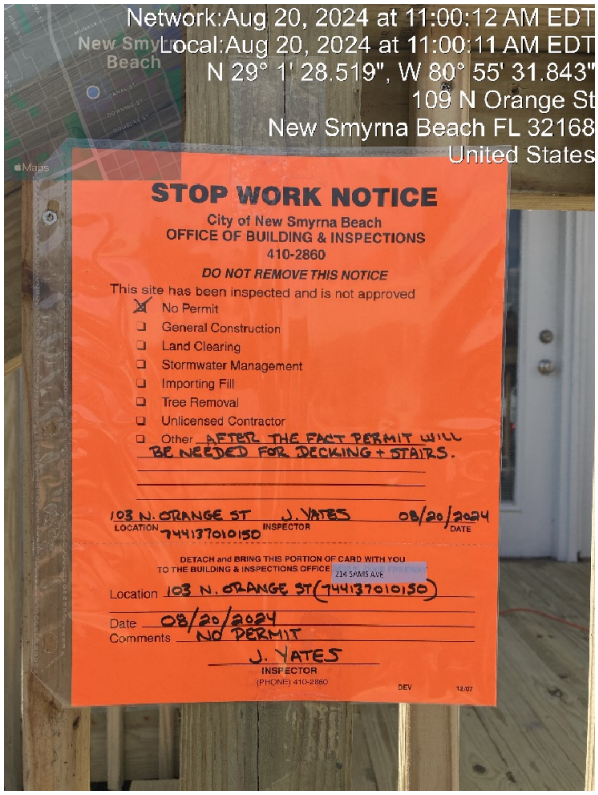
Parcel

744137010150

Violation: Sec. 26-171. (a) - Permits Required
Required. A building permit shall be procured from the building inspector by every contractor or any other person responsible for the performance of any work except painting before doing such work or construction of any character, whether permanent or temporary, where the cost exceeds $1,000.00 or an inspection is required; however, a building permit shall be required for any structure classified as a fence regardless of cost.
Corrective Action: Obtain a building permit for decking
Compliance Date: 10/25/2024

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.


Network:Aug 20, 2024 at 11:00:25 AM EDT
Local:Aug 20, 2024 at 11:00:25 AM EDT
N 29° 1' 28.519", W 80° 55' 31.843"
109 N Orange St
New Smyrna Beach FL 32168
United States
New Smyrna Beach
Maps


Network:Aug 20, 2024 at 11:00:12 AM EDT
Local:Aug 20, 2024 at 11:00:11 AM EDT
N 29° 1' 28.519", W 80° 55' 31.843"
109 N Orange St
New Smyrna Beach FL 32168
United States
STOP WORK NOTICE
City of New Smyrna Beach
OFFICE OF BUILDING & INSPECTIONS
410-2860
DO NOT REMOVE THIS NOTICE
This site has been inspected and is not approved
X No Permit
General Construction
Land Clearing
Stormwater Management
Importing Fill
Tree Removal
Unlicensed Contractor
Other AFTER THE FACT PERMIT WILL BE NEEDED FOR DECKING + STAIRS.
103 N. ORANGE ST LOCATION
J. YATES INSPECTOR
08/20/2024 DATE
7441370101S0
DETACH and BRING THIS PORTION OF CARD WITH YOU TO THE BUILDING & INSPECTIONS OFFICE
Location 103 N. ORANGE ST (7441370101S0)
Date 08/20/2024
Comments NO PERMIT
J. YATES
INSPECTOR
(PHONE) 410-2860
DEV 12/07

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

CASE NO.: **CCSM-0638-2024**

VS

PEGGE W GARRIQUES TR
PEGGE W GARRIQEUS REV TRUST,
Respondents/Owners.

ORDER CONTINUING HEARING

This case was heard on **November 13, 2024**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did ___V did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **a future date** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168. Notice of Hearing will be sent.

Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
Parcel: 744137010150
Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

DONE AND ORDERED this **13th** day of **November 2024**.

Catherine Reischmann
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 4604 Van Kleeck Dr., New Smyrna Beach, FL 32168 by: 9214-8901-9403-8388-2893-41

(_V_) Certified Mail, Return Receipt Requested, Receipt #:
(_V_) Post
(___) Hand Delivery

Signature: Teresa Merck
Title: Code Compliance
Date: November 14, 2024

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

GARRIQUES PEGGE W TR
PEGGE W GARRIQUES
REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL
32169

CASE NO. CE-0638-2024
103 N ORANGE ST
NEW SMYRNA BEACH, FL
32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **March 26, 2025 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

GARRIQUES PEGGE W TR
PEGGE W GARRIQUES
REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL
32169

CASE NO. CE-0638-2024
103 N ORANGE ST
NEW SMYRNA BEACH, FL
32168

NOTICE TO PERSONS WITH DISABILITIES

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 210 Sams Avenue, New Smyrna Beach, Telephone (386) 410-2630, not later than seven days prior to the proceeding.

RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Special Magistrate with respect to any matter considered at the hearing, you will need a record of the proceedings, and, for such purpose, you may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. $268.0105, Fla. Stat.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that is Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested — Receipt Number:9214 8901 9403 8303 8776 60

(✓) Post

( ) Hand Delivery

Teresa Merck

Teresa Merck
Administrative Specialist

Jason Yates
Code Compliance Officer
Phone: (386) 410-2878
Email: jyates@cityofnsb.com
3/6/2025

City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0638-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/20/2024**
Compliance Deadline: **10/25/2024**

Owner: GARRIQUES PEGGE W TR PEGGE W GARRIQUES REV TRUST

Mailing Address

GARRIQUES PEGGE W TR PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address

103 N ORANGE ST
NEW SMYRNA BEACH, FL 32168

Parcel

744137010150

Violation: Sec. 26-171. (a) - Permits Required
Required. A building permit shall be procured from the building inspector by every contractor or any other person responsible for the performance of any work except painting before doing such work or construction of any character, whether permanent or temporary, where the cost exceeds $1,000.00 or an inspection is required; however, a building permit shall be required for any structure classified as a fence regardless of cost.
Corrective Action: Obtain a building permit for decking
Compliance Date: 10/25/2024

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0638-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/20/2024**
Compliance Deadline: **10/25/2024**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Violation is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number: 9489 0090 0027 6512 8131 89
(✓) Post
( ) Hand Delivery

Sincerely,

Jason Yates
Code Compliance Officer
Phone: (386) 410-2878
Email: jyates@cityofnsb.com

10/1/24

Network:Mar 6, 2025 at 4:03:18 PM EST
N 29° 1' 28.293", W 80° 55' 31.914"
109 N Orange St
New Smyrna Beach FL 32168
United States

103

[redacted]

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

GARRIQUES PEGGE W TR
PEGGE W GARRIQUES
REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL
32169

CASE NO. CE-0638-2024
103 N ORANGE ST
NEW SMYRNA BEACH, FL
32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **March 26, 2025 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

[redacted]

Network:Mar 6, 2025 at 4:03:24 PM EST
N 29° 1' 28.293", W 80° 55' 31.914"
109 N Orange St
New Smyrna Beach FL 32168
United States

103

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

GARRIQUES PEGGI, W TR
PEGGI W GARRIQUES
REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA BEACH, FL
32169

CASE NO. CE-0610-2024
103 N ORANGE ST
NEW SMYRNA BEACH, FL
32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **March 26, 2025 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeat violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-3010.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

GARRIQUES & ASSOCIATES

We've Stepped out of the Office

We Will Return

TOMORROW

We apologize for any inconvenience

GARRIQUES
& ASSOCIATES
WWW.GA-STAFF.COM

UNITED STATES POSTAL SERVICE

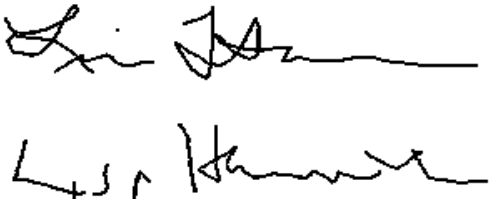


Date Produced: 03/26/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8303 8776 60. Our records indicate that this item was delivered on 03/25/2025 at 01:42 p.m. in NEW SMYRNA BEACH, FL 32168. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

4604 VAN KLEECK DR
NEW SMYRNA, FL 32169-4206

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PEGGE W GARRIQUES TR
PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

Customer Reference Number: C5713208.34649216

2

UNITED STATES POSTAL SERVICE®

Return address:

CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

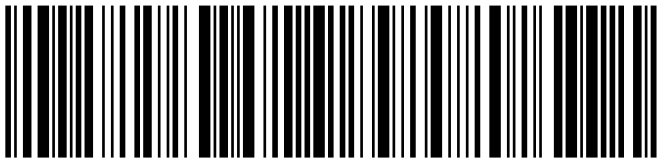


Recipient address:

PEGGE W GARRIQUES TR
PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

MAILING DATE: 03/06/2025
DELIVERY DATE: 03/25/2025

USPS CERTIFIED MAIL



9214 8901 9403 8303 8776 60

USPS Tracking Label Number: 9214 8901 9403 8303 8776 60

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	03/06/2025 14:32
NO AUTHORIZED RECIPIENT AVAILABLE	NEW SMYRNA BEACH,FL 32169	03/10/2025 16:38
REMINDER TO SCHEDULE REDELIVERY	NEW SMYRNA BEACH,FL 32169	03/15/2025 03:17
AVAILABLE FOR PICKUP	NEW SMYRNA BEACH,FL 32168	03/15/2025 13:42
PACKAGE RETURN NOTICE GENERATED	NEW SMYRNA BEACH,FL 32169	03/25/2025 03:36
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	NEW SMYRNA BEACH,FL 32168	03/25/2025 13:42

CASE #: SM-0638 105 N ORANGE JY

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

CASE NO.: **CCSM-0638-2024**

VS

PEGGE W GARRIQUES REV TRUST AND/OR ENTITY,
Respondents/Owners.

