Code Compliance Board
Thursday, August 21, 2025 at 4:30 PM

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

1. CALL TO ORDER

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

3. APPROVAL OF MINUTES

3.A Consider the adoption of the Code Compliance Meeting Minutes held on July 17, 2025.

4. SWEARING OF CITY STAFF, RESPONDENTS AND WITNESSES

5. OLD BUSINESS

A. Staff Report

5.A CCB-0140-2025- 102 E. CIRCLE DR.; OWNER: ERIC M. AND ERICA LEIGH WENDORF; OFFICER: JOHN PARKS

6. NEW BUSINESS

A. Staff Report

6.A CCB-0355-2025- 2617 NORDMAN AVE.; OWNER: JAMIE LEE OMALLEY; OFFICER: AMBER BAGE

6.B CCB-0321-2025- 206 KIRKLAND RD.; OWNER: JON C. JOYNSON; OFFICER: JASON YATES

6.C CCB-0262-2025- 406 S. PINE ST.; OWNER: GARY TUTHILL AND/OR ENTITY; OFFICER: JOHN PARKS

6.D CCB-0308-2025- 765 E. 3RD AVE.; OWNER: MARK FREITAG AND/OR ENTITY; OFFICER: JOHN PARKS

6.E CCB-0373-2025- 765 E. 3RD AVE.; OWNER: MARK FREITAG AND/OR ENTITY; OFFICER: JOHN PARKS

6.F CCB-0661-2024- 690 E. 3RD AVE.; OWNER: MARK D. DAM AND/OR ENTITY; OFFICER: JOHN PARKS

6.G CCB-0662-2024- 715 E. 2ND AVE., UNIT 3; OWNER: MARK D. DAM AND/OR ENTITY: OFFICER: JOHN PARKS

7. REPEAT BUSINESS

8. DISCUSSION

9. STAFF REPORTS

10. 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 MEETING MINUTES HELD ON JULY 17, 2025.

August 21, 2025

Background:

A Code Compliance Board Meeting was held on Thursday, July 17, 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:

July 17 2025- Code Compliance Board Minutes.docx

Code Compliance Board Minutes
Thursday, July 17, 2025, at 4:30 M

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

1. CALL TO ORDER- 4:30 PM

Having been duly advertised as required by law, the regular meeting of the Code Compliance Board of the City of New Smyrna Beach, Florida, was held on Thursday, July 17, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Dan Copfer called the meeting to order at 4:30 PM and reviewed the procedures for the hearing.

Present: Chairman Dan Copfer, Member Albert Schimanski, Member Ruth Harris, Member Kathleen Brown, Member Clifford Wharin; Member Aaron Denys and Member Keith McWilliams.

Absent: None

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

None

3. APPROVAL OF MINUTES

Member Albert Schimanski moved to adopt the May 22, 2025, Code Compliance Board Meeting Minutes. Member Clifford Wharin second the motion, and the motion carried unanimously.

4. SWEARING OF CITY STAFF, RESPONDENTS AND WITNESSES

Board Secretary Teresa Merck administered the oath to the following City Staff and property representatives/owners: Barbara Bobelak and John Parks.

5. OLD BUSINESS-

5.A CCB- 0110-2025- CONFIDENTIAL; OWNER: AMBER HEBERT, AKA- AMBER BEAR; OFFICER: JOHN PARKS

The owner was not present for comments.

This property is zoned R-2 Single Family Residential

Violations cited: Sec. 74-146 - Local Business Tax Imposed

On February 20, 2025, Code Compliance received a complaint regarding the property being listed for rent on a short-term basis in violation of the zoning and having no Business License Tax Receipt (BTR).

On March 19, 2025, Officer Parks went to the property and did not observe any cars. There was a package at the front door indicating that someone appeared to be staying at the property. A check of the listing on the internet indicates that a 4-night stay is bookable. A check of the Business License Tax Receipt system found no BTR issued for the property. An e-mail was sent to the property owner advising them of the violations.

On April 2, 2025, a Notice of Violation was posted on the property with an initial compliance date of April 22, 2025. A copy was also mailed certified mail to the property owner and was returned marked “Return to Sender”.

On several dates internet bookings were started, indicating short-term rentals were available and that the property is being listed for rent. E-mails have been sent to the property owner advising them of the violations. Continued checks of the listings indicated each time that the property is a rental property for rent. On May 12, 2025, another attempt was made that showed the listing active and indicating that it is rental property with no BTR issued or applied for.

It is Staff's recommendation to the Board to find Amber Hebert, aka- Amber Bear in violation of Sec. 74-146 - Local Business Tax Imposed and impose a one-time fine of $250.00 for operating without a BTR.

Member Kathleen Brown approved the motion. Member Clifford Wharin second the motion and the motion carried unanimously.

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.

6. NEW BUSINESS

6.C CCB- 0140-2025- 102 E. CIRCLE DR.; OWNER: ERIC M. AND ERICA LEIGH WENDORF; OFFICER: JOHN PARKS

The owner(s) was/were not present to comment.

On March 17, 2025, Code Compliance received a complaint regarding short-term rentals on the property. An internet listing for the property indicated that short-term rentals were available. A screen shot was taken and placed in the file for the property listing when attempting to make a short-term rental of 3 days. An e-mail was sent to the owner advising of the violation and case. The property was found to be in violation of LDR 504.01 (N). Numerous e-mails were exchanged with the owner advising them of the violations and encouraging them to make the appropriate corrections. On May 9, 2025, I received an e-mail from the owner advising that he was refusing to comply with the code.

On May 7, 2025, a Notice of Violation was posted on the property with an initial compliance date of May 19, 2025. A copy was also mailed certified mail to the property owner and was returned unclaimed.

On July 2, 2025, an internet check of the property listing showed that the property was still listed as being available for rent as a short-term rental.

It is Staff's recommendation to the Board to find Eric M. and Erica Leigh Wendorf and/or entity in violation of LDR 504.01. – General Zoning Regulations and give

until July 28, 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 $150 per day until the property is brought into full compliance. The maximum fine is not to exceed $15,000.00.

7. REPEAT BUSINESS- None

8. DISCUSSION

9. STAFF REPORTS

10. ADJOURNMENT- 4:42 PM

As there was no further business to discuss, Chair Dan Copfer declared the meeting adjourned at 4:42 PM

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

CCB-0140-2025- 102 E. CIRCLE DR.; OWNER: ERIC M. AND ERICA LEIGH WENDORF; OFFICER: JOHN PARKS

August 21, 2025

Background:

Violation of City Code Sec. LDR 504.01. - (N) General Zoning Regulations- Short Term Rental
Compliance Date: May 19, 2025
Method of Service: Property posted May 7, 2025; Certified mail sent on May 6, 2025 and Returned to Sender- Forwarding time expired.

Findings:

On July 17, 2025- Property was found in Violation of City Code Sec. LDR 504.01. - (N) General Zoning Regulations
New Compliance Date: July 28, 2025
Recommended Fine: $150.00 per day per violation
Method of Service: Property posted July 18, 2025; Certified mail sent on July 18, 2025, returned to sender.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0140-2025- 102 E. Circle Dr..pdf

CE-0140-2025 102 East Circle Dr
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	03/17/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	John Parks	**Description:**	Short Term Rental		

Parcel: 740801000090 Main	**Address:** 102 East Circle Dr Main New Smyrna Beach, FL 32169	**Zone:** R-4 (MULTI-FAMILY RESIDENTIAL)

Owner

Eric M & Erica Leigh Wendorf

1701 Beacon Dr
Sanford, FL 32771

Home: (407) 786-3986

Business: (407) 786-3986

Mobile: (407) 786-3986

Complainant

Damon Kruid

398 S Shell Rd
Debary, FL 32713

Note	Created By	Date and Time Created
1. On 03/17/25, Code Compliance received an e-mail complaint regarding short term rentals at the property. A link to the short term rental was supplied in the e-mail. A screen shot was taken and placed in the file for the property listing when attempting to make a short term rental of 3 days. An e-mail was sent to the owner advising of the violation and case.	John Parks	3/17/2025 8:24 am
2. On 03/31/25, I was able to start a reservation for 3 nights (screenshot placed in file). I sent the owner another e-mail advising of the violation.	John Parks	3/31/2025 10:08 am
3. On 05/05/25, I was able to start a reservation for 3 nights (screenshot placed in file). Internet listing : https://www.airbnb.com/rooms/1076083061819961784?viralityEntryPoint	John Parks	5/5/2025 7:13 am

Violation Code:	LDR 504.01.	**Violation Status:**	In Violation	**Citation Issue Date:**	05/05/2025
Code Description:	General Zoning Regulations			**Compliance Date:**	05/19/2025
				Resolved Date:	

Corrective Action: Immediately cease short term rentals. Change all listings to comply with code of 30 days or more.

Outlook

102 W Cir Drive- shortl term rental violation

From Damon Kruid <damon@godbk.com>
Date Sun 3/16/2025 2:46 PM
To Code Enforcement <code@cityofnsb.com>

CAUTION: EXTERNAL EMAIL

https://www.airbnb.com/l/tqotyfyl

I am sending this email again being that this has been used this spring break weekend and in violation of the areas short term rental clause. I have attached, again, the listing that shows they are offering it for less than 30 days, which is a violation. The last time I sent this in for not only myself in my neighbors that have to listen to all of the rowdy, spring break kids, jumping off the dock and screaming all night long, Code enforcement said they didn't have any documentation. The Airbnb listing is easily accessible and attached.

Thank you,

Damon Kruid
CEO
DBK Inc
398 S Shell Rd
DeBary Fl 32713
O. 386-860-2050
C. 386-216-4744
E. damon@goDBK.com
www.goDBK.com

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

AltKey: 3781961 **Parcel ID: 740801000090**
WENDORF ERIC M **102 E EAST CIRCLE DR, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3781961
Parcel ID:	740801000090
Township-Range-Section:	17 - 34 - 08
Subdivision-Block-Lot:	01 - 00 - 0090
Owner(s):	WENDORF ERIC M - TE - Tenancy in the Entirety - 100% WENDORF ERICA LEIGH - TE - Tenancy in the Entirety - 100%
Mailing Address On File:	1701 BEACON DR SANFORD FL 32771
Physical Address:	102 E EAST CIRCLE DR, NEW SMYRNA BEACH 32169
Property Use:	0100 - SINGLE FAMILY
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	4906
Subdivision Name:	VENEZIA UNIT 1
Homestead Property:	No

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$2,162,498	$2,162,498	$0	$2,162,498	1.5000	$3,243.75
0012	DISCRETIONARY	$2,162,498	$2,162,498	$0	$2,162,498	0.7480	$1,617.55
0011	REQ LOCAL EFFORT	$2,162,498	$2,162,498	$0	$2,162,498	3.0370	$6,567.51
0050	GENERAL FUND	$2,162,498	$2,162,498	$0	$2,162,498	3.2007	$6,921.51
0053	LAW ENFORCEMENT FUND	$2,162,498	$2,162,498	$0	$2,162,498	1.5994	$3,458.70
0055	LIBRARY	$2,162,498	$2,162,498	$0	$2,162,498	0.3891	$841.43
0520	MOSQUITO CONTROL	$2,162,498	$2,162,498	$0	$2,162,498	0.1647	$356.16
0530	PONCE INLET PORT AUTHORITY	$2,162,498	$2,162,498	$0	$2,162,498	0.0692	$149.64
0058	VOLUSIA ECHO	$2,162,498	$2,162,498	$0	$2,162,498	0.2000	$432.50
0057	VOLUSIA FOREVER	$2,162,498	$2,162,498	$0	$2,162,498	0.2000	$432.50
0065	FLORIDA INLAND NAVIGATION DISTRICT	$2,162,498	$2,162,498	$0	$2,162,498	0.0288	$62.28
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$2,162,498	$2,162,498	$0	$2,162,498	0.7506	$1,623.17
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$2,162,498	$2,162,498	$0	$2,162,498	0.1793	$387.74
0271	NEW SMYRNA BCH I&S 2005	$2,162,498	$2,162,498	$0	$2,162,498	0.0000	$0.00
0272	NEW SMYRNA BCH I&S 2018	$2,162,498	$2,162,498	$0	$2,162,498	0.0895	$193.54
0270	NEW SMYRNA BEACH	$2,162,498	$2,162,498	$0	$2,162,498	4.6370	$10,027.50
						16.7933	$36,315.48

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	1	$104.00	$104.00
			$104.00

Estimated Ad Valorem Tax:	$36,315.48
Estimated Non-Ad Valorem Tax:	$104.00
Estimated Taxes:	**$36,419.48**
Estimated Tax Amount without SOH:	$36,419.48

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$1,427,166	$738,281	$2,165,447	$2,165,447	$0	$2,165,447	$0
2023	$1,427,166	$729,897	$2,157,063	$2,157,063	$0	$2,157,063	$0
2022	$1,603,476	$677,263	$2,280,739	$1,565,440	$0	$1,565,440	$0
2021	$948,996	$474,131	$1,423,127	$1,423,127	$0	$1,423,127	$0
2020	$831,190	$448,594	$1,279,784	$594,293	$50,500	$543,793	$685,491
2019	$850,824	$385,130	$1,235,954	$580,932	$50,500	$530,432	$655,022
2018	$760,833	$344,488	$1,105,321	$570,100	$50,500	$519,600	$535,221
2017	$719,928	$281,149	$1,002,144	$558,374	$50,500	$507,874	$443,770
2016	$720,995	$331,777	$1,052,772	$546,889	$50,500	$496,389	$505,883

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.