ORDER CONTINUING HEARING

This case was heard on **March 26, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did __X__did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **April 23, 2025,** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168 at 2:00 PM.

Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
Parcel: 744137010150
Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

DONE AND ORDERED this **26th** day of **March 2025**.

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 4604 VAN KLEECK DR., NEW SMYRNA BEACH FL 32169 by:

(_v_) Certified Mail, Return Receipt Requested, Receipt #:9214 8901 9403 8306 8731 19
(_v_) Post
(___) Hand Delivery

Teresa Merck
Signature: Teresa Merck
Title: Code Compliance
Date: March 27, 2025

Network:Mar 27, 2025 at 11:56:03 AM EDT
N 29° 1' 28.323", W 80° 55' 31.997"
109 N Orange St
New Smyrna Beach FL 32168
United States

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

VS

PEGGE W GARRIQUES REV TRUST AND/OR ENTITY,
Respondents/Owners.

CASE NO.: **CCSM-0638-2024**

ORDER CONTINUING HEARING

This case was heard on **March 26, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did __X__did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **April 23, 2025,** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168 at 2:00 PM.

Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
Parcel: 744137010150
Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

DONE AND ORDERED this **26th** day of **March 2025**.

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Teresa Merck
Code Compliance Clerk

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 4604 VAN KLEECK DR., NEW SMYRNA BEACH FL 32169 by:

(_V_) Certified Mail, Return Receipt Requested, Receipt #:9214 8901 9403 8306 8731 19
(_V_) Post
(___) Hand Delivery

Teresa Merck
Signature: Teresa Merck
Title: Code Compliance
Date: March 27, 2025

UNITED STATES POSTAL SERVICE®

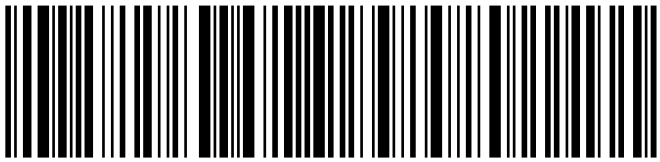
Return address:

CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

GARRIQUES PEGGE W TR - TR - TRUST -
PEGGE W GARRIQUES REV TRUST - TR - TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

USPS CERTIFIED MAIL



9214 8901 9403 8306 8731 19

USPS Tracking Label Number: 9214 8901 9403 8306 8731 19

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	03/27/2025 08:44
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	03/27/2025 21:58
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/27/2025 23:13
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/28/2025 20:32
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/29/2025 00:54
NO AUTHORIZED RECIPIENT AVAILABLE	NEW SMYRNA BEACH,FL 32169	03/29/2025 15:15
REMINDER TO SCHEDULE REDELIVERY	NEW SMYRNA BEACH,FL 32169	04/03/2025 03:15
AVAILABLE FOR PICKUP	NEW SMYRNA BEACH,FL 32168	04/05/2025 15:25


Network:Aug 20, 2024 at 10:41:56 AM EDT
Local:Aug 20, 2024 at 10:41:56 AM EDT
N 29° 1' 28.787", W 80° 55' 31.116"
101 N Orange St
New Smyrna Beach FL 32168
United States
New Smyrna Beach
Maps


Network:Aug 20, 2024 at 10:41:54 AM EDT
Local:Aug 20, 2024 at 10:41:54 AM EDT
N 29° 1' 28.787", W 80° 55' 31.116"
101 N Orange St
New Smyrna Beach FL 32168
United States
New Smyrna Beach
Maps
TOWAWAY ZONE
UNIVERSAL
TOWING
386-255-0203

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

CASE NO.: **CCSM-0638-2024**

VS

PEGGE W. GARRIQUES AND/OR ENTITY,
Respondents/Owners.

ORDER CONTINUING HEARING

This case was heard on **April 23, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did __X__did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **May 28, 2025,** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168 at 2:00 PM.

Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
Parcel: 744137010150
Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

DONE AND ORDERED this **23rd** day of **April 2025**.

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 4604 VAN KLEECK DR. NEW SMYRNA BEACH FL 32169 by:

(_V_) Certified Mail, Return Receipt Requested, Receipt #:9214 8901 9403 8310 5099 74
(_V_) Post
(___) Hand Delivery

Signature: Teresa Merck
Title: Code Compliance
Date: April 28, 2025

Network:Apr 29, 2025 at 1:37:45 PM EDT
Local:Apr 29, 2025 at 1:37:45 PM EDT
N 29° 1' 28.005", W 80° 55' 32.458"
107 N Orange St
New Smyrna Beach FL 32168
United States

QUES BUILDING

107
Etc.

105
Dolce Vita
SPA
Tuesday - Friday
10am to 6pm
Saturday
10am to 3pm
Sundays & Monday
Closed
dolcevitaspafl
(386)402-4881
Visit now

105

Improving Health
Beauty & Relaxation
we are
OPEN

Stay a While

Network:Apr 29, 2025 at 1:37:53 PM EDT
Local:Apr 29, 2025 at 1:37:53 PM EDT
N 29° 1' 28.005", W 80° 55' 32.458"
107 N Orange St
New Smyrna Beach FL 32168
United States

105

SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NEW SMYRNA BEACH

CITY OF NEW SMYRNA BEACH, FLORIDA, a municipal corporation,
Petitioner,

CASE NO.: **CCSM-0638-2024**

VS

PEGGE W. GARRIQUES AND/OR ENTITY,
Respondents/Owners.

ORDER CONTINUING HEARING

This case was heard on **April 23, 2025,** before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did _X_did not attend the hearing.

The Code Compliance Special Magistrate hereby continues the hearing on the above captioned case until **May 28, 2025,** at the City Chambers, 214 Sams Ave, New Smyrna Beach, FL 32168 at 2:00 PM.

Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
Parcel: 744137010150
Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

DONE AND ORDERED this **23rd** day of **April 2025.**

TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

Jessica Gow
Special Magistrate

ATTEST:
Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 4604 VAN KLEECK DR. NEW SMYRNA BEACH FL 32169 by:

(_v_) Certified Mail, Return Receipt Requested, Receipt #:9214 8901 9403 8310 5099 74
(_v_) Post
(___) Hand Delivery

Signature: Teresa Merck
Title: Code Compliance
Date: April 28, 2025

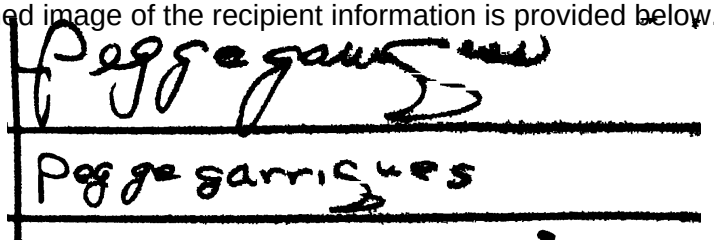
UNITED STATES POSTAL SERVICE

Date Produced: 05/06/2025

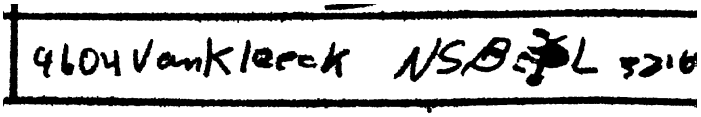
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8310 5099 74. Our records indicate that this item was delivered on 05/05/2025 at 04:29 p.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

Customer Reference Number: C5852725.35487866

2

UNITED STATES POSTAL SERVICE®

Return address:

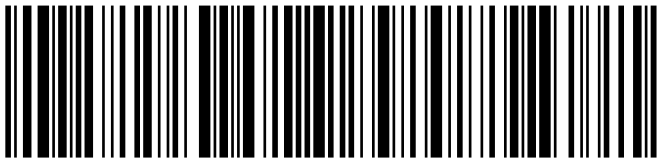
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

MAILING DATE: 04/28/2025
DELIVERY DATE: 05/05/2025

USPS CERTIFIED MAIL



9214 8901 9403 8310 5099 74

USPS Tracking Label Number: 9214 8901 9403 8310 5099 74

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	04/28/2025 12:13
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	04/29/2025 20:05
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/29/2025 21:20
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/29/2025 21:26
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/30/2025 19:51
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/01/2025 00:36
NO AUTHORIZED RECIPIENT AVAILABLE	NEW SMYRNA BEACH,FL 32169	05/01/2025 15:43
DELIVERED LEFT WITH INDIVIDUAL	NEW SMYRNA BEACH,FL 32169	05/05/2025 16:29

CASE #: CCSM-0638-2024 103 N ORANGE JY

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach, Florida, a municipal corporation,
Petitioner,

CASE NO.: CCSM-0638-2024

VS.

PEGGE W GARRIQUES REV TRUST - TR,
Respondent(s)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **May 28, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did __X__did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

   Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
   Parcel: 744137010150
   Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

2. The property was first inspected by a Code Compliance Officer on **August 20, 2024**. At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **October 1, 2024,** identifying the specific violation(s). The violation(s) was/were to be corrected by **October 25, 2024**. The Code Compliance Officer reinspected the property on **May 27, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26-171. (a) – Permits Required

IT IS THEREUPON ORDERED that:

A. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST**

A RE-INSPECTION TO DETERMINE COMPLIANCE. If the Special Magistrate finds that the violation(s) was/were not corrected by the date set forth above, a fine of **$50.00 per day for each section of code that remains in violation** may be imposed.

B. **NEXT HEARING DATE:** This case shall be reviewed by the Special Magistrate at a public hearing on **July 23, 2025**, at **2:00 p.m.**, in the City Chambers, 214 Sams Ave., New Smyrna Beach, FL. The Special Magistrate will consider setting a fine and lien on the above case at this Public Hearing.

This Order may be appealed to the Circuit Court within 30 days of its execution.

DONE AND ORDERED on **May 28, 2025**.

Jessica Gow
Special Magistrate

ATTEST:

Teresa Merck
Code Compliance Clerk

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 4604 VAN KLEECK DR., NEW SMYRNA BEACH FL 32169 by:

(_√_) Certified Mail, Return Receipt Requested, Receipt #9214 8901 9403 8315 9090 38

(_√_) Post

(___) Hand Delivery

NOTARY PUBLIC STATE OF FLORIDA
TERESA MERCK
MY COMMISSION # HH 604610
EXPIRES: October 20, 2028

By: Teresa Merck, Code Compliance Clerk
Date: May 29, 2025

Network:Jun 2, 2025 at 9:32:21 AM EDT
Local:Jun 2, 2025 at 9:32:21 AM EDT
N 29° 1' 28.606", W 80° 55' 31.869"
109 N Orange St
New Smyrna Beach FL 32168
United States

103

[redacted]

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach, Florida, a municipal corporation,
Petitioner,

VS.

PEGGE W GARRIQUES REV TRUST - TR,
Respondent(s)

CASE NO.: CCSM-0638-2024

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **May 28, 2025,** before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did ___did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
Parcel: 744137010150
Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

2. The property was first inspected by a Code Compliance Officer on **August 20, 2024**. At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **October 1, 2024,** identifying the specific violation(s). The violation(s) was/were to be corrected by **October 25, 2024**. The Code Compliance Officer reinspected the property on **May 27, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26-171. (a) – Permits Required

IT IS THEREUPON ORDERED that:

A. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST**

[redacted]

Network:Jun 2, 2025 at 9:32:25 AM EDT
Local:Jun 2, 2025 at 9:32:25 AM EDT
N 29° 1' 28.606", W 80° 55' 31.869"
109 N Orange St
New Smyrna Beach FL 32168
United States

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

City of New Smyrna Beach, Florida, a municipal corporation,
Petitioner,

VS.

PEGGE W GARRIQUES REV TRUST - TR,
Respondent(s)

CASE NO.: CCSM-0638-2024

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **May 28, 2025**, before the Special Magistrate at a public hearing, after due notice to Respondent(s). The Respondent/Representative ____did __X__did not attend the hearing. The Special Magistrate, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this Code Compliance action is located at

   Address: 105 N ORANGE ST, NEW SMYRNA BEACH 32168
   Parcel: 744137010150
   Legal description: N 75 FT OF LOT 15 BLK 1 V LOWDS NEW SMYRNA MB 1 PG 144 PER OR 4702 PG 3884 PER OR 5838 PG 3230 PER OR 7043 PG 4020

2. The property was first inspected by a Code Compliance Officer on **August 20, 2024**. At the time of inspection, the Code Compliance Officer found the property to be in violation of the City of New Smyrna Beach Code of Ordinances.

3. The Respondent(s) was/were served a Notice of Violation on **October 1, 2024,** identifying the specific violation(s). The violation(s) was/were to be corrected by **October 25, 2024.** The Code Compliance Officer reinspected the property on **May 27, 2025,** and determined that the violation(s) was/were not corrected.

4. Based on the evidence presented at the hearing, it is determined that the following violation(s) exist on the property:

Sec. 26-171. (a) – Permits Required

IT IS THEREUPON ORDERED that:

A. Respondent(s) shall bring the property into compliance with the code provisions cited above by 1 p.m. July 11, 2025, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST**

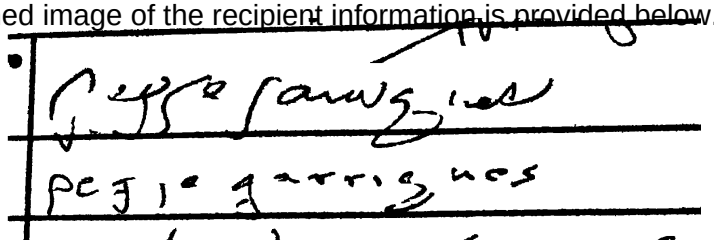
UNITED STATES POSTAL SERVICE

Date Produced: 06/17/2025

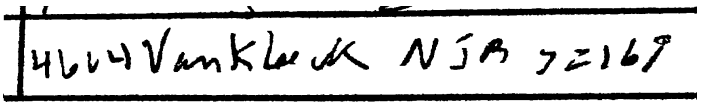
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8315 9090 38. Our records indicate that this item was delivered on 06/16/2025 at 03:26 p.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

Customer Reference Number: C5933371.35982454

2

UNITED STATES POSTAL SERVICE®

Return address:

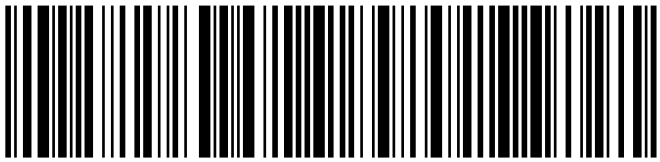
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

PEGGE W GARRIQUES REV TRUST
4604 VAN KLEECK DR
NEW SMYRNA FL 32169-4206

MAILING DATE: 05/29/2025
DELIVERY DATE: 06/16/2025

USPS CERTIFIED MAIL



9214 8901 9403 8315 9090 38

USPS Tracking Label Number: 9214 8901 9403 8315 9090 38

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	05/29/2025 13:22
USPS IN POSSESSION OF ITEM	NEW SMYRNA BEACH,FL 32168	05/29/2025 13:51
DEPART POST OFFICE	NEW SMYRNA BEACH,FL 32168	05/29/2025 18:30
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/30/2025 16:25
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/30/2025 21:28
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	06/01/2025 02:47
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	06/02/2025 00:26
NO ACCESS TO DLVRY LOCATION	NEW SMYRNA BEACH,FL 32169	06/02/2025 17:16
DELIVERED LEFT WITH INDIVIDUAL	NEW SMYRNA BEACH,FL 32169	06/16/2025 15:26

CASE #: 103 N. ORANGE ST. SM-0638-2024 JY

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCSM-0352-2025- 520 S. PENINSULA AVE., UNIT 2C8; OWNER: MARKER 33 ASSOCIATION INC; OFFICER: BARBARA BOBELAK

July 23, 2025

Background:

Violation: IPMC 304.6 - Exterior walls
Compliance date: July 11, 2025
Method of Service: Property posted on June 21, 2025; Certified mail sent June 16, 2025. Certified mail accepted at both mailing addresses on 6/16/2025.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCSM-0352-2025-520 S. Peninsula Ave.-Unit 2C8-0352.pdf

CE-0352-2025 – 520 S. PENINSULA AVENUE
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type: Code Enforcement
Project: SPECIAL MAGISTRATE
Opened Date: 06/13/2025
Status: In Progress
District: New Smyrna Beach
Closed Date: NOT CLOSED
Assigned To: Barbara Bobelak
Description: Structural defect on the west wall (common building element) of Unit 2-C-8.

Parcel: 741615000001 Main	**Address:** 520 S Peninsula Av Main New Smyrna Beach, FL 32169	**Zone:** R-4 (MULTI-FAMILY RESIDENTIAL)

Owner

Marker 33 Association Inc %Sentry Mngmt Inc

2180 W Sr 434, STE 5000
Longwood, FL 32779

Mobile: 9046376175

Complainant

City Of New Smyrna Beach
Steven Woodworth

214 Sams Ave
New Smyrna Beach, FL 32168

Business: 3864102858

Note	Created By	Date and Time Created
1. Steve Woodworth,, Building Official, received information regarding external damage to the west wall of this property at unit 2-C-8.	Barbara Bobelak	6/13/2025 9:29 am
2. Email update received from David Keller on 6/11/2025.	Barbara Bobelak	6/13/2025 9:48 am
3. Steve Woodworth and I discussed the timeframe to be given for compliance and the hearing date. This will be scheduled for the July 23, 2025 Special Magistrate Hearing.	Barbara Bobelak	6/13/2025 9:50 am

Violation Code: IPMC 304.6
Violation Status: In Violation
Citation Issue Date: 06/13/2025
Compliance Date: 07/11/2025
Resolved Date:

Code Description: Exterior walls.