8-17-34 LOT 9 & PORTION OF LOT 8 VENEZIA UNIT 1 MB 23 PG 212 DESC AS PARCEL 1 IN OR 8349 PG 3299 AS FOLLOWS BEGIN AT SW CORNER OF LOT 9 THENCE N 38-1-20 W FOR 183.97 FT THENCE N 51-58-40 E FOR 149.94 FT THENCE S 35-47-20 E FOR 184.20 FT TO A POINT ON THE NW R/W LINE OF EAST CIR SAID POINT ALSO BEING A NON-TANGENT CURVE CONCAVE TO THE SE HAVING A RADIUS OF 2,233.76 FT A DELTA ANGLE OF 00-30-54 A CHORD BEARING S 52-14-07 W AND CHORD DISTANCE OF 20.08 FT THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 20.08 FT TO THE POINT OF CURVATURE OF SAID CURVE THENCE CONTINUE ALONG SAID NW R/W LINE S 51-58-40 W FOR 122.68 FT TO THE POB PER OR 3749 PG 4116 PER D/C PER OR 8114 PG 1620 PER OR 8352 PG 4172

To: ERICW@BOBSPOOLSANDSCREENS.COM
Subject: 102 East Circle

Eric,

Please be aware that we have received a complaint regarding your property being used as a “Short Term Rental”. Attached you will find a copy of your Certificate of Use issued by the city stating specifically, that your property is not authorized short term rentals (“RENTAL PROPERTY- NO SHORT TERM RENTALS ALLOWED”).

Please discontinue all short term rentals immediately and change all advertisement to reflect 30 days or more (copy of code section attached).

Your property currently has an active code case and will be monitored for compliance. Continued violation of the code will involve further enforcement action.

Thank you for your attention to this matter.

John Parks
Code Compliance Officer
New Smyrna Beach, Florida
(386) 410-2870
(386) 410-2877 desk
JParks@cityofnsb.com

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

(386) 410-2870
(386) 410-2877 desk
JParks@cityofnsb.com

From: Parks, John
Sent: Thursday, May 8, 2025 1:18 PM
To: 'ERICW@BOBSPOOLSANDSCREENS.COM' <ERICW@BOBSPOOLSANDSCREENS.COM>
Subject: RE: 102 East Circle
Importance: High

Eric,

Please notice my previous e-mails. Unfortunately, my warnings have been ignored. Therefore, I have issued a Notice of Violation and set your case for a hearing (see attached). The notices have been sent certified mail and your property has been posted. I encourage you to immediately bring your property into compliance with the code and discontinue all further violations. You will notice that your BTR and Certificate of Use specifically prohibit the short-term rentals (see attached).

John Parks
Code Compliance Officer
New Smyrna Beach, Florida
(386) 410-2870
(386) 410-2877 desk
JParks@cityofnsb.com

From: Parks, John
Sent: Monday, March 31, 2025 10:07 AM
To: ERICW@BOBSPOOLSANDSCREENS.COM
Subject: RE: 102 East Circle
Importance: High

Eric,

Please see my previous e-mail regarding your property being in violation. Your advertising lists the property as being available for short term rental of 3 nights minimum stay. This is a violation. If you continue to advertise your property as short term, I will have no choice but to issue a Notice of Violation and schedule your case for a Hearing. It is extremely important that you immediately cease short term rentals and discontinue advertisements for short term (all rentals must be 30 days or more per code).

John Parks
Code Compliance Officer
New Smyrna Beach, Florida
(386) 410-2870
(386) 410-2877 desk
JParks@cityofnsb.com

From: Parks, John
Sent: Monday, March 17, 2025 8:16 AM

Outlook

Re: 102 East Circle

From Eric Wendorf <ericw@bobspoolsandscreens.com>
Date Fri 5/9/2025 8:09 AM
To Parks, John <jparks@cityofnsb.com>

CAUTION: EXTERNAL EMAIL

i'm not gonna email you back-and-forth. This must not be that important. If you don't have time to simply call me back I will be waiting on your phone call. It's my property and it's unconstitutional for you to tell me what I can do with it and I will simply just fight you in court and drag this on forever. The property taxes are $5000 a month. I don't need you to tell me what I can do with my property Like I said we will stop renting it out on August 1 if you have a problem with that, I'll see you in court this is completely unconstitutional. I have every right to dispute your unconstitutional laws and go for a variance. You can calm down and be cool or you can choose to fight me.

If you would look at the apps again, you will see that you cannot rent the home after August 1st

Get Outlook for iOS

From: Parks, John <jparks@cityofnsb.com>
Sent: Friday, May 9, 2025 7:46:05 AM
To: Eric Wendorf <ERICW@BOBSPOOLSANDSCREENS.COM>
Subject: RE: 102 East Circle

Eric,

I received your phone message. Unfortunately, I will be in the field all day and have a packed schedule, so I'm sending you this e-mail instead of calling you back.

As you will see by the attached screenshots, the property is still being listed and on a short-term rental basis (your advertisement even says "3 night minimum") the date and time of the screenshot is displayed in the screenshot. Clearly you have not done as instructed. This is a violation of the BTR, Certificate of Use and the Zoning regulations. Be advised that each rental that is a short term is a violation, and the fact the property is listed as being available for short term is a violation. Every time it is rented, and the listing of availability could each be considered a violation, and could be a fine. Just because you intend to cease your violation at sometime in the future, does not make those violations legal or allow them to be ignored. The mindset of I'm planning on being legal in the future is not a viable defense, as an illegal act with knowledge is illegal.

I have given latitude in the past regarding your property and code violations and have even attempted to gain compliance through e-mails prior to issuing notices. This needs to be resolved immediately as we continue to receive complaints.

John Parks
Code Compliance Officer
New Smyrna Beach, Florida



City of New Smyrna Beach

214 Sams Ave
New Smyrna Beach, FL 32168
(386)410-2865

Certificate of Use

IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 1, PART IV, SECTION 74-148 (C), THIS CERTIFICATE OF USE IS ISSUED CERTIFYING THAT AT THE TIME OF ISSUANCE, THE FOLLOWING LOCATION AND USE IS IN COMPLIANCE WITH THE CITY'S LAND DEVELOPMENT REGULATIONS, BUILDING AND FIRE CODES.

Business Name: ERIC M & ERICA LEIGH WENDORF

Business Location: 102 EAST CIRCLE DR
NEW SMYRNA BEACH, FL 32169

Owner: ERIC M & ERICA LEIGH WENDORF

Number: BTR-000494-2024

Issued Date: 9/25/2024

Mailing Address: 1701 BEACON DR
SANFORD, FL 32771

Allowed Use: Accomodation & Food Services

Description of Business: RENTAL PROPERTY - NO SHORT TERM RENTALS ALLOWED
Business Activity: Accommodations for Rent (incl Hotel)

The Certificate of Use is only valid for the specific address, business owner, corporate name and type of uses for which it was issued. A new certificate is required for any changes in: ownership, business name, expansion of square footage occupied, the inclusion of additional uses, or when changes to the structure have been approved by final building inspection. This certificate of use shall remain in effect unless revoked for cause.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0140-2025**

Case Type: **Code Enforcement**

Date Case Established: **03/17/2025**

Compliance Deadline: **05/19/2025**

Owner: ERIC M & ERICA LEIGH WENDORF

Mailing Address

ERIC M & ERICA LEIGH WENDORF
1701 BEACON DR
SANFORD, FL 32771

Notice of Violation for the following location:

Address

102 EAST CIRCLE DR
NEW SMYRNA BEACH, FL 32169

Parcel

740801000090

Violation: LDR 504.01. - General Zoning Regulations
N. Short term rental (less than 30 days) of a dwelling unit is permitted only in the designated areas and zoning districts indicated below:
East of the Intracoastal Waterway Zoning districts: R-3A east of Atlantic Avenue, R-4, R-5, R-6, B-4, M-U, and BBH
East of the Intracoastal Waterway and south of Third Avenue Zoning districts: R-2A
West of the Intracoastal Waterway Zoning districts: M-U, BBH

Corrective Action: Immediately cease short term rentals. Change all listings to comply with code of 30 days or more.
Compliance Date: 05/19/2025

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-0140-2025**

Case Type: **Code Enforcement**

Date Case Established: **03/17/2025**

Compliance Deadline: **05/19/2025**

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 8312 8392 08
(✓) Post
( ) Hand Delivery

Sincerely,

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

5/06/2025

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

ERIC M & ERICA LEIGH WENDORF
1701 BEACON DR
SANFORD, FL 32771

CASE NO. CE-0140-2025
102 EAST CIRCLE DR
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **July 17, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

NOTICE TO PERSONS WITH DISABILITIES

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

ERIC M & ERICA LEIGH WENDORF
1701 BEACON DR
SANFORD, FL 32771

CASE NO. CE-0140-2025
102 EAST CIRCLE DR
NEW SMYRNA BEACH, FL 32169

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 Code Compliance Board 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

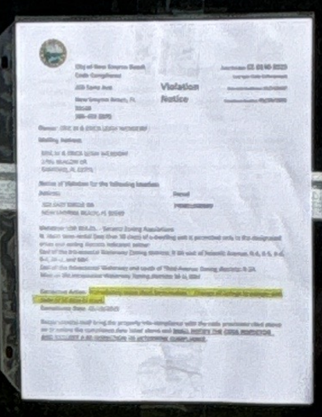
I HEREBY CERTIFY that is Notice of Hearing is served on the party(ies) at the address as described above by:

(✓) Certified Mail, Return Receipt Requested Receipt Number:9214 8901 9403 8312 8392 08
(✓) Post
( ) Hand Delivery

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/06/2025

Network:May 7, 2025 at 9:18:02 AM EDT
Local:May 7, 2025 at 9:18:02 AM EDT
N 29° 2' 17.948", W 80° 54' 37.487"
102 East Cir
New Smyrna Beach FL 32169
United States


Violation
Notice
protected by ADT


CERTIFIED MAIL
ORLANDO FL 328
7 MAY 2025 PM 2L
Code Department
City of New Smyrna Beach
210 Sams Ave Fl 1
New Smryna Beach FL 32168
USPS CERTIFIED MAIL
quadient
FIRST-CLASS MAIL
IMI
$008.16
05/06/2025 ZIP 32168
043M31259290
US POSTAGE
ERIC M & ERICA LEIGH WENDORF
1701 BEACON DR
SANFORD FL 32771-9723
339 NFE 1 4241000S/10/25
FORWARD TIME EXP RTN TO SEND
WENDORF
850 STATE ROAD 436
CASSELBERRY FL 32707-5304
RETURN TO SENDER
INT
32168>7040
32771-97230

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

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

CASE NO.: CCB-0140-2025

VS.