Corrective Action: Obtain the required permits to make all repairs to the exterior walls of the structure, specifically the area of the west wall (common building element of unit 2-C-8. All structural damage should be addressed to ensure safety of all units.

Volusia County Property Appraiser
123 W. Indiana Ave., Rm. 102
DeLand, FL. 32720
Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 6934983 **Parcel ID: 741615000001**
MARKER 33 ASSOCIATION INC **520 S PENINSULA AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	6934983
Parcel ID:	741615000001
Township-Range-Section:	17 - 34 - 16
Subdivision-Block-Lot:	15 - 00 - 0001
Owner(s):	MARKER 33 ASSOCIATION INC - FS - Fee Simple - 100%
Mailing Address On File:	C/O SENTRY MNGMT INC 2180 W SR 434 STE 5000 LONGWOOD FL 32779
Physical Address:	520 S PENINSULA AVE, NEW SMYRNA BEACH 32169
Property Use:	0900 - RES COMMON ELEMENTS
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	0325
Subdivision Name:	
Homestead Property:	No

AltKey: 6934983 **Parcel ID: 741615000001**

MARKER 33 ASSOCIATION INC **520 S PENINSULA AVE, NEW SMYRNA BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$0	$0	$0	$0	1.5000	$0.00
0012	DISCRETIONARY	$0	$0	$0	$0	0.7480	$0.00
0011	REQ LOCAL EFFORT	$0	$0	$0	$0	3.0370	$0.00
0050	GENERAL FUND	$0	$0	$0	$0	3.2007	$0.00
0053	LAW ENFORCEMENT FUND	$0	$0	$0	$0	1.5994	$0.00
0055	LIBRARY	$0	$0	$0	$0	0.3891	$0.00
0520	MOSQUITO CONTROL	$0	$0	$0	$0	0.1647	$0.00
0530	PONCE INLET PORT AUTHORITY	$0	$0	$0	$0	0.0692	$0.00
0058	VOLUSIA ECHO	$0	$0	$0	$0	0.2000	$0.00
0057	VOLUSIA FOREVER	$0	$0	$0	$0	0.2000	$0.00
0065	FLORIDA INLAND NAVIGATION DISTRICT	$0	$0	$0	$0	0.0288	$0.00
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$0	$0	$0	$0	0.7506	$0.00
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$0	$0	$0	$0	0.1793	$0.00
0272	NEW SMYRNA BCH I&S 2018	$0	$0	$0	$0	0.0895	$0.00
0270	NEW SMYRNA BEACH	$0	$0	$0	$0	4.6370	$0.00
						16.7933	$0.00

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$0.00
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$0.00**
Estimated Tax Amount without SOH:	$0.00

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$0	$0	$0	$0	$0	$0	$0
2023	$0	$0	$0	$0	$0	$0	$0
2022	$0	$0	$0	$0	$0	$0	$0
2021	$1	$0	$1	$1	$0	$1	$0
2020	$1	$0	$1	$1	$0	$1	$0
2019	$1	$0	$1	$1	$0	$1	$0
2018	$1	$0	$1	$1	$0	$1	$0
2017	$1	$0	$1	$1	$0	$1	$0
2016	$1	$0	$1	$1	$0	$1	$0

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

16-17-34 ALL COMMON AREA FOR MARKER 33 CONDOMINIUM PER OR 2335 PG 1624 & PER RESTATED BYLAWS PER OR 8463 PG 2142



Detail by Entity Name

Florida Not For Profit Corporation
MARKER 33 ASSOCIATION, INC.

Filing Information

Document Number	758364
FEI/EIN Number	59-2852312
Date Filed	05/14/1981
State	FL
Status	ACTIVE

Principal Address

4188 S ATLANTIC AVE
NEW SMYRNA BEACH, FL 32169

Changed: 04/03/2025

Mailing Address

2180 WEST SR 434
SUITE 5000
LONGWOOD, FL 32779

Changed: 02/14/2013

Registered Agent Name & Address

SENTRY MANAGEMENT INC
2180 WEST SR 434
SUITE 5000
LONGWOOD, FL 32779

Name Changed: 04/12/2019

Address Changed: 04/07/2015

Officer/Director Detail

Name & Address

Title President, Director

KELLER, DAVID
2180 WEST SR 434 STE 5000
LONGWOOD, FL 32779

Title VP, Director

SILVERS, ANDREW
2180 WEST SR 434 STE 5000
LONGWOOD, FL 32779

Title Secretary, Director

TROIANO, KATHIE
2180 WEST SR 434 STE 5000
LONGWOOD, FL 32779

Title Treasurer, Director

INDRUNAS, DOUG
2180 WEST SR 434 STE 5000
LONGWOOD, FL 32779

Title Director

LOFTUS, CHRISTOPHER
2180 WEST SR 434 STE 5000
LONGWOOD, FL 32779

Annual Reports

Report Year	Filed Date
2023	04/22/2023
2024	02/26/2024
2025	04/03/2025

Document Images

04/03/2025 -- ANNUAL REPORT	View image in PDF format
02/26/2024 -- ANNUAL REPORT	View image in PDF format
04/22/2023 -- ANNUAL REPORT	View image in PDF format
03/01/2022 -- ANNUAL REPORT	View image in PDF format
03/12/2021 -- ANNUAL REPORT	View image in PDF format
03/09/2020 -- ANNUAL REPORT	View image in PDF format
04/12/2019 -- ANNUAL REPORT	View image in PDF format
02/19/2018 -- ANNUAL REPORT	View image in PDF format
03/18/2017 -- ANNUAL REPORT	View image in PDF format
04/16/2016 -- ANNUAL REPORT	View image in PDF format
04/07/2015 -- ANNUAL REPORT	View image in PDF format
03/15/2014 -- ANNUAL REPORT	View image in PDF format
02/14/2013 -- ANNUAL REPORT	View image in PDF format
01/09/2012 -- ANNUAL REPORT	View image in PDF format
03/14/2011 -- ANNUAL REPORT	View image in PDF format
01/23/2010 -- ANNUAL REPORT	View image in PDF format
02/26/2009 -- ANNUAL REPORT	View image in PDF format

06/23/2008 -- ANNUAL REPORT	View image in PDF format
05/04/2007 -- ANNUAL REPORT	View image in PDF format
07/27/2006 -- ANNUAL REPORT	View image in PDF format
04/29/2005 -- ANNUAL REPORT	View image in PDF format
05/03/2004 -- ANNUAL REPORT	View image in PDF format
02/26/2003 -- ANNUAL REPORT	View image in PDF format
03/03/2002 -- ANNUAL REPORT	View image in PDF format
04/02/2001 -- ANNUAL REPORT	View image in PDF format
01/27/2000 -- ANNUAL REPORT	View image in PDF format
06/01/1999 -- ANNUAL REPORT	View image in PDF format
02/06/1998 -- ANNUAL REPORT	View image in PDF format
03/04/1997 -- ANNUAL REPORT	View image in PDF format
02/09/1996 -- ANNUAL REPORT	View image in PDF format
05/01/1995 -- ANNUAL REPORT	View image in PDF format

Florida Department of State, Division of Corporations

City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL 32168
386-410-2870

Case Number: **CE-0352-2025**
Case Type: **Code Enforcement**
Date Case Established: **06/13/2025**
Compliance Deadline: **07/11/2025**

Violation Notice

Owner: Marker 33 Association Inc %Sentry Mngmt Inc

Mailing Address

Marker 33 Association Inc
%Sentry Mngmt Inc
2180 W SR 434 STE 5000
Longwood, FL 32779

Marker 33 Association Inc.
4188 S. Atlantic Avenue
New Smyrna Beach, FL 32169

Notice of Violation for the following location:

Address	**Parcel**
520 S PENINSULA AVE NEW SMYRNA BEACH, FL 32169	**741615000001**

Violation: IPMC 304.6 - Exterior walls.
Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Corrective Action: Obtain the required permits to make all repairs to the exterior walls of the structure, specifically the area of the west wall (common building element of unit 2-C-8. All structural damage should be addressed to ensure safety of all units. Apply for the permit on the City website, www.cityofnsb.com, if you have questions regarding the application contact the Building Dept. at 386-410-2860.

Compliance Date: 07/11/2025

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL 32168
386-410-2870

Case Number: CE-0352-2025
Case Type: Code Enforcement
Date Case Established: 06/13/2025
Compliance Deadline: 07/11/2025

Violation Notice

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Violation is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:
4188 S. Atlantic Ave., New Smyrna Beach, FL – 9214 8901 9403 8318 9467 88
2180 West SR 434, Suite 5000, Longwood, FL - 9214 8901 9403 8318 9465 35

(✓) Post

( ) Hand Delivery

Sincerely,

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor
Phone: (386) 410-2871
Email: bbobelak@cityofnsb.com

6/13/25

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

Marker 33 Association Inc.
%Sentry Mngmt Inc
2180 W SR 434 STE 5000
Longwood, FL 32779

CASE NO. CE-0352-2025
520 S PENINSULA AV
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **July 23, 2025 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

Marker 33 Association Inc.
%Sentry Mngmt Inc
2180 W SR 434 STE 5000
Longwood, FL 32779

CASE NO. CE-0352-2025
520 S PENINSULA AV
NEW SMYRNA BEACH, FL 32169

NOTICE TO PERSONS WITH DISABILITIES

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 210 Sams Avenue, New Smyrna Beach, Telephone (386) 410-2630, not later than seven days prior to the proceeding.

RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Special Magistrate with respect to any matter considered at the hearing, you will need a record of the proceedings, and, for such purpose, you may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. $268.0105, Fla. Stat.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

Marker 33 Association Inc.
%Sentry Mngmt Inc
2180 W SR 434 STE 5000
Longwood, FL 32779

CASE NO. CE-0352-2025
520 S PENINSULA AV
NEW SMYRNA BEACH, FL 32169

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that is Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:
4188 S. Atlantic Ave., New Smyrna Beach, FL – 9214 8901 9403 8318 9467 88
2180 West SR 434, Suite 5000, Longwood, FL - 9214 8901 9403 8318 9465 35

(✓) Post

( ) Hand Delivery

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor
Phone: (386) 410-2871
Email: bbobelak@cityofnsb.com
6/13/2025

Network:Jun 21, 2025 at 1:22:07 PM EDT
Local:Jun 21, 2025 at 1:22:07 PM EDT
N 29° 1' 58.668", W 80° 54' 12.409"
520 S Peninsula Ave
New Smyrna Beach FL 32169
United States

UNITED STATES POSTAL SERVICE®

PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 06/16/2025

CITY OF NEW SMYRNA BEACH:

The following is information for Certified Mail™/RRE item number:

9214 8901 9403 8318 9467 88

Our records indicate that this item was accepted by the USPS at:

DELIVERED LEFT WITH INDIVIDUAL NEW SMYRNA BEACH,FL 32169 06/16/2025 10:44

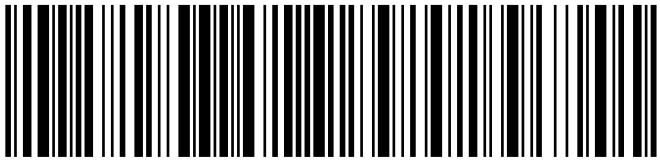
ORIGINAL INTENDED RECIPIENT:

MARKER 33 ASSOCIATION INC
4188 S ATLANTIC AVENUE
NEW SMYRNA BEACH FL 32169

The above information represents information provided by the United States Postal Service.

Code Department
City of New Smyrna Beach
210 Sams Ave Fl 1
New Smryna Beach FL 32168

USPS CERTIFIED MAIL

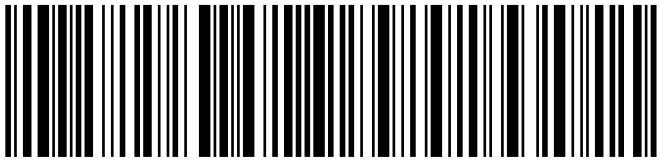


9214 8901 9403 8318 9465 35

MARKER 33 ASSOCIATION INC
%SENTRY MNGMT INC
2180 W SR 434 STE 5000
LONGWOOD, FL 32779

Code Department
City of New Smyrna Beach
210 Sams Ave Fl 1
New Smryna Beach FL 32168

USPS CERTIFIED MAIL



9214 8901 9403 8318 9467 88

MARKER 33 ASSOCIATION INC.
4188 S. ATLANTIC AVENUE
NEW SMYRNA BEACH, FL 32169

From: Woodworth, Steve
To: Bobelak, Barbara
Subject: RE: Marker 33
Date: Friday, June 13, 2025 8:38:30 AM
Attachments: image001.png

Ok the parcel I'm looking at is 741615000001

From: Bobelak, Barbara <bbobelak@cityofnsb.com>
Sent: Friday, June 13, 2025 8:36 AM
To: Woodworth, Steve <swoodworth@cityofnsb.com>
Subject: RE: Marker 33

Let me double check, it's possible that I need to add one for this particular parcel.

From: Woodworth, Steve <swoodworth@cityofnsb.com>
Sent: Thursday, June 12, 2025 3:38 PM
To: Bobelak, Barbara <bbobelak@cityofnsb.com>
Subject: FW: Marker 33

Good afternoon,
I fail to observe a case started regarding this issue. Is it forthcoming or am I looking in the wrong parcel?
Steve

From: Woodworth, Steve
Sent: Monday, June 9, 2025 8:57 AM
To: Bobelak, Barbara <bbobelak@cityofnsb.com>
Cc: Corbin, Shane <scorbin@cityofnsb.com>
Subject: Marker 33

Good morning,
On May 28 2025 I emailed the HOA of Marker 33 to make them aware of an issue that was reported to the Building Dept. by the resident of Unit 2-C-8. The west wall of the unit appears to have a structural defect. This defect was not observed/reported on the aging structure evaluation performed last spring, however the Dept. has received a report from a 3rd party engineer to support claims of defect. The Building Dept. has received no follow up correspondence from the HOA at this time. The Dept. has been in contact with the unit resident, however the HOA has not contact them either.
The Building Dept. requests Code Compliance start an action against the HOA of Marker 33 located at 520 S Peninsula; specifically citing unit 2-C-8 exterior west wall (common building element) is in violation of IPMC 304.6.
The Building Dept. has a copy of the third party engineering report to support said violation if you would like a copy. It should be retained in the case file if the action is started.

Thank you. Have a good day.

Steve Woodworth
Building Official
City of New Smyrna Beach
214 Sams Ave.
New Smyrna Beach, FL 32168
Office 386-410-2857
swoodworth@cityofnsb.com
www.cityofnsb.com

From: louis reimer
To: David Keller
Cc: Woodworth, Steve; Summerfield, Rockwood; Bobelak, Barbara; Corbin, Shane; Tiffany Smith; Rodney; Charles R. Adams P.E.; Seamus Devlin; Todd Vail; Andrew J. Gibiser P.E.
Subject: Re: Marker 33 520 S Peninsula unit 2-C-8
Date: Wednesday, June 11, 2025 5:11:02 PM

CAUTION: EXTERNAL EMAIL

Missing support post above this one removed by R L James 2x4 put back in its place
Sent from my iPhone

> On Jun 11, 2025, at 4:46 PM, louis reimer <loureimer@me.com> wrote:
>
> See structure post under the one removed at 2 c 8 leaning 1 1/2 inch hch which explains this photo before work was done with no permits down stairs. See the shift in building air space at top of door , . Door was pinched, tight as is mine I have to kick it to open and can't even lock it , will not line up .
> <IMG_2337.jpeg>
>
> Sent from my iPhone
>
> <IMG_2340.jpeg>
>
> <IMG_2246.png>
>
> > On May 28, 2025, at 7:13 PM, David Keller <kellermedicalsolutions@gmail.com> wrote:
> >
> > Hey Steve,
> > The Association retained RL James, AWS Roofing and Charles R. Adams & Associates to perform design and repair work at the area of concern to the Building Department. While AWS Roofing has offered to perform an acceptable scope of repair, RL James has refused to offer an acceptable scope with relation to the defective work it performed. While overtures have been made to perform corrective work, we have been unable to reach a resolution with RL James and allow the work to begin. We suggest a prompt meeting be held between the Building Department, RL James, AWS Roofing, Charles R. Adams (the P.E. approving the work of RL James), Andrew Gibiser (P.E. with Woods Engineering); and the Association. Hopefully we can finally bring this unfortunate matter to a proper resolution.
> >
> > Thanks,

David Keller
President Marker 33
kellermedicalsolutions@gmail.com
321-505-9150

---------- Forwarded message ---------
From: **Woodworth, Steve** <swoodworth@cityofnsb.com>
Date: Wed, May 28, 2025 at 2:07 PM
Subject: Marker 33 520 S Peninsula unit 2-C-8
To: adamkc26@gmail.com <adamkc26@gmail.com>, bking@sentrymanagement.com <bking@sentrymanagement.com>, louis reimer <loureimer@me.com>
Cc: Summerfield, Rockwood <rsummerfield@cityofnsb.com>, Bobelak, Barbara <bbobelak@cityofnsb.com>, Corbin, Shane <SCorbin@cityofnsb.com>

Good afternoon,
It has been brought to the attention of the New Smyrna Beach Building Dept. a potentially un safe condition exists at the Marker 33 unit 2-C-8. The west facing wall constructed of aluminum and glass appears to be in disrepair. The wall appears to list to the west; panels and frames are loose in the opening. Evidence of water intrusion is observed.
The Building Dept. has received a copy of a destructive inspection report from Woods Engineering dated 5/7/2024. This inspection report finds several defects with the glass panels as well as the adjoining walls in unit 2-C-8.
It is critical the HOA Board address these defects immediately. Please contact the Building Dept. as soon as possible with a plan to address required repairs. Delay in the required repairs shall constitute a violation of Florida Building Code Existing Building 1801.1 & International Property Maintenance Code 304.1.1; as such the City would be required to take enforcement actions.
Thank you all for your time and attention.