Eric M & Erica Leigh Wendorf and/or entity,
Respondent(s)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on **July 17, 2025**, before the Code Compliance Board at a public hearing, after due notice to Respondent(s). The Respondent/representative _____did ✓ did not attend the hearing. The Code Compliance Board, 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: 102 E EAST CIRCLE DR, NEW SMYRNA BEACH 32169
Parcel: 740801000090
Legal description: 8-17-34 LOT 9 & PORTION OF LOT 8 VENEZIA UNIT 1 MB 23 PG 212 DESC AS PARCEL 1 IN OR 8349 PG 3299 AS FOLLOWS BEGIN AT SW CORNER OF LOT 9 THENCE N 38-1-20 W FOR 183.97 FT THENCE N 51-58-40 E FOR 149.94 FT THENCE S 35-47-20 E FOR 184.20 FT TO A POINT ON THE NW R/W LINE OF EAST CIR SAID POINT ALSO BEING A NON-TANGENT CURVE CONCAVE TO THE SE HAVING A RADIUS OF 2,233.76 FT A DELTA ANGLE OF 00-30-54 A CHORD BEARING S 52-14-07 W AND CHORD DISTANCE OF 20.08 FT THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 20.08 FT TO THE POINT OF CURVATURE OF SAID CURVE THENCE CONTINUE ALONG SAID NW R/W LINE S 51-58-40 W FOR 122.68 FT TO THE POB PER OR 3749 PG 4116 PER D/C PER OR 8114 PG 1620 PER OR 8352 PG 4172
https://

2. The property was first inspected by a Code Compliance Officer on **March 17, 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 **May 7, 2025,** identifying the specific violation(s). The violation(s) was/were to be corrected by **May 19, 2025**. The Code

Compliance Officer reinspected the property on **July 2, 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:

LDR 504.01- (N) General Zoning Regulations – Short Term Rental

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 28, 2025**, and **SHALL NOTIFY THE CODE INSPECTOR AND REQUEST A RE-INSPECTION TO DETERMINE COMPLIANCE**. If the Code Compliance Board finds that the violation(s) was/were not corrected by the date set forth above, a fine of **$150.00 per day (per violation)** may be imposed.

B. **NEXT HEARING DATE:** This case shall be reviewed by the Code Compliance Board at a public hearing on **August 21**, at **4:30 p.m.**, in the City Hall Annex, 214 Sams Avenue, New Smyrna Beach, FL 32168. The Code Compliance Board will consider setting a fine and lien on the above case at this Public Hearing.

DONE AND ORDERED on **July 17, 2025**.

Dan Copfer, Chairman
Code Compliance Board

ATTEST:

Barbara Bobelak for
Teresa Merck
Code Compliance Clerk

NOTARY PUBLIC STATE OF FLORIDA
BARBARA JO BOBELAK
MY COMMISSION # HH 260082
EXPIRES: July 29, 2026

CERTIFICATE OF SERVICE: I hereby certify that the foregoing Order was served on the above-named Respondent(s) at 1701 BEACON DR. SANFORD FL 32771 by:

(_√_) Certified Mail, Return Receipt Requested, Receipt #9214 8901 9403 8323 9905 61

(_√_) Post

(___) Hand Delivery

Barbara Bobelak for
By: Teresa Merck
Code Compliance Clerk
Date: July 18, 2025

Network: Jul 18, 2025 at 1:17:23 PM EDT
Local: Jul 18, 2025 at 1:17:23 PM EDT
N 29° 2' 18.416", W 80° 54' 37.561"
102 East Cir
New Smyrna Beach FL 32169
United States

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

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

VS.

Eric M & Erica Leigh Wendorf and/or entity,
Respondent(s)

CASE NO.: CCB-0140-2025

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https://

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Page 1 of 2

New Smyrna Beach Code Compliance, 210 Sams Ave., New Smyrna Beach, FL 32168 Tel. 386-410-3970
102 E. Circle Dr. CCB-0140-2025

protected by ADT

UNITED STATES POSTAL SERVICE®

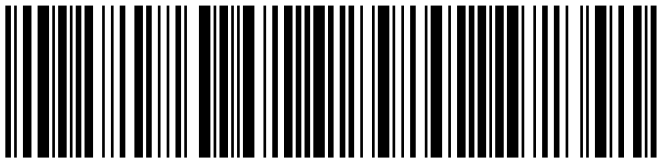
Return address:

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

Recipient address:

ERIC M & ERICA LEIGH WENDORF
1701 BEACON DR
SANFORD FL 32771-9723

USPS CERTIFIED MAIL



9214 8901 9403 8323 9905 61

USPS Tracking Label Number: 9214 8901 9403 8323 9905 61

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	07/18/2025 08:06
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	07/19/2025 18:25
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/19/2025 19:40
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/19/2025 21:45
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/22/2025 03:23
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/22/2025 07:40
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/23/2025 11:50


Network: Jul 18, 2025 at 1:17:35 PM EDT
Local: Jul 18, 2025 at 1:17:35 PM EDT
N 29° 2' 18.544", W 80° 54' 37.186"
102 East Cir
New Smyrna Beach FL 32169
United States
M&C FENCE 352-267-8845

airbnb.com/book/stays/1076083061819961784?numberOfAdults=6&checkin=2025-05-06&numberOfGuests=1&checkout=2025-05-09&guestCurrency=USD&productId=1076083061819961784&isWorkTrip=false&...

Volusia County Proper... LAURA E. ROTH | Cler... Inmate Inquiry - Search Self Serve SunBiz Google LAND DEVELOPMENT... CODE OF ORDINANC... New Smyrna Beach, F... Zoning Map ESS Munis All Bookmarks

airbnb

Request to book

Lower price.
Your dates are $80 less than the avg. nightly rate of the last 60 days.

Your trip

Dates Edit
May 6 – 9

Guests Edit
6 guests

Choose how to pay

Pay $3,174.68 now

Pay monthly with Klarna
From $294 per month for 12 months. Interest may apply. More info



Boaters Dream House!
Entire home
★ 4.91 (11 reviews) • Superhost

Price details

$719.10 x 3 nights	$2,157.30
Cleaning fee	$350.00
Airbnb service fee	$353.97
Taxes	$313.41
Total (USD)	**$3,174.68**

Search

9:56 30
3/31/2025

airbnb.com/book/stays/1076083061819961784?numberOfAdults=6&checkin=2025-06-15&numberOfGuests=1&checkout=2025-06-18&guestCurrency=USD&productId=1076083061819961784&isWorkTrip=false&...

Volusia County Proper... LAURA E. ROTH | Cler... Inmate Inquiry - Search Self Serve SunBiz Google LAND DEVELOPMENT... CODE OF ORDINANC... New Smyrna Beach, F... Zoning Map ESS Munis All Bookmarks

airbnb

Request to book

This is a rare find.
Eric's place is usually booked.

Your trip

Dates Edit
Jun 15 – 18

Guests Edit
6 guests

Choose how to pay

Pay $3,174.68 now

Pay monthly with Klarna
From $294 per month for 12 months. Interest may apply. More info



Boaters Dream House!
Entire home
★ 4.92 (13 reviews) • Superhost

Your total

$954 x 3 nights	$2,861
Taxes	$313
Total (USD)	**$3,174.68**

Price breakdown

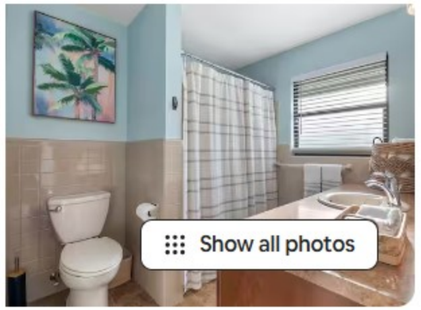
Search 7:11 5/5/2025

airbnb.com/rooms/1076083061819961784?source_impression_id=p3_1746789705_P3qO8NjE7qs5KTBW&guests=1&adults=1&check_in=2025-07-08#availability-calendar

Volusia County Proper... LAURA E. ROTH | Cler... Inmate Inquiry - Search Self Serve SunBiz Google LAND DEVELOPMENT... CODE OF ORDINANC... New Smyrna Beach, F... Zoning Map ESS Munis All Bookmarks







Entire home in New Smyrna Beach, Florida

12 guests · 3 bedrooms · 6 beds · 3.5 baths

Guest favorite — One of the most loved homes on Airbnb, according to guests

Hosted by Eric
Superhost · 1 year hosting

Enjoy the pool and hot tub
Swim or soak at this home.

Self check-in
Check yourself in with the keypad.

Extra spacious
Guests love this home's spaciousness for a comfortable stay.

Add dates for prices

Select dates

Minimum stay: 3 nights

CHECK-IN 7/8/2025 × CHECKOUT Add date

June 2025

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2025

S	M	T	W	T	F	S
	3-night minimum			3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Clear dates Close

Search

7:36 5/9/2025

airbnb.com/book/stays/1076083061819961784?checkin=2025-06-23&numberOfGuests=1&numberOfAdults=1&checkout=2025-06-26&guestCurrency=USD&productId=1076083061819961784&isWorkTrip=false&...

Volusia County Proper... LAURA E. ROTH | Cler... Inmate Inquiry - Search Self Serve SunBiz Google LAND DEVELOPMENT... CODE OF ORDINANC... New Smyrna Beach, F... Zoning Map ESS Munis All Bookmarks

airbnb

Request to book

This is a rare find.
Eric's place is usually booked.

Your trip

Dates Edit
Jun 23 – 26

Guests Edit
1 guest

Choose how to pay

Pay $3,174.68 now

Pay monthly with Klarna
From $294 per month for 12 months. Interest may apply. More info



Boaters Dream House!
Entire home
★ 4.92 (13 reviews) • Superhost

Your total

$953.76 x 3 nights	$2,861.27
Taxes	$313.41
Total (USD)	**$3,174.68**

Price breakdown

Search 7:22 5/9/2025 33

airbnb.com/book/stays/1076083061819961784?checkin=2025-06-22&numberOfGuests=1&numberOfAdults=1&checkout=2025-06-25&guestCurrency=USD&productId=1076083061819961784&isW...

Volusia County Proper... LAURA E. ROTH | Cler... Inmate Inquiry - Search Self Serve SunBiz Google LAND DEVELOPMENT... CODE OF ORDINANC... New Smyrna Beach, F... Zoning Map ESS Munis All Bookmarks

airbnb

Request to book

This is a rare find.
Eric's place is usually booked.

Your trip

Dates Edit
Jun 22 – 25

Guests Edit
1 guest

Choose how to pay

Pay $3,174.68 now

Pay monthly with Klarna
From $294 per month for 12 months. Interest may apply. More info



Boaters Dream House!
Entire home
★ 4.93 (15 reviews) • Superhost

Your total

$953.76 x 3 nights	$2,861.27
Taxes	$313.41
Total (USD)	**$3,174.68**

Price breakdown

Search 8:20 5/28/2025


Network:Mar 19, 2025 at 2:09:13 PM EDT
Local:Mar 19, 2025 at 2:09:13 PM EDT
N 29° 2' 17.659", W 80° 54' 36.396"
105 East Cir
New Smyrna Beach FL 32169
United States

Network:Mar 19, 2025 at 2:09:27 PM EDT
Local:Mar 19, 2025 at 2:09:27 PM EDT
N 29° 2' 18.257", W 80° 54' 35.839"
109 East Cir
New Smyrna Beach FL 32169
United States

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0355-2025- 2617 NORDMAN AVE.; OWNER: JAMIE LEE OMALLEY; OFFICER: AMBER BAGE

August 21, 2025

Background:

Violation of City Code Sec. IPMC 303.1 - Swimming pools; Sec. 26-914. (6) - Accessory Improvements; Sec. 26-914. (9) - Trash & Debris.