Steve Woodworth
Building Official
City of New Smyrna Beach
214 Sams Ave.
New Smyrna Beach, FL 32168
Office 386-410-2857
swoodworth@cityofnsb.com
www.cityofnsb.com

<image001.png>

PLEASE NOTE: Florida has a very broad public records law. E-mail communications to or from City of New Smyrna Beach officials and employees are public records and are available upon request. If you have received this message in error, please notify us immediately by replying to this message and delete it from your computer. Transmission of sensitive information such as but not limited to social security numbers, credit card information, medical records and criminal justice information (outlined in the FBI_CJIS_Policy) via email is prohibited.

** Please consider the negative environmental impacts associated with printing email **

VISIT OUR WEBSITE FOR MORE INFORMATION ABOUT THE CITY OF NEW SMYRNA BEACH FLORIDA
www.cityofnsb.com

From: Charles R. Adams
To: louis reimer; David Keller
Cc: Woodworth, Shaw; Summerfield, Rockwood; Bobelak, Barbara; Corbin, Shane; Tiffany Smith; Rodney; Seamus Devlin; Todd Vail; Andrew J. Gibiser P.E.
Subject: Re: Marker 33 520 S Peninsula unit 2-C-8
Date: Wednesday, June 11, 2025 5:11:37 PM
Attachments: IMG_2245.jpg
Outlook-ovaf14a1.png
Outlook-5cf1jlk4.png

CAUTION: EXTERNAL EMAIL

Lou,

I will be available to meet on site wit a couple days advance notice.

Regards,

Charles R. Adams, P.E.
CRA & Associates, Inc.
414 East Street · New Smyrna Beach, FL 32168 · 386.416.5383
http://www.craengineers.com

Charles R. Adams & Associates, Inc., Structural Engineers
At Charles R. Adams & Associates, it's our mission to be a leader in the Florida structural engineering industry while providing affordable service. Our commitment to these values is what allows us to offer construction consulting that Florida residents
www.craengineers.com

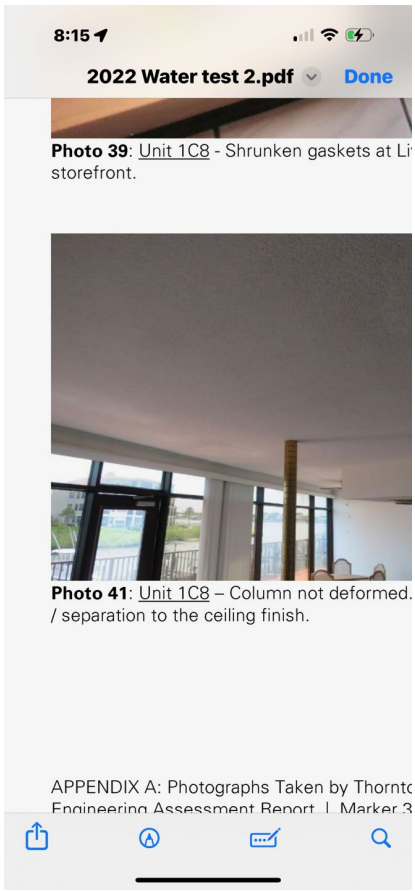
From: louis reimer <loureimer@me.com>
Sent: Wednesday, June 11, 2025 4:45 PM
To: David Keller <kellermedicalsolutions@gmail.com>
Cc: Swoodworth@cityofnsb.com <Swoodworth@cityofnsb.com>; rsummerfield@cityofnsb.com <rsummerfield@cityofnsb.com>; bbobelak@cityofnsb.com <bbobelak@cityofnsb.com>; scorbin@cityofnsb.com <scorbin@cityofnsb.com>; Tiffany Smith <tsmith@sentrymgt.com>; Rodney <Rodney@awsroofing.com>; Charles R. Adams <chuck@craengineers.com>; Seamus Devlin <sdevlin@rljames.com>; Todd Vail <tvail@rljames.com>; Andrew J. Gibiser P.E. <agibiser@woodsengineering.com>
Subject: Re: Marker 33 520 S Peninsula unit 2-C-8

See structure post under the one removed at 2 c 8 leaning 1 1/2 inch hch which explains this photo before work was done with no permits down stairs. See the shift in building air space at top of door , . Door was pinched, tight as is mine I have to kick it to open and can't even lock it , will not line up .



Sent from my iPhone





On May 28, 2025, at 7:13 PM, David Keller <kellermedicalsolutions@gmail.com> wrote:

Hey Steve,
The Association retained RL James, AWS Roofing and Charles R. Adams & Associates to perform design and repair work at the area of concern to the Building Department. While AWS Roofing has offered to perform an acceptable scope of repair, RL James has refused to offer an acceptable scope with relation to the defective work it performed. While overtures have been made to perform corrective work, we have been unable to reach a resolution with RL James and allow the work to begin. We suggest a prompt meeting be held between the Building Department, RL James, AWS Roofing, Charles R. Adams (the P.E. approving the work of RL James), Andrew Gibiser (P.E. with Woods Engineering); and the Association. Hopefully we can finally bring this unfortunate matter to a proper resolution.

Thanks,
David Keller
President Marker 33
kellermedicalsolutions@gmail.com
321-505-9150

---------- Forwarded message ---------
From: **Woodworth, Steve** <swoodworth@cityofnsb.com>
Date: Wed, May 28, 2025 at 2:07 PM
Subject: Marker 33 520 S Peninsula unit 2-C-8
To: adamkc26@gmail.com <adamkc26@gmail.com>, bking@sentrymanagement.com <bking@sentrymanagement.com>, louis reimer <loureimer@me.com>
Cc: Summerfield, Rockwood <rsummerfield@cityofnsb.com>, Bobelak, Barbara <bbobelak@cityofnsb.com>, Corbin, Shane <SCorbin@cityofnsb.com>

Good afternoon,
It has been brought to the attention of the New Smyrna Beach Building Dept. a potentially un safe condition exists at the Marker 33 unit 2-C-8. The west facing wall constructed of aluminum and glass appears to be in disrepair. The wall appears to list to the west; panels and frames are loose in the opening. Evidence of water intrusion is observed.
The Building Dept. has received a copy of a destructive inspection report from Woods Engineering dated 5/7/2024. This inspection report finds several defects with the glass panels as well as the adjoining walls in unit 2-C-8.
It is critical the HOA Board address these defects immediately. Please contact the Building Dept. as soon as possible with a plan to address required repairs. Delay in the required repairs shall constitute a violation of Florida Building Code Existing Building 1801.1 & International Property Maintenance Code 304.1.1; as such the City would be required to take enforcement actions.
Thank you all for your time and attention.

Steve Woodworth
Building Official
City of New Smyrna Beach
214 Sams Ave.
New Smyrna Beach, FL 32168
Office 386-410-2857
swoodworth@cityofnsb.com
www.cityofnsb.com

<image001.png>

PLEASE NOTE: Florida has a very broad public records law. E-mail communications to or from City of New Smyrna Beach officials and employees are public records and are available upon request. If you have received this message in error, please notify us immediately by replying to this message and delete it from your computer. Transmission of sensitive information such as but not limited to social security numbers, credit card information, medical records and criminal justice information (outlined in the CJIS_Policy) via email is prohibited.

** Please consider the negative environmental impacts associated with printing email **

VISIT OUR WEBSITE FOR MORE INFORMATION ABOUT THE CITY OF NEW SMYRNA BEACH FLORIDA
www.cityofnsb.com

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCSM-0244-2025- 1998 SR 44; OWNER: GH2 NSB BB LLC: OFFICER: SHELLY LONGFELLOW

July 23, 2025

Background:

Violation of City Code Sec. IPMC 308.1 Accumulation of rubbish or garbage
Compliance date: August 20, 2025
Method of Service: Property posted June 23, 2025. Certified mail signed for on June 23, 2025.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCSM-0244-2025-1998 SR 44.pdf

CODE CASE DETAILED REPORT CE-0244-2025
FOR CITY OF NEW SMYRNA BEACH

Case Type: Code Enforcement
Status: In Progress
Assigned To: Shelly Longfellow
Project:
District: New Smyrna Beach
Description: Trash /Sofa /tire by dumpster behind building
Opened Date: 04/24/2025
Closed Date: NOT CLOSED

Parcel: 734306000720 Main
Address: 1998 State Road 44 Main
New Smyrna Beach, FL 32168
Zone: B-5 (PLANNED SHOPPING CENTER)

Owner

Gh2 Nsb Bb Llc
Emmaline Gunther
639 N Alexander St
Mount Dora, FL 32757
Mobile: 3522322538

Note	Created By	Date and Time Created
1. Spoke with Michelle. Sent her picture and waste pro phone number in text.	Shelly Longfellow	4/25/2025 11:02 am
2. On May 1 there was still garbage on the ground by the dumpster. Called Emmaline new property manager and sent her the pictures.	Shelly Longfellow	5/5/2025 4:13 pm
3. Spoke with Emmaline about trash and debris. Said she would send out landscaper to clean it up.	Shelly Longfellow	5/27/2025 8:46 am
4. Spoke with property manger today and sent photos. I advised i am trying to work with them but I may have it issue a NOV if the situation can not be cured in a timely manner.	Shelly Longfellow	6/9/2025 4:11 pm
5. Trash, debris and yard waste remain on property. See pic in file.	Shelly Longfellow	6/18/2025 11:58 am

Activity Type	Activity Number	Activity Name	User	Created On
Compliance Officer Initiated	INT-003789-2025		Shelly Longfellow	04/24/2025
Notice of Violation Letter Sent	NOV-003892-2025	Certified Mail sent	Barbara Bobelak	06/20/2025

Violation Code: IPMC 308.1
Violation Status: In Violation
Citation Issue Date: 04/24/2025
Compliance Date: 07/11/2025
Resolved Date:
Code Description: Accumulation of rubbish or garbage.
Corrective Action: Remove rubbish and garbage from premises.

Inspection Number	Inspection Type	Inspection Status	Inspection Date
CEINSP-014901-2025	Code Enforcement	In Violation	07/11/2025 8:19 am

Inspector: Shelly Friend
Checklist Comments:

Volusia County Property Appraiser
123 W. Indiana Ave., Rm. 102
DeLand, FL. 32720
Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3732171 **Parcel ID: 734306000720**
GH2 NSB BB LLC **1998 SR 44, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3732171
Parcel ID:	734306000720
Township-Range-Section:	17 - 33 - 43
Subdivision-Block-Lot:	06 - 00 - 0720
Owner(s):	GH2 NSB BB LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 1273 MOUNT DORA FL 32756
Physical Address:	1998 SR 44, NEW SMYRNA BEACH 32168
Property Use:	1600 - SH CTR CMMITY
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	7040
Subdivision Name:	NAPIER & HULL GRANT
Homestead Property:	No

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$9,849,682	$6,687,123	$0	$9,849,682	1.5000	$14,774.52
0012	DISCRETIONARY	$9,849,682	$6,687,123	$0	$9,849,682	0.7480	$7,367.56
0011	REQ LOCAL EFFORT	$9,849,682	$6,687,123	$0	$9,849,682	3.0370	$29,913.48
0050	GENERAL FUND	$9,849,682	$6,687,123	$3,162,559	$6,687,123	3.2007	$21,403.47
0053	LAW ENFORCEMENT FUND	$9,849,682	$6,687,123	$3,162,559	$6,687,123	1.5994	$10,695.38
0055	LIBRARY	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.3891	$2,601.96
0520	MOSQUITO CONTROL	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.1647	$1,101.37
0530	PONCE INLET PORT AUTHORITY	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.0692	$462.75
0058	VOLUSIA ECHO	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.2000	$1,337.42
0057	VOLUSIA FOREVER	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.2000	$1,337.42
0065	FLORIDA INLAND NAVIGATION DISTRICT	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.0288	$192.59
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.7506	$5,019.35
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.1793	$1,199.00
0272	NEW SMYRNA BCH I&S 2018	$9,849,682	$6,687,123	$3,162,559	$6,687,123	0.0895	$598.50
0270	NEW SMYRNA BEACH	$9,849,682	$6,687,123	$3,162,559	$6,687,123	4.6370	$31,008.19
						16.7933	$129,012.99

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	203	$104.00	$21,112.00
			$21,112.00

Estimated Ad Valorem Tax:	$129,012.99
Estimated Non-Ad Valorem Tax:	$21,112.00
Estimated Taxes:	**$150,124.99**
Estimated Tax Amount without SOH:	$186,520.66

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$2,367,628	$4,980,653	$7,348,281	$6,079,203	$0	$6,079,203	$0
2023	$2,288,707	$2,694,625	$4,983,332	$4,983,332	$0	$4,983,332	$0
2022	$2,288,707	$3,041,853	$5,330,560	$5,330,560	$0	$5,330,560	$0
2021	$2,288,707	$2,839,756	$5,128,463	$5,128,463	$0	$5,128,463	$0
2020	$2,190,056	$2,880,591	$5,070,647	$5,070,647	$0	$5,070,647	$0
2019	$2,130,865	$2,603,936	$4,734,801	$4,734,801	$0	$4,734,801	$0
2018	$2,071,674	$2,498,855	$4,570,529	$4,570,529	$0	$4,570,529	$0
2017	$2,071,674	$2,307,066	$4,378,740	$4,378,740	$0	$4,378,740	$0
2016	$2,116,938	$2,150,139	$4,267,077	$4,267,077	$0	$4,267,077	$0

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

IRREG PARCEL IN LOTS 56 71 72 & 73 LYING S OF ST RD 40 TURNBULL CREEK NAPIER & HULL GRANT EXC 100% SUBSURFACE RIGHTS PER OR 2909 PG 0364 PER OR 5039 PG 2928 PER OR 6342 PG 2253 PER OR 6748 PG 3484

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0244-2025**

Case Type: **Code Enforcement**

Date Case Established: **04/24/2025**

Compliance Deadline: **07/11/2025**

Owner: GH2 NSB BB LLC

Mailing Address

GH2 NSB BB LLC
P.O. BOX 1273
MOUNT DORA, FL 32756

Notice of Violation for the following location:

Address	Parcel
1998 STATE ROAD 44 NEW SMYRNA BEACH, FL 32168	**734306000720**

Violation: IPMC 308.1 - Accumulation of rubbish or garbage.
Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.
Corrective Action: Remove rubbish and garbage from premises.
Compliance Date: 07/11/2025

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0244-2025**
Case Type: **Code Enforcement**
Date Case Established: **04/24/2025**
Compliance Deadline: **07/11/2025**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a Notice of Violation is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:

GH2 NSB BB LLC P.O. Box 1273, Mt Dora FL - 9214 8901 9403 8320 0109 89
Gerard Guenther 310 N. Baker St. Mt Dora, FL- 9214 8901 9403 8320 0124 57

(✓) Post

( ) Hand Delivery

Sincerely,

Shelly Longfellow

Shelly Longfellow
Solid Waste Compliance Officer
Phone: (386) 424-2207
Email: slongfellow@cityofnsb.com

6/20/25

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

GH2 NSB BB LLC
P.O. BOX 1273
MOUNT DORA, FL
32756

CASE NO. CE-0244-2025
1998 STATE ROAD 44
NEW SMYRNA BEACH, FL
32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Special Magistrate Hearing for the City of New Smyrna Beach on **July 23, 2025 at 2:00 pm**, in the City Commission Chambers, City Hall, 214 Sams Avenue, New Smyrna Beach, Florida 32168, for the purpose of determining whether you are in violation of the New Smyrna Beach City Code as described in the attached Notice of Violation.

The decision of the Special Magistrate will be based upon the evidence presented at the hearing. If the Special Magistrate determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Special Magistrate, the Special Magistrate may impose a fine of up to TWO HUNDRED AND FIFTY DOLLARS ($250.00) a day for the first violation and up to FIVE HUNDRED DOLLARS ($500.00) a day for repeated violations. If the Special Magistrate finds the violation is irreparable or irreversible in nature, he/she may impose a fine not to exceed $5000.00 per violation. At the hearing, you have the right to be represented by an attorney (at your own expense) or to represent yourself. You will be given the opportunity to examine the evidence against you, cross-examine the City's witnesses, present witnesses to rebut the City's witnesses, present witnesses on your own behalf, present other relevant evidence, and make a statement to the Special Magistrate. You may examine the City's records concerning the subject matter of the action at the City Clerk's Office, City of New Smyrna Beach, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida 32168, Telephone (386) 410-2630.

If the violation(s) is corrected and then reoccurs or if the violation(s) is not corrected by the time specified for correction by the Code Compliance Officer, your case may be presented to the Special Magistrate even if the violation(s) has been corrected prior to the Special Magistrate hearing.

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

GH2 NSB BB LLC
P.O. BOX 1273
MOUNT DORA, FL
32756

CASE NO. CE-0244-2025
1998 STATE ROAD 44
NEW SMYRNA BEACH, FL
32168

NOTICE TO PERSONS WITH DISABILITIES

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 210 Sams Avenue, New Smyrna Beach, Telephone (386) 410-2630, not later than seven days prior to the proceeding.

RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Special Magistrate with respect to any matter considered at the hearing, you will need a record of the proceedings, and, for such purpose, you may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. $268.0105, Fla. Stat.