Compliance Date: August 13, 2025

Method of Service: Property posted July 2, 2025; Certified mail signed for on February 28, 2025.

Findings:
None

Fiscal Analysis:
None

Strategic Plan Item:
No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0355-2025- 2617 Nordman Ave.pdf

CE-0355-2025 (2617 Nordman Ave)
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	06/16/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	Amber Bage	**Description:**	Planks missing off of fence, fence portion falling inward, old fencing material lying in backyard and side front.		

Parcel: 633601009620 Main	**Address:** 2617 Nordman Av Main New Smyrna Beach, FL 32168	**Zone:** R-2 (SINGLE FAMILY RESIDENTIAL)

Owner	**Complainant**
Jamie Lee Omalley	Dalton Cole
2617 Nordman Av New Smyrna Beach, FL 32168	2619 Nordman Av New Smyrna Beach, FL 32168
Mobile: 3866890364	Home: 3864276852

Note	**Created By**	**Date and Time Created**
1. I was contacted by the city attorney Carrie Avallone regarding the complainant Mr. Cole contacting her about their neighbor's fence. She stated that Mrs. Cole was in her backyard placing sandbags when she sustained an injury from old nails in the neighbor's fence. I went out to the complainant's house and took pictures of the fence and found it was missing multiple planks. There were also nails protruding from an old portion of the fence in the south/east corner, along with 2 screws from the area that had been fixed. There is also a section of fencing on the north/west side that is leaning into O'Malley's yard that is nor secured or standing erect. In the areas of fencing that is missing planks, I could see that the old fence panels that were replaced were laying in the back yard, which could be harboring vermin. There are planks also being stored at the front portion of the fence on the ground. Pictures have been attached.	Amber Bage	6/16/2025 3:04 pm

Violation Code:	Sec. 26-914.(6)	**Violation Status:**	In Violation	**Citation Issue Date:**	06/16/2025
Code Description:	Accessory Improvements			**Compliance Date:**	06/24/2025
				Resolved Date:	
Corrective Action:	Replace planks in fencing that are missing, erect any/all leaning areas of fence to standing/good repair condition, ensure no nails/screws are projecting into neighboring yards which can cause injury or damage.				

Violation Code:	Sec. 26-914.(9)	**Violation Status:**	In Violation	**Citation Issue Date:**	06/16/2025
Code Description:	Trash & Debris			**Compliance Date:**	08/14/2025
				Resolved Date:	
Corrective Action:	Remove old fencing laying in yard from property and discard of it at the curb for pick-up.				

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

AltKey: 3676475 **Parcel ID: 633601009620**
OMALLEY JAMIE LEE **2617 NORDMAN AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3676475
Parcel ID:	633601009620
Township-Range-Section:	16 - 33 - 36
Subdivision-Block-Lot:	01 - 00 - 9620
Owner(s):	OMALLEY JAMIE LEE - FS - Fee Simple - 100%
Mailing Address On File:	2617 NORDMAN AVE NEW SMYRNA BEACH FL 32168
Physical Address:	2617 NORDMAN AVE, NEW SMYRNA BEACH 32168
Property Use:	0100 - SINGLE FAMILY
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	4604
Subdivision Name:	TURNBULL SHORES LOTS 1-99
Homestead Property:	Yes

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$319,305	$229,648	$25,000	$204,648	1.5000	$306.97
0012	DISCRETIONARY	$319,305	$229,648	$25,000	$204,648	0.7480	$153.08
0011	REQ LOCAL EFFORT	$319,305	$229,648	$25,000	$204,648	3.0370	$621.52
0050	GENERAL FUND	$319,305	$229,648	$50,722	$178,926	3.2007	$572.69
0053	LAW ENFORCEMENT FUND	$319,305	$229,648	$50,722	$178,926	1.5994	$286.17
0055	LIBRARY	$319,305	$229,648	$50,722	$178,926	0.3891	$69.62
0520	MOSQUITO CONTROL	$319,305	$229,648	$50,722	$178,926	0.1647	$29.47
0530	PONCE INLET PORT AUTHORITY	$319,305	$229,648	$50,722	$178,926	0.0692	$12.38
0058	VOLUSIA ECHO	$319,305	$229,648	$50,722	$178,926	0.2000	$35.79
0057	VOLUSIA FOREVER	$319,305	$229,648	$50,722	$178,926	0.2000	$35.79
0065	FLORIDA INLAND NAVIGATION DISTRICT	$319,305	$229,648	$50,722	$178,926	0.0288	$5.15
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$319,305	$229,648	$50,722	$178,926	0.7506	$134.30
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$319,305	$229,648	$50,722	$178,926	0.1793	$32.08
0272	NEW SMYRNA BCH I&S 2018	$319,305	$229,648	$50,722	$178,926	0.0895	$16.01
0270	NEW SMYRNA BEACH	$319,305	$229,648	$50,722	$178,926	4.6370	$829.68
						16.7933	$3,140.70

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	1	$104.00	$104.00
			$104.00

Estimated Ad Valorem Tax:	$3,140.70
Estimated Non-Ad Valorem Tax:	$104.00
Estimated Taxes:	**$3,244.70**
Estimated Tax Amount without SOH:	$5,466.18

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$62,700	$259,135	$321,835	$223,176	$50,000	$173,176	$98,659
2023	$58,781	$250,714	$309,495	$216,676	$50,000	$166,676	$92,819
2022	$40,969	$244,575	$285,544	$210,365	$50,000	$160,365	$75,179
2021	$32,775	$171,463	$204,238	$204,238	$50,000	$154,238	$0
2020	$25,650	$148,114	$173,764	$173,764	$0	$173,764	$0
2019	$32,063	$142,532	$174,595	$174,595	$0	$174,595	$0
2018	$26,719	$142,950	$169,669	$169,669	$50,000	$119,669	$0
2017	$19,950	$106,636	$126,516	$109,244	$50,000	$59,244	$17,272
2016	$18,460	$88,537	$106,997	$106,997	$50,000	$56,997	$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 962 & S 1/2 OF LOT 963 TURNBULL SHORES MB 10 PGS 199-200 INC PER OR 4694 PG 1136 PER OR 5924 PGS 1462-1463 INC PER OR 7091 PG 2976 PER OR 7345 PG 1964 PER OR 7634 PGS 2808-2811 INC

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

Case Number: CE-0355-2025

Violation Notice

Case Type: Code Enforcement
Date Case Established: 06/16/2025
Compliance Deadline: 08/13/2025

Owner: Jamie Lee Omalley

Mailing Address

Jamie Lee Omalley
2617 NORDMAN AV
NEW SMYRNA BEACH, FL 32168

Notice of Violation for the following location:

Address	Parcel
2617 NORDMAN AV NEW SMYRNA BEACH, FL 32168	**633601009620**

Violation: IPMC 303.1 - Swimming pools.
Swimming pools shall be main-tained in a clean and sanitary condition, and in good repair.

Corrective Action: Clean/Shock pool water to make sanitary/clear water.

Compliance Date: 08/13/2025

Violation: Sec. 26-914.(6) - Accessory Improvements
All accessory improvements located on a property, including but not limited to walkways, driveways, parking areas, storm drains, parking bumpers, steps, handrails, guardrails, signs, lighting fixtures, poles, fences, walls, tanks, antennae and all other freestanding or made structures shall be in good repair.

Corrective Action: Replace planks in fencing that are missing, erect any/all leaning areas of fence to standing/good repair condition, ensure no nails/screws are projecting into neighboring yards which can cause injury or damage.

Compliance Date: 08/13/2025

Violation: Sec. 26-914.(9) - Trash & Debris
The property shall be kept free of trash and debris. Trash and debris shall be removed from the property within seven days of placement on the property.

Corrective Action: Remove old fencing laying in yard from property and discard of it at the curb for pick-up.

Compliance Date: 08/13/2025

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

Violation Notice

Case Number: **CE-0355-2025**
Case Type: **Code Enforcement**
Date Case Established: **06/16/2025**
Compliance Deadline: **08/13/2025**

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 8321 6859 33
(✓) Post
( ) Hand Delivery

Sincerely,

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

Contact:
Amber Bage
Code Compliance Officer
Phone: (386) 410-2875
Email: abage@cityofnsb.com

7/2/25

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

Jamie Lee O'Malley
2617 NORDMAN AV
NEW SMYRNA BEACH, FL
32168

CASE NO. CE-0355-2025
2617 NORDMAN AV
NEW SMYRNA BEACH, FL
32168

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **August 21, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

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 Code Compliance Board 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 8321 6859 33

(✓) Post

( ) Hand Delivery

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor
Phone: (386) 410-2871
Email: bbobelak@cityofnsb.com
7/02/2025

Network:Jul 2, 2025 at 2:16:29 PM EDT
Local:Jul 2, 2025 at 2:16:29 PM EDT
N 29° 3' 42.286", W 80° 57' 30.147"
2617 Nordman Ave
New Smyrna Beach FL 32168
United States

Network:Jul 2, 2025 at 2:16:17 PM EDT
Local:Jul 2, 2025 at 2:16:17 PM EDT
N 29° 3' 42.286", W 80° 57' 30.147"
2617 Nordman Ave
New Smyrna Beach FL 32168
United States

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

Violation Notice

Case Number: CE-0355-2025
Case Type: Code Enforcement
Date Case Established: 06/16/2025
Compliance Deadline: 08/13/2025

Owner: Jamie Lee Omalley

Mailing Address

Jamie Lee Omalley
2617 NORDMAN AV
NEW SMYRNA BEACH, FL 32168

Notice of Violation for the following location:

Address	Parcel
2617 NORDMAN AV NEW SMYRNA BEACH, FL 32168	633601009620

Violation: IPMC 303.1 - Swimming pools.
Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.
Corrective Action: Clean/Shock pool water to make sanitary/clear water.
Compliance Date: 08/13/2025

Violation: Sec. 26-914 (6) - Accessory Improvements
All accessory improvements located on a property, including but not limited to walkways, driveways, parking areas, storm drains, parking bumpers, steps, handrails, guardrails, signs, lighting fixtures, poles, fences, walls, tanks, antennae and all other freestanding or made structures shall be in good repair.
Corrective Action: Replace planks in fencing that are missing, erect any/all leaning areas of fence to standing/good repair condition, ensure no nails/screws are projecting into neighboring yards which can cause injury or damage.
Compliance Date: 08/13/2025

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Corrective Action: Remove old fencing laying in yard from property and discard of it at the curb for pick-up.
Compliance Date: 08/13/2025

2617

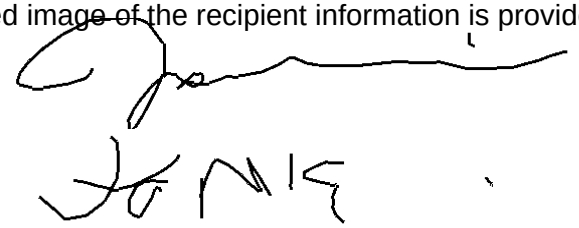
UNITED STATES POSTAL SERVICE

Date Produced: 03/03/2025

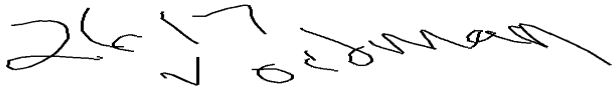
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8302 1146 98. Our records indicate that this item was delivered on 02/28/2025 at 02:16 p.m. in NEW SMYRNA BEACH, FL 32168. 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:

JAMIE LEE O'MALLEY
2617 NORDMAN AVE
NEW SMYRNA FL 32168-5605

Customer Reference Number: C5690921.34518067

2

UNITED STATES POSTAL SERVICE®

Return address:

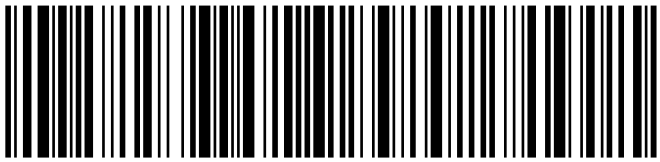
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