CERTIFICATE OF SERVICE

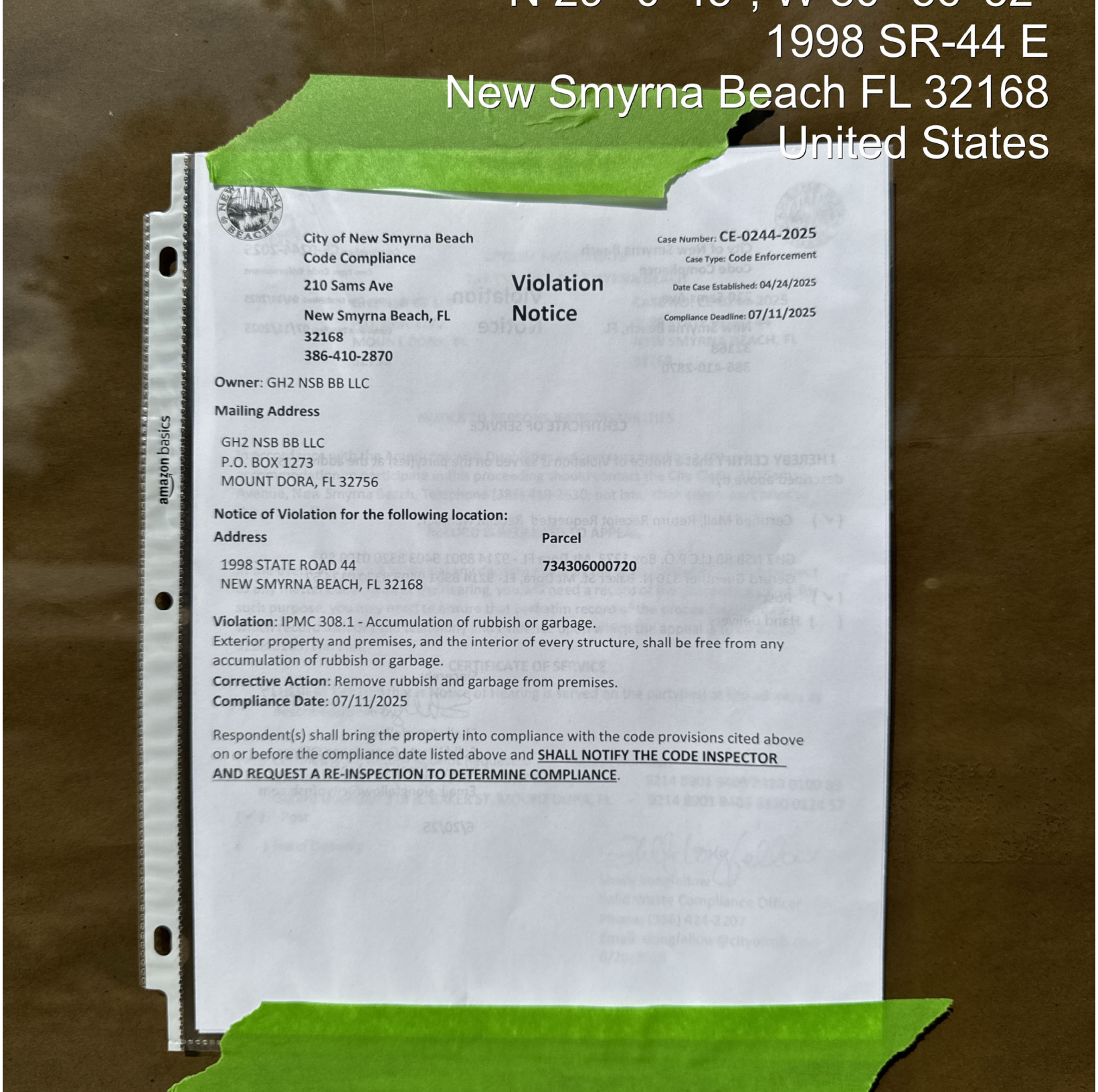
I HEREBY CERTIFY that is Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:
GH2 NSB BB LLC P.O. BOX 1273, MOUNT DORA, FL - 9214 8901 9403 8320 0109 89
Gerard Guenther 310 N. BAKER ST, MOUNT DORA, FL - 9214 8901 9403 8320 0124 57

(✓) Post

( ) Hand Delivery

Shelly Longfellow
Solid Waste Compliance Officer
Phone: (386) 424-2207
Email: slongfellow@cityofnsb.com
6/20/2025



City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: CE-0244-2025
Case Type: Code Enforcement
Date Case Established: 04/24/2025
Compliance Deadline: 07/11/2025

Owner: GH2 NSB BB LLC

Mailing Address

GH2 NSB BB LLC
P.O. BOX 1273
MOUNT DORA, FL 32756

Notice of Violation for the following location:

Address	Parcel
1998 STATE ROAD 44 NEW SMYRNA BEACH, FL 32168	734306000720

Violation: IPMC 308.1 - Accumulation of rubbish or garbage.
Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.
Corrective Action: Remove rubbish and garbage from premises.
Compliance Date: 07/11/2025

Respondent(s) shall bring the property into compliance with the code provisions cited above on or before the compliance date listed above and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**.

UNITED STATES POSTAL SERVICE

Date Produced: 06/24/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8320 0124 57. Our records indicate that this item was delivered on 06/23/2025 at 12:33 p.m. in MOUNT DORA, FL 32757. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 310 N BAKER ST, MOUNT DORA, FL 32757

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

GERARD GUENTHER
310 N BAKER ST
MOUNT DORA FL 32757-5518

Customer Reference Number: C5988606.36379140

Return Reference Number 1998 SR 44

2

UNITED STATES POSTAL SERVICE®

Return address:

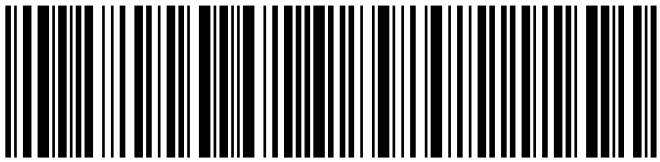
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

GERARD GUENTHER
310 N BAKER ST
MOUNT DORA FL 32757-5518

MAILING DATE: 06/20/2025
DELIVERY DATE: 06/23/2025

USPS CERTIFIED MAIL



9214 8901 9403 8320 0124 57

USPS Tracking Label Number: 9214 8901 9403 8320 0124 57

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	06/20/2025 09:27
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	06/21/2025 21:03
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	06/21/2025 22:18
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	06/22/2025 20:35
DELIVERED LEFT WITH INDIVIDUAL	MOUNT DORA,FL 32757	06/23/2025 12:33

CASE #: CE-0244-2025

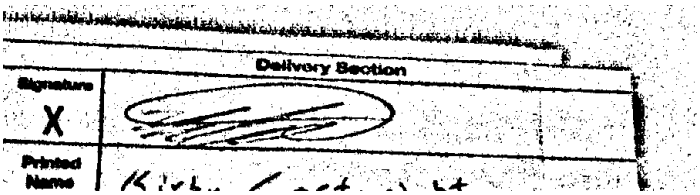
UNITED STATES POSTAL SERVICE

Date Produced: 06/24/2025

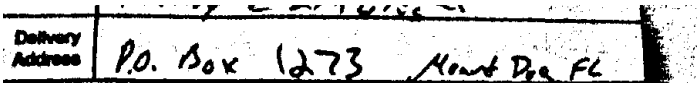
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8320 0109 89. Our records indicate that this item was delivered on 06/23/2025 at 09:58 a.m. in MOUNT DORA, FL 32757. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

GH2 NSB BB LLC
PO BOX 1273
MOUNT DORA FL 32756-1273

Customer Reference Number: C5988606.36379139

Return Reference Number 1998 SR 44

2

UNITED STATES POSTAL SERVICE®

Return address:

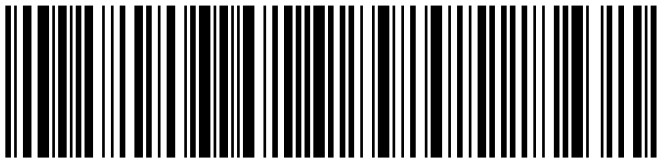
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

GH2 NSB BB LLC
PO BOX 1273
MOUNT DORA FL 32756-1273

MAILING DATE: 06/20/2025
DELIVERY DATE: 06/23/2025

USPS CERTIFIED MAIL



9214 8901 9403 8320 0109 89

USPS Tracking Label Number: 9214 8901 9403 8320 0109 89

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	06/20/2025 09:27
DELIVERED PO BOX	MOUNT DORA,FL 32757	06/23/2025 09:58

CASE #: CE-0244-2025


Network: Jun 17, 2025 at 10:49:12 AM EDT
Local: Jun 17, 2025 at 10:49:12 AM EDT
N 29° 0' 46", W 80° 56' 57"
1998 SR-44 E
New Smyrna Beach FL 32168
United States
157


Network: Jun 17, 2025 at 10:49:38 AM EDT
Local: Jun 17, 2025 at 10:49:38 AM EDT
N 29° 0' 45", W 80° 56' 56"
1998 SR-44 E
New Smyrna Beach FL 32168
United States
158


Network: Jun 17, 2025 at 10:50:01 AM EDT
Local: Jun 17, 2025 at 10:50:01 AM EDT
N 29° 0' 45", W 80° 56' 56"
1998 SR-44 E
New Smyrna Beach FL 32168
United States
98-2
WM
386 673 0800
wm.com
159