JAMIE LEE O'MALLEY
2617 NORDMAN AVE
NEW SMYRNA FL 32168-5605

MAILING DATE: 02/26/2025
DELIVERY DATE: 02/28/2025

USPS CERTIFIED MAIL



9214 8901 9403 8302 1146 98

USPS Tracking Label Number: 9214 8901 9403 8302 1146 98

USPS Tracking History	Location	Date / Time
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	02/25/2025 22:51
ACCEPTED AT USPS FACILITY 10	ORLANDO FL DISTRIBUTION CENTER 32862	02/25/2025 23:06
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	02/26/2025 00:06
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	02/26/2025 15:27
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	02/27/2025 00:06
DELIVERED LEFT WITH INDIVIDUAL	NEW SMYRNA BEACH,FL 32168	02/28/2025 14:16

CASE #: CC-0717-2024 2617 NORDMAN AVE



Network:Jun 16, 2025 at 2:27:28 PM EDT
Local:Jun 16, 2025 at 2:27:28 PM EDT
N 29° 3' 42.877", W 80° 57' 29.910"
2619 Nordman Ave
New Smyrna Beach FL 32168
United States

Network:Jun 16, 2025 at 1:54:50 PM EDT
Local:Jun 16, 2025 at 1:54:50 PM EDT
N 29° 3' 42.965", W 80° 57' 29.449"
2624 Westwood Ave
New Smyrna Beach FL 32168
United States

Network;Jun 16, 2025 at 1:55:35 PM EDT
Local;Jun 16, 2025 at 1:55:35 PM EDT
N 29° 3' 42.733", W 80° 57' 29.789"
2619 Nordman Ave
New Smyrna Beach FL 32168
United States

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0321-2025- 206 KIRKLAND RD.; OWNER: JON C. JOYNSON; OFFICER: JASON YATES

August 21, 2025

Background:

Violation of City Code Sec. LDR 504.01. - General Zoning Regulations (N) Short term rental; City Code Sec. LDR 504.02. - Zoning District Regulations; City Code Sec. 74-146. - Local Business Tax Imposed.

Compliance Date: August 15, 2025

Method of Service: Property posted June 24, 2025; Certified mail signed for on June 30, 2025.

Findings:
None

Fiscal Analysis:
None

Strategic Plan Item:
No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0321-2025- 206 Kirkland Rd..pdf

CE-0321-2025 – 206 KIRKLAND RD.
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**	**CODE COMPLIANCE**	**Opened Date:**	05/27/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	Jason Yates	**Description:**	Short term rental. Ad is on Airbnb website.		

Parcel: 740902080310 Main	**Address:** 206 Kirkland Rd New Smyrna Beach, FL 32169 Main	**Zone:** R-3 (SINGLE FAMILY RESIDENTIAL)

Complainant

Roger A Pantuso

215 Kirkland Rd
New Smyrna Beach, FL 32169

Business: (386) 214-3940

Mobile: (386) 214-3940

Owner

Jon Joynson

206 Kirkland Rd
New Smyrna Beach, FL 32169

Note	Created By	Date and Time Created
1. Short-term rental being offered in a zoning district that short-term rentals are not permitted. No business license tax receipt on file for a rental property at this location.	Barbara Bobelak	5/27/2025 9:51 am
2. Assigned to: Jason Yates	Barbara Bobelak	5/27/2025 9:52 am

Activity Type	Activity Number	Activity Name	User	Created On
Email	ACT-003841-2025	Online Complaint	Barbara Bobelak	05/27/2025

From: noreply@civicplus.com
To: Code Enforcement
Subject: Online Form Submittal: Contact Code Compliance
Date: Friday, May 23, 2025 4:25:52 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	Tony
Last Name	Pantuso
Street Address	215 Kirkland rd
City	New Smyrna beach
State	Fl
Zip Code	32169
Phone Number	3862143940
Reply E-mail	tpantuso@yahoo.com

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

Street Address	206 Kirkland rd
Incident Description	Short term rental Ad is on Airbnb website
Name of Property Owner or Tenant (if known)	Jon?
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: 3787196 **Parcel ID: 740902080310**
JOYNSON JON C **206 KIRKLAND RD, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3787196
Parcel ID:	740902080310
Township-Range-Section:	17 - 34 - 09
Subdivision-Block-Lot:	02 - 08 - 0310
Owner(s):	JOYNSON JON C - FS - Fee Simple - 100%
Mailing Address On File:	174 HIBISCUS RD EDGEWATER FL 32141
Physical Address:	206 KIRKLAND RD, NEW SMYRNA BEACH 32169
Property Use:	0100 - SINGLE FAMILY
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	4812
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	$619,428	$474,688	$0	$619,428	1.5000	$929.14
0012	DISCRETIONARY	$619,428	$474,688	$0	$619,428	0.7480	$463.33
0011	REQ LOCAL EFFORT	$619,428	$474,688	$0	$619,428	3.0370	$1,881.20
0050	GENERAL FUND	$619,428	$474,688	$144,740	$474,688	3.2007	$1,519.33
0053	LAW ENFORCEMENT FUND	$619,428	$474,688	$144,740	$474,688	1.5994	$759.22
0055	LIBRARY	$619,428	$474,688	$144,740	$474,688	0.3891	$184.70
0520	MOSQUITO CONTROL	$619,428	$474,688	$144,740	$474,688	0.1647	$78.18
0530	PONCE INLET PORT AUTHORITY	$619,428	$474,688	$144,740	$474,688	0.0692	$32.85
0058	VOLUSIA ECHO	$619,428	$474,688	$144,740	$474,688	0.2000	$94.94
0057	VOLUSIA FOREVER	$619,428	$474,688	$144,740	$474,688	0.2000	$94.94
0065	FLORIDA INLAND NAVIGATION DISTRICT	$619,428	$474,688	$144,740	$474,688	0.0288	$13.67
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$619,428	$474,688	$144,740	$474,688	0.7506	$356.30
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$619,428	$474,688	$144,740	$474,688	0.1793	$85.11
0272	NEW SMYRNA BCH I&S 2018	$619,428	$474,688	$144,740	$474,688	0.0895	$42.48
0270	NEW SMYRNA BEACH	$619,428	$474,688	$144,740	$474,688	4.6370	$2,201.13
						16.7933	$8,736.53

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	1	$104.00	$104.00
			$104.00

Estimated Ad Valorem Tax:	$8,736.53
Estimated Non-Ad Valorem Tax:	$104.00
Estimated Taxes:	**$8,840.53**
Estimated Tax Amount without SOH:	$10,506.24

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$387,500	$235,270	$622,770	$437,791	$0	$437,791	$0
2023	$332,500	$248,303	$580,803	$397,992	$0	$397,992	$0
2022	$255,000	$214,988	$469,988	$361,811	$0	$361,811	$0
2021	$275,000	$113,664	$388,664	$328,919	$0	$328,919	$0
2020	$225,000	$125,938	$350,938	$299,017	$0	$299,017	$0
2019	$225,000	$116,826	$341,826	$271,834	$0	$271,834	$0
2018	$210,400	$93,542	$303,942	$247,122	$0	$247,122	$0
2017	$204,000	$104,012	$308,012	$222,752	$0	$222,752	$0
2016	$180,000	$91,982	$271,982	$202,502	$0	$202,502	$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.

9-17-34 LOT 31 BLK 8 BOARDWALK SUB MB 8 PG 114 PER OR 4108 PG 1700 PER OR 6958 PG 4794 PER OR 7098 PG 0537 PER OR 8374 PG 2866 PER OR 8374 PG 2871

From: Bobelak, Barbara
To: meagan hackley
Subject: RE: 206 Kirkland Road
Date: Monday, July 7, 2025 7:59:00 AM
Attachments: image001.png
image003.png
image004.png

This property owner has been put on notice regarding the short-term rentals and is scheduled for the August 21, 2025 Code Compliance Board meeting at 4:30 pm. The Code Compliance Officer will continue to monitor the property to collect information to use at the hearing. I apologize that this type of code case often takes several months to get information to prove the short-term rental activity.

Respectfully,

Barbara Bobelak
Code Compliance Supervisor
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

Phone: 386-410-2871
Email: bbobelak@cityofnsb.com

From: meagan hackley <meaganhackley01@gmail.com>
Sent: Thursday, July 3, 2025 3:24 PM
To: Bobelak, Barbara <bbobelak@cityofnsb.com>
Subject: Re: 206 Kirkland Road

CAUTION: EXTERNAL EMAIL



Dear Ms. Bobelak,

They are still doing short term rentals. This is in present renters in real time. We know this as we live directly next door. I've also noticed on county records it's not up to date. They made it a 4/3 and added a pool. Permits were not pulled. They finally caved after all of the neighbors have had enough and filed formal complaints and listed it for sale. It's been over two years since renovations over there have been done. Must be nice for them to not pay proper taxes to the city that we all pay. If it was quiet over there we would just mind our own business. But it is not. Dreading tomorrow as I'm sure more guests will come in.
Compare their listing to records.

Take a look at this home I found on Realtor.com
206 Kirkland Rd, New Smyrna Beach
$1,200,000 · 4beds · 3baths

https://apps.realtor.com/mUAZ/gmpm4lz4



Volusia County Property Appraiser's Office
vcpa.vcgov.org

Thank you for your time and attention to this matter.

Meagan McGratty Hackley

208 Kirkland Road

407-267-3830
Meaganhackley01@gmail.com
Sent from my iPhone

> On Jun 9, 2025, at 7:56 AM, Bobelak, Barbara <bbobelak@cityofnsb.com> wrote:
>
> Ms. Hackley,

You will not receive an official notice when this case is scheduled for a hearing. You can follow this on the City website and I'll add a note to the case as a reminder that you would like to receive an email if this case goes to a hearing. The citizens do not build the case, that's what we do. If you are collecting photos and or videos is entirely up to you. If you do have this information and come to the hearing as a citizen you can inform the Special Magistrate or Code Compliance Board that you have photos and/or video showing activity at this location. Videos are sometimes hard to present, normally they are on phones.

If you have any other questions please let me know. You can also call me at 386-410-2871.

Barbara Bobelak

From: meagan hackley <meaganhackley01@gmail.com>
Sent: Saturday, June 7, 2025 8:40 AM
To: Bobelak, Barbara <bbobelak@cityofnsb.com>
Subject: Re: 206 Kirkland Road

CAUTION: EXTERNAL EMAIL

Ms. Bobelak,
Thank you very much for responding. Will we be notified when there is a hearing? And to be clear we need to gather all photos and videos as evidence even though it is clear they are doing short term rentals which is illegal? So we as citizens need to build a case? I just want to be clear so we can make sure this comes to an end and we can go back to a normal life. Appreciate your time very much so, thank you.

Meagan McGratty Hackley
407-267-3830
Meaganhackley01@gmail.com
Sent from my iPhone

> On Jun 7, 2025, at 7:01 AM, Bobelak, Barbara <bbobelak@cityofnsb.com> wrote:

Ms. Hackley,

Code Compliance is working a case on this short term rental. We have to make sure we gather enough evidence to present the case at a hearing. I would suggest if they are constantly playing loud music or parking illegally to call the non-emergency phone number, 386-424-2000, and request an officer to respond to the noise complaint and request parking enforcement to address the parking problems.

If neighbors have detailed information when this case goes to a hearing you all can come forward and present your information to assist with the problem at this property.

Respectfully,

Barbara Bobelak
Code Compliance Supervisor

Get Outlook for iOS

From: meagan hackley <meaganhackley01@gmail.com>
Sent: Friday, June 6, 2025 3:49:54 PM
To: Code Enforcement <code@cityofnsb.com>
Subject: 206 Kirkland Road

CAUTION: EXTERNAL EMAIL

Why is the city not doing anything about this VRBO rental? It's been reported MANY times by all of the neighbors. It is a huge disruptence in the neighborhood, they have loud parties every week all day and thru the night. Neighbors have had drunk guests try to enter our home while my mother was resting on the couch after chemo. We have the ring footage if needed. I should have called the police. They park illegally up and down the road, the list can go on and on. The music is so loud all the time we can hear it inside our house. Every neighbor has started taking pictures and videos as proof as the owner Jon Joynson's response is "oh it is just family and close friends."
He is lying and everyone knows it. The FBI raided his house years ago when he lived there for harboring a convicted child molestor(his

daughters boyfriend from Michigan where he is from). The city is making no money on his rentals, he is charging $563 to $573/night. I've even seen it up to almost $800/ night.
Here is the AirbnB link below, please do something! If you need the VRBO listing I can send that as well or just look it up!

Keith and Meagan Hackley
208 Kirkland Road

https://www.airbnb.com/rooms/1238349821834900005?location=New%20Smyrna%20Beach&search_mode=regular_search&adults=1&check_in=2025-08-03&check_out=2025-08-08&children=0&infants=0&pets=0&source_impression_id=p3_1749164569_P3DUXW09CVCY6R8-&previous_page_section_name=1001&federated_search_id=ea8d83b3-6acf-40d0-87bb-bb909045c514
Sent from my iPad

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

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: CE-0321-2025
Case Type: Code Enforcement
Date Case Established: 05/27/2025
Compliance Deadline: 08/15/2025

Owner: JON JOYNSON

Mailing Address

JON JOYNSON
174 HIBISCUS RD
EDGEWATER, FL 32141

Notice of Violation for the following location:

Address

206 KIRKLAND RD
NEW SMYRNA BEACH, FL 32169

Parcel

740902080310

Violation: LDR 504.01. - General Zoning Regulations

N. Short term rental (less than 30 days) of a dwelling unit is permitted only in the designated areas and zoning districts indicated below:
East of the Intracoastal Waterway Zoning districts: R-3A east of Atlantic Avenue, R-4, R-5, R-6, B-4, M-U, and BBH
East of the Intracoastal Waterway and south of Third Avenue Zoning districts: R-2A
West of the Intracoastal Waterway Zoning districts: M-U, BBH

Corrective Action: In violation of the City's ordinance. Property cannot be used for short-term rental, due the property not being zoned for short-term rental. Please adjust the online listing(s) to also reflect this.
Compliance Date: 08/15/2025

Violation: LDR 504.02. (R-3) - Zoning District Regulations R-3, Single-Family and Two-Family Residential District
Intent. The R-3, Single-Family and Two-Family Residential District permits single-family and two-family residences and is intended to provide a choice in medium density residential housing.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0321-2025**
Case Type: **Code Enforcement**
Date Case Established: **05/27/2025**
Compliance Deadline: **08/15/2025**

Permitted uses:
Playfields
Playgrounds
Public parks
Recreation buildings and complexes for use by residents and guests in a residential development
Single-family and two-family dwellings
Permitted accessory uses.
Garages
Gazebos
Incidental uses
Permitted home occupations
Storage sheds
Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.
Uses customarily associated with the permitted principal uses
Special exceptions.
Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses
Schools and churches provided all structures are located at least 25 feet from all property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR
Child day care on church property, subject to the following additional conditions:
(1) The church property shall be located on and be accessible by an arterial or collector roadway.
(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.
(3) Play areas shall be located within all applicable setback dimensions.
(4) The church property shall have a vehicular drop off and pickup area with a minimum [of]

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100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Dimensional requirements.

Minimum lot size.
Single-family dwellings (outside Historic Westside Neighborhood).
Area: 5,750 square feet
Depth: 115 feet
Width: 50 feet
Single-family dwellings (within Historic Westside Neighborhood).
Area: 5,000 square feet
Depth: 100 feet
Width: 50 feet
Two-family dwellings (outside Historic Westside Neighborhood).
Area: 11,500 square feet
Depth: 115 feet
Width: 100 feet
Two-family dwellings (within Historic Westside Neighborhood).
Area: 7,500 square feet
Depth: 100 feet
Width: 75 feet
Minimum yard size (outside Historic Westside Neighborhood).
Front yard: 20 feet or as required per [sub]section 504.01N. of this LDR
Rear yard: 7.5 feet
Side yard: 7.5 feet
Minimum yard size (within Historic Westside Neighborhood).
Lots less than 50 feet in width:
Front yard: 20 feet or as required per section 504.01(N) of this LDR; if a front porch covering at least 50 percent of the front facade is provided, the front yard setback may be reduced to five feet

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Rear yard: 5 feet
Side yard: 5 feet
Lots 50 feet in width or wider:
Front yard: 20 feet or as required per Section 504.01 N. of this LDR; if a front porch covering at least 50 percent of the front facade is provided, the front yard setback may be reduced to five feet.
Rear yard: 7.5 feet
Side yard: 7.5 feet
Corner lots.
(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street or as required per [sub]section 504.01 N. of this LDR. For properties within the Historic Westside Neighborhood, the front yard setback may be reduced to five feet along one street frontage if a front porch covering at least 50 percent of the front facade is provided.
(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining street or as required per [sub]section 504.01 N. of this LDR. For properties within the Historic Westside Neighborhood, the front yard setback may be reduced to five feet along one street frontage if a front porch covering at least 50 percent of the front facade is provided.
Minimum floor area. 650 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.
Maximum principal building height.
Three stories.
Maximum height: 35 feet.
Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.
Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

City of New Smyrna Beach
Code Compliance

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Compliance Deadline: **08/15/2025**

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street, or as required per [sub]section 504.01 N. of this LDR. For properties within the Historic Westside Neighborhood, the front yard setback may be reduced to five feet along one street frontage if a front porch covering at least 50 percent of the front facade is provided.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line, along the side lot line, and 30 feet from the intersection of the side and rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Off-street parking shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Compliance Date: 08/15/2025

Violation: Sec. 74-146. - Local Business Tax Imposed

There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.

Corrective Action: Obtain a Business Tax Receipt from the City to continue with the rental of this property.

Compliance Date: 08/15/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

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Violation Notice

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Date Case Established: **05/27/2025**
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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 8320 2233 65
(✓) Post
( ) Hand Delivery

Sincerely,

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

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

6/23/25

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

JON JOYNSON
174 HIBISCUS RD
EDGEWATER, FL 32141

CASE NO. CE-0321-2025
206 KIRKLAND RD
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **August 21, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

JON JOYNSON
174 HIBISCUS RD
EDGEWATER, FL 32141

CASE NO. CE-0321-2025
206 KIRKLAND RD
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 Code Compliance Board 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.

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

JON JOYNSON
174 HIBISCUS RD
EDGEWATER, FL 32141

CASE NO. CE-0321-2025
206 KIRKLAND RD
NEW SMYRNA BEACH, FL 32169

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(✓) Post

( ) Hand Delivery

Sincerely,

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

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

6/23/25

Network:Jun 24, 2025 at 1:20:12 PM EDT
Local:Jun 24, 2025 at 1:20:12 PM EDT
N 29° 2' 39.821", W 80° 54' 8.552"
206 Kirkland Rd
New Smyrna Beach FL 32169
United States

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: CE-0321-2025

Case Type: Code Enforcement

Date Case Established: 05/27/2025

Compliance Deadline: 08/15/2025

Owner: JON JOYNSON

Mailing Address

JON JOYNSON
174 HIBISCUS RD
EDGEWATER, FL 32141

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Parcel

740902080310

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Intent. The R-3, Single-Family and Two-Family Residential District permits single-family and two-family residences and is intended to provide a choice in medium density residential housing.

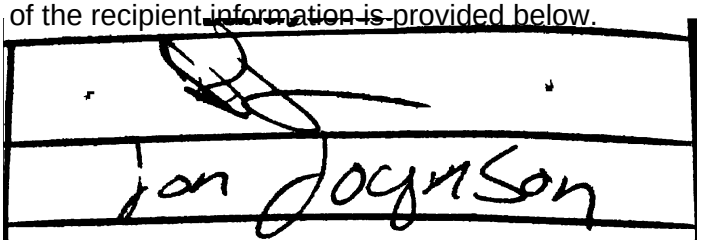
UNITED STATES POSTAL SERVICE

Date Produced: 07/01/2025

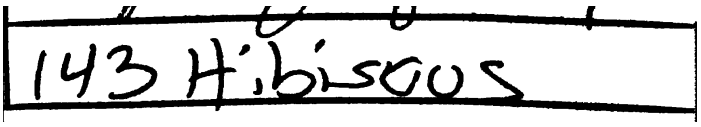
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8320 2233 65. Our records indicate that this item was delivered on 06/30/2025 at 11:26 a.m. in EDGEWATER, FL 32141. 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:

JON C JOYNSON
174 HIBISCUS RD
EDGEWATER FL 32141

Customer Reference Number: C5992080.36407483

Return Reference Number 206 Kirkland Dr

2

UNITED STATES POSTAL SERVICE®

Return address:

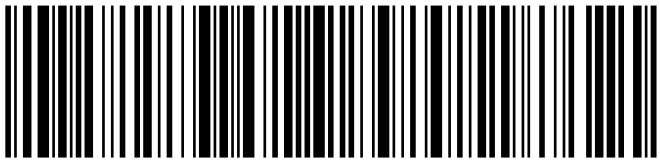
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

JON C JOYNSON
174 HIBISCUS RD
EDGEWATER FL 32141

MAILING DATE: 06/23/2025
DELIVERY DATE: 06/30/2025

USPS CERTIFIED MAIL



9214 8901 9403 8320 2233 65

USPS Tracking Label Number: 9214 8901 9403 8320 2233 65

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	06/23/2025 10:19
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	06/24/2025 18:25
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	06/24/2025 19:40
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	06/24/2025 20:56
NO AUTHORIZED RECIPIENT AVAILABLE	EDGEWATER,FL 32141	06/25/2025 10:55
REMINDER TO SCHEDULE REDELIVERY	EDGEWATER,FL 32141	06/30/2025 03:03
NO AUTHORIZED RECIPIENT AVAILABLE	EDGEWATER,FL 32141	06/30/2025 11:25
DELIVERED LEFT WITH INDIVIDUAL	EDGEWATER,FL 32141	06/30/2025 11:26

CASE #: CE-0321-2025

Network:Jun 24, 2025 at 1:20:20 PM EDT
Local:Jun 24, 2025 at 1:20:20 PM EDT
N 29° 2' 39.821", W 80° 54' 8.552"
206 Kirkland Rd
New Smyrna Beach FL 32169
United States

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0262-2025- 406 S. PINE ST.; OWNER: GARY TUTHILL AND/OR ENTITY; OFFICER: JOHN PARKS

August 21, 2025

Background:

Violation of City Code Sec. 26-171. (a) - Permits Required
Compliance Date: June 30, 2025
Method of Service: Property posted May 7, 2025; Certified mail sent May 6, 2025.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0262-2025-406 S Pine St..pdf

CODE CASE DETAILED REPORT CE-0262-2025
FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	05/05/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	John Parks	**Description:**	Fence without permit		

Parcel: 740905020220 Main	**Address:** A-406 S Pine St, A New Smyrna Beach, FL 32169 B-406 S Pine St, B New Smyrna Beach, FL 32169 406 S Pine St Main New Smyrna Beach, FL 32169	**Zone:** R-2 (SINGLE FAMILY RESIDENTIAL)

Owner

Gary L Tuthill Dec Trust
Gary L Tuthill

4625 E Princess Anne Rd
Norfolk, VA 23502

Business: 757-853-7641

Mobile: 7576507610

Note	Created By	Date and Time Created
1. On 05/02/25, while working a similar case at a neighboring property I observed a newer looking fence that appeared to be recently installed on the property. A check of the permit system found no fence permit. Photos were taken and placed in the file.	John Parks	5/5/2025 8:04 am

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

AltKey: 3788311 **Parcel ID: 740905020220**
TUTHILL GARY L TR **406 S PINE ST, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3788311
Parcel ID:	740905020220
Township-Range-Section:	17 - 34 - 09
Subdivision-Block-Lot:	05 - 02 - 0220
Owner(s):	TUTHILL GARY L TR - TR - Trust - 100% GARY L TUTHILL DEC TRUST - TR - Trust - 100%
Mailing Address On File:	4625 E PRINCESS ANNE RD NORFOLK VA 23502
Physical Address:	406 S PINE ST, NEW SMYRNA BEACH 32169
Property Use:	0800 - MFR <10 UNITS
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	4828
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	$511,973	$405,522	$0	$511,973	1.5000	$767.96
0012	DISCRETIONARY	$511,973	$405,522	$0	$511,973	0.7480	$382.96
0011	REQ LOCAL EFFORT	$511,973	$405,522	$0	$511,973	3.0370	$1,554.86
0050	GENERAL FUND	$511,973	$405,522	$106,451	$405,522	3.2007	$1,297.95
0053	LAW ENFORCEMENT FUND	$511,973	$405,522	$106,451	$405,522	1.5994	$648.59
0055	LIBRARY	$511,973	$405,522	$106,451	$405,522	0.3891	$157.79
0520	MOSQUITO CONTROL	$511,973	$405,522	$106,451	$405,522	0.1647	$66.79
0530	PONCE INLET PORT AUTHORITY	$511,973	$405,522	$106,451	$405,522	0.0692	$28.06
0058	VOLUSIA ECHO	$511,973	$405,522	$106,451	$405,522	0.2000	$81.10
0057	VOLUSIA FOREVER	$511,973	$405,522	$106,451	$405,522	0.2000	$81.10
0065	FLORIDA INLAND NAVIGATION DISTRICT	$511,973	$405,522	$106,451	$405,522	0.0288	$11.68
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$511,973	$405,522	$106,451	$405,522	0.7506	$304.38
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$511,973	$405,522	$106,451	$405,522	0.1793	$72.71
0271	NEW SMYRNA BCH I&S 2005	$511,973	$405,522	$106,451	$405,522	0.0000	$0.00
0272	NEW SMYRNA BCH I&S 2018	$511,973	$405,522	$106,451	$405,522	0.0895	$36.29
0270	NEW SMYRNA BEACH	$511,973	$405,522	$106,451	$405,522	4.6370	$1,880.41
						16.7933	$7,372.65

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	1	$104.00	$104.00
			$104.00

Estimated Ad Valorem Tax:	$7,372.65
Estimated Non-Ad Valorem Tax:	$104.00
Estimated Taxes:	**$7,476.65**
Estimated Tax Amount without SOH:	$8,701.72

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$284,596	$177,022	$461,618	$368,657	$0	$368,657	$0
2023	$264,740	$194,196	$458,936	$335,143	$0	$335,143	$0
2022	$132,370	$228,338	$360,708	$304,675	$0	$304,675	$0
2021	$118,141	$200,990	$319,131	$276,977	$0	$276,977	$0
2020	$88,605	$201,800	$290,405	$251,797	$0	$251,797	$0
2019	$88,384	$155,006	$243,390	$228,906	$0	$228,906	$0
2018	$88,384	$154,554	$242,938	$208,096	$0	$208,096	$0
2017	$86,652	$122,634	$209,509	$189,178	$0	$189,178	$0
2016	$86,875	$85,105	$171,980	$171,980	$0	$171,980	$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.

9 17 34 LOT 22 BLK 2 LEWIS SUB & INC LOT G EXC PART IN ST COOPER SUB MB 4 PG 114 MB 5 PG 165 PER OR 4499 PG 0602 PER OR 6470 PG 4751 PER OR 6588 PG 1743 PER OR 6689 PG 0139 PER OR 6688 PGS 1422-1424 INC PER OR 6950 PGS 1843-1844

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0262-2025**
Case Type: **Code Enforcement**
Date Case Established: **05/05/2025**
Compliance Deadline: **06/30/2025**

Owner: GARY L TUTHILL DEC TRUST

Mailing Address

GARY L TUTHILL DEC TRUST
4625 E PRINCESS ANNE RD
NORFOLK, VA 23502

Notice of Violation for the following location:

Address	Parcel
406 S PINE ST NEW SMYRNA BEACH, FL 32169	**740905020220**

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 fact permit for fencing installed on property. Contact the building department for any questions regarding required permits at 386-410-2860
Compliance Date: 06/30/2025

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-0262-2025**

Case Type: **Code Enforcement**

Date Case Established: **05/05/2025**

Compliance Deadline: **06/30/2025**

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 8312 8354 08
(✓) Post
( ) Hand Delivery

Sincerely,

Teresa Merck

Teresa Merck, Administrative Specialist

John Parks

Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

5/06/2025

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

GARY L TUTHILL DEC TRUST
4625 E PRINCESS ANNE RD
NORFOLK, VA 23502

CASE NO. CE-0262-2025
406 S PINE ST
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **August 21, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

NOTICE TO PERSONS WITH DISABILITIES

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

GARY L TUTHILL DEC TRUST
4625 E PRINCESS ANNE RD
NORFOLK, VA 23502

CASE NO. CE-0262-2025
406 S PINE ST
NEW SMYRNA BEACH, FL 32169

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 Code Compliance Board 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 8312 8354 08

(✓) Post

( ) Hand Delivery

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/06/2025

Network:May 7, 2025 at 8:51:38 AM EDT
Local:May 7, 2025 at 8:51:38 AM EDT
N 29° 2' 10.420", W 80° 54' 3.560"
406 S Pine St
New Smyrna Beach FL 32169
United States

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

Violation Notice

Case Number: CE-0267-2025
Case Type: Code Enforcement
Date Case Established: 05/05/2025
Date Notice Sent: 05/30/2025

Owner: GARY L TUTHILL DEC TRUST

Mailing Address

GARY L TUTHILL DEC TRUST
4625 E PRINCESS ANNE RD
NORFOLK, VA 23502

Notice of Violation for the following location:

Address

406 S PINE ST
NEW SMYRNA BEACH, FL 32169

Parcel

740905020220

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 fact permit for fencing installed on property. Contact the building department for any questions regarding required permits at 386-410-2860

Compliance Date: 06/30/2025

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®

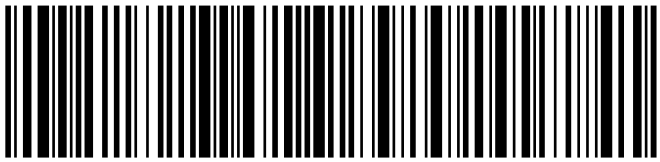
Return address:

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

Recipient address:

GARY L TUTHILL DEC TRUST
4625 E PRINCESS ANNE RD
NORFOLK VA 23502-1615

USPS CERTIFIED MAIL



9214 8901 9403 8312 8354 08

USPS Tracking Label Number: 9214 8901 9403 8312 8354 08

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	05/06/2025 11:00
USPS IN POSSESSION OF ITEM	NEW SMYRNA BEACH,FL 32168	05/06/2025 11:21
DEPART POST OFFICE	NEW SMYRNA BEACH,FL 32168	05/06/2025 18:29
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/07/2025 19:47
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/07/2025 21:39
PROCESSED THROUGH USPS FACILITY	NORFOLK VA DISTRIBUTION CENTER 23501	05/09/2025 10:26
PROCESSED THROUGH USPS FACILITY	NORFOLK VA DISTRIBUTION CENTER 23501	05/10/2025 04:00
PROCESSED THROUGH USPS FACILITY	NORFOLK VA DISTRIBUTION CENTER 23501	05/11/2025 04:03
PROCESSED THROUGH USPS FACILITY	NORFOLK VA DISTRIBUTION CENTER 23501	05/12/2025 04:47
RESCHEDULED TO NEXT DELIVERY DAY	NORFOLK,VA 23502	05/12/2025 09:40

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0308-2025- 765 E. 3RD AVE.; OWNER: MARK FREITAG AND/OR ENTITY; OFFICER: JOHN PARKS

August 21, 2025

Background:

Violation of City Code Sec. 74-146. - Local Business Tax Imposed
Compliance Date: June 30, 2025
Method of Service: Property posted 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:

CCB-0308-2025-765 E 3rd- Diamond Detailing.pdf

CE-0308-2025 765 E 3rd Diamond Detailing
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	05/21/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	John Parks	**Description:**	No BTR Diamond Detailing		

Parcel: 741605280060 Main	**Address:** 765 E 3Rd Av Main New Smyrna Beach, FL 32169	**Zone:** B-5 (PLANNED SHOPPING CENTER)

Business Owner

Diamond Detail Nsb

765 E 3Rd Av
New Smyrna Beach, FL 32169

Owner

Freitag Mark J Tr Mark J Freitag Trust
Of 1988

207 Hillcrest Dr
Durango, CO 81301

Note	Created By	Date and Time Created
1. On 05/21/25 I observed a business named Diamond Detailing at the location due to the signage. A check of the BTR system found no BTR and no permit is in the permit system for the signage. A check on the internet returns a business by the name of Diamond Detailing NSB for the address.	John Parks	5/21/2025 12:18 pm

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

AltKey: 3798317 **Parcel ID: 741605280060**
FREITAG MARK J TR **765 E 3RD AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3798317
Parcel ID:	741605280060
Township-Range-Section:	17 - 34 - 16
Subdivision-Block-Lot:	05 - 28 - 0060
Owner(s):	FREITAG MARK J TR - TR - Trust - 100% MARK J FREITAG TRUST OF 1988 - TR - Trust - 100%
Mailing Address On File:	207 HILLCREST DR DURANGO CO 81301
Physical Address:	765 E 3RD AVE, NEW SMYRNA BEACH 32169
Property Use:	2600 - SERV STATIONS
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	7460
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	$1,255,592	$1,255,592	$0	$1,255,592	1.5000	$1,883.39
0012	DISCRETIONARY	$1,255,592	$1,255,592	$0	$1,255,592	0.7480	$939.18
0011	REQ LOCAL EFFORT	$1,255,592	$1,255,592	$0	$1,255,592	3.0370	$3,813.23
0050	GENERAL FUND	$1,255,592	$1,255,592	$0	$1,255,592	3.2007	$4,018.77
0053	LAW ENFORCEMENT FUND	$1,255,592	$1,255,592	$0	$1,255,592	1.5994	$2,008.19
0055	LIBRARY	$1,255,592	$1,255,592	$0	$1,255,592	0.3891	$488.55
0520	MOSQUITO CONTROL	$1,255,592	$1,255,592	$0	$1,255,592	0.1647	$206.80
0530	PONCE INLET PORT AUTHORITY	$1,255,592	$1,255,592	$0	$1,255,592	0.0692	$86.89
0058	VOLUSIA ECHO	$1,255,592	$1,255,592	$0	$1,255,592	0.2000	$251.12
0057	VOLUSIA FOREVER	$1,255,592	$1,255,592	$0	$1,255,592	0.2000	$251.12
0065	FLORIDA INLAND NAVIGATION DISTRICT	$1,255,592	$1,255,592	$0	$1,255,592	0.0288	$36.16
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$1,255,592	$1,255,592	$0	$1,255,592	0.7506	$942.45
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$1,255,592	$1,255,592	$0	$1,255,592	0.1793	$225.13
0272	NEW SMYRNA BCH I&S 2018	$1,255,592	$1,255,592	$0	$1,255,592	0.0895	$112.38
0270	NEW SMYRNA BEACH	$1,255,592	$1,255,592	$0	$1,255,592	4.6370	$5,822.18
						16.7933	$21,085.53

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	7	$104.00	$728.00
			$728.00

Estimated Ad Valorem Tax:	$21,085.53
Estimated Non-Ad Valorem Tax:	$728.00
Estimated Taxes:	**$21,813.53**
Estimated Tax Amount without SOH:	$21,813.53

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$915,705	$333,377	$1,249,082	$1,248,759	$0	$1,248,759	$0
2023	$824,135	$311,100	$1,135,235	$1,135,235	$0	$1,135,235	$0
2022	$686,779	$60,790	$747,569	$704,966	$0	$704,966	$0
2021	$583,762	$57,116	$640,878	$640,878	$0	$640,878	$0
2020	$583,762	$55,771	$639,533	$639,533	$0	$639,533	$0
2019	$560,869	$54,517	$615,386	$615,386	$0	$615,386	$0
2018	$549,423	$55,275	$604,698	$604,698	$0	$604,698	$0
2017	$549,423	$18,209	$567,632	$567,632	$0	$567,632	$0
2016	$457,853	$16,580	$474,433	$474,433	$0	$474,433	$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 LOTS 6 TO 8 BLK 28 DETWILERS 1ST ADD NEW SMYRNA BEACH MB 7 PG 85 & INC ADJ 45 FT STRIP MEAS ON W/L OF GOV LOT 5 PER OR 4431 PGS 4691-4726 INC PER OR 7344 PG 4087 PER OR 7592 PG 0069 PER OR 8342 PG 0857 PER OR 8343 PG 0523

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0308-2025**

Case Type: **Code Enforcement**

Date Case Established: **05/21/2025**

Compliance Deadline: **06/30/2025**

Owner: FREITAG MARK J TR MARK J FREITAG TRUST OF 1988

Mailing Address

FREITAG MARK J TR MARK J FREITAG TRUST OF 1988
207 HILLCREST DR
DURANGO, CO 81301

DIAMOND DETAILING NSB
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address	Parcel
765 E 3RD AV NEW SMYRNA BEACH, FL 32169	**741605280060**

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 permit for signage for Diamond Detailing business.

Contact the Building Department for all questions regarding permits at 386-410-2860

Compliance Date: 06/30/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0308-2025**
Case Type: **Code Enforcement**
Date Case Established: **05/21/2025**
Compliance Deadline: **06/30/2025**

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain BTR for Detailing Business.
Contact the BTR specialist at 386-410-2865 for all questions regarding a BTR.
Compliance Date: 06/30/2025

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

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(✓) Certified Mail, Return Receipt Requested Receipt Number: SEE BELOW
(✓) Post
( ) Hand Delivery

DIAMOND DETAILING NSB-9214 8901 9403 8316 3002 47
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169

FREITAG MARK J TR MARK J FREITAG TRUST OF 1988- 9214 8901 9403 8316 3001 48
207 HILLCREST DR
DURANGO, CO 81301

Sincerely,

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

5/29/25

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

FREITAG MARK J TR
MARK J FREITAG TRUST
OF 1988
207 HILLCREST DR
DURANGO, CO 81301

CASE NO. CE-0308-2025
765 E 3RD AV
NEW SMYRNA BEACH, FL
32169

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CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

FREITAG MARK J TR
MARK J FREITAG TRUST
OF 1988
207 HILLCREST DR
DURANGO, CO 81301

CASE NO. CE-0308-2025
765 E 3RD AV
NEW SMYRNA BEACH, FL
32169

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(✓) Certified Mail, Return Receipt Requested Receipt Number: 9214 8901 9403 8316 3001 48

(✓) Post

( ) Hand Delivery

CC: Diamond Detailing NSB
765 E 3rd Ave
NSB Receipt: 9214 8901 9403 8316 3002 47

Teresa Merck

Teresa Merck, Administrative Specialist II
John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/29/2025

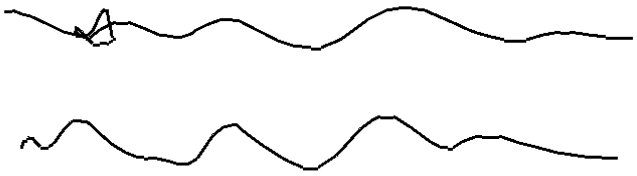
UNITED STATES POSTAL SERVICE

Date Produced: 06/03/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8316 3002 47. Our records indicate that this item was delivered on 06/02/2025 at 11:08 a.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 765 E 3RD AVE, 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:

DIAMOND DETAILING NSB
765 E 3RD AVE
NEW SMYRNA FL 32169-3101

Customer Reference Number: C5933371.35982456

2

UNITED STATES POSTAL SERVICE®

Return address:

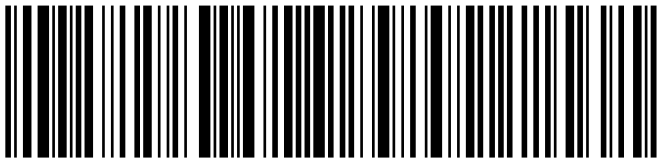
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

DIAMOND DETAILING NSB
765 E 3RD AVE
NEW SMYRNA FL 32169-3101

MAILING DATE: 05/29/2025
DELIVERY DATE: 06/02/2025

USPS CERTIFIED MAIL



9214 8901 9403 8316 3002 47

USPS Tracking Label Number: 9214 8901 9403 8316 3002 47

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 22:41
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/31/2025 09:27
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	06/01/2025 02:48
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	06/02/2025 11:08

CASE #: 765 E 3RD AVE 0308-2025 JP

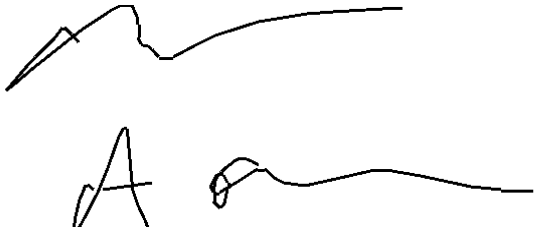
UNITED STATES POSTAL SERVICE

Date Produced: 06/03/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8316 3001 48. Our records indicate that this item was delivered on 06/02/2025 at 01:46 p.m. in DURANGO, CO 81301. The scanned image of the recipient information is provided below.

Signature of Recipient :
(Authorized Agent)



Address of Recipient : 207 HILLCREST DR,
DURANGO, CO 81301

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:

FREITAG MARK J TR MARK J FREITAG TRUST OF 1988
207 HILLCREST DR
DURANGO CO 81301-6516

Customer Reference Number: C5933371.35982455

2

UNITED STATES POSTAL SERVICE®

Return address:

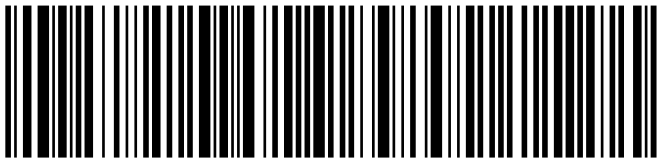
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

FREITAG MARK J TR MARK J FREITAG TRUST OF 1988
207 HILLCREST DR
DURANGO CO 81301-6516

MAILING DATE: 05/29/2025
DELIVERY DATE: 06/03/2025

USPS CERTIFIED MAIL



9214 8901 9403 8316 3001 48

USPS Tracking Label Number: 9214 8901 9403 8316 3001 48

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 21:38
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/31/2025 09:27
PROCESSED THROUGH USPS FACILITY	ALBUQUERQUE,NM 87101	06/01/2025 13:12
DEPARTED USPS REGIONAL FACILITY	ALBUQUERQUE,NM 87101	06/01/2025 22:03
DELIVERED TO AGENT FRONT DESK/MAIL ROOM	DURANGO,CO 81301	06/02/2025 13:46
DELIVERED (SYSTEM ADDED)		06/03/2025 07:43

CASE #: 765 E 3RD AVE 0308-2025 JP

Network:May 30, 2025 at 9:48:46 AM EDT
Local:May 30, 2025 at 9:48:46 AM EDT
N 29° 1' 42.064", W 80° 53' 37.148"
765 E Third Ave
New Smyrna Beach FL 32169
United States

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

Violation Notice

Case Number: CE-0308-2025
Case Type: Code Enforcement
Date Case Established: 05/21/2025
Compliance Deadline: 06/30/2025

Owner: FREITAG MARK J TR MARK J FREITAG TRUST OF 1988

Mailing Address

FREITAG MARK J TR MARK J FREITAG TRUST OF 1988
207 HILLCREST DR
DURANGO, CO 81301

DIAMOND DETAILING NSB
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address	Parcel
765 E 3RD AV NEW SMYRNA BEACH, FL 32169	741605280060

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 permit for signage for Diamond Detailing business.
Contact the Building Department for all questions regarding permits at 386-410-2860
Compliance Date: 06/30/2025

Network:May 30, 2025 at 9:49:12 AM EDT
Local:May 30, 2025 at 9:49:12 AM EDT
N 29° 1' 42.064", W 80° 53' 37.148"
765 E Third Ave
New Smyrna Beach FL 32169
United States



Network:May 21, 2025 at 9:42:28 AM EDT
Local:May 21, 2025 at 9:42:28 AM EDT
N 29° 1' 40.868", W 80° 53' 36.602"
769 E Third Ave
New Smyrna Beach FL 32169
United States

Network:May 30, 2025 at 9:50:39 AM EDT
Local:May 30, 2025 at 9:50:39 AM EDT
N 29° 1' 41.853", W 80° 53' 36.402"
765 E Third Ave
New Smyrna Beach FL 32169
United States

Network:May 30, 2025 at 9:50:44 AM EDT
Local:May 30, 2025 at 9:50:44 AM EDT
N 29° 1' 41.853", W 80° 53' 36.402"
765 E Third Ave
New Smyrna Beach FL 32169
United States



Network:May 30, 2025 at 9:50:57 AM EDT
Local:May 30, 2025 at 9:50:57 AM EDT
N 29° 1' 42.167", W 80° 53' 36.506"
765 E Third Ave
New Smyrna Beach FL 32169
United States

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0373-2025- 765 E. 3RD AVE.; OWNER: MARK FREITAG AND/OR ENTITY; OFFICER: JOHN PARKS

August 21, 2025

Background:

Violation of City Code Sec. 74-146. - Local Business Tax Imposed
Compliance Date: August 18, 2025
Method of Service: Property posted July 29, 2025; Certified mail signed for on July 31, 2025

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0373-2025- 765 E 3rd- Drake's Surf.pdf

CE-0373-2025 765 E 3rd Ave Drake's Surf & Rental
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	06/27/2025
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	John Parks	**Description:**	Surf Shop Rentals without a BTR		

Parcel: 741605280060 Main	**Address:** 765 E 3Rd Av Main New Smyrna Beach, FL 32169	**Zone:** B-5 (PLANNED SHOPPING CENTER)

Owner

Freitag Mark J Tr Mark J Freitag Trust Of 1988

207 Hillcrest Dr
Durango, CO 81301

Business Owner

Drake Hickman

765 E 3Rd Av
New Smyrna Beach, FL 32169

Mobile: 8084658553

Note	Created By	Date and Time Created
1. While conducting an inspection for another violation, I observed bicycles and other equipment located at this location indicating a rental shop. A check of the internet found a beach rental business and surfing school located at this location. A check of the BTR system found no BTR.	John Parks	6/27/2025 2:49 pm

Violation Code: Sec. 74-146.

Violation Status: In Violation

Citation Issue Date: 06/27/2025

Compliance Date: 07/21/2025

Resolved Date:

Code Description: Local Business Tax Imposed

Corrective Action: Obtain BTR for Rental Equipment and Surfing School Businesses. Contact the BTR specialist at 386-410-2865 for all questions regarding a BTR.

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

AltKey: 3798317 **Parcel ID: 741605280060**
FREITAG MARK J TR **765 E 3RD AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3798317
Parcel ID:	741605280060
Township-Range-Section:	17 - 34 - 16
Subdivision-Block-Lot:	05 - 28 - 0060
Owner(s):	FREITAG MARK J TR - TR - Trust - 100% MARK J FREITAG TRUST OF 1988 - TR - Trust - 100%
Mailing Address On File:	207 HILLCREST DR DURANGO CO 81301
Physical Address:	765 E 3RD AVE, NEW SMYRNA BEACH 32169
Property Use:	2600 - SERV STATIONS
Tax District:	601-NEW SMYRNA BEACH
2024 Final Millage Rate:	16.7933
Neighborhood:	7460
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	$1,255,592	$1,255,592	$0	$1,255,592	1.5000	$1,883.39
0012	DISCRETIONARY	$1,255,592	$1,255,592	$0	$1,255,592	0.7480	$939.18
0011	REQ LOCAL EFFORT	$1,255,592	$1,255,592	$0	$1,255,592	3.0370	$3,813.23
0050	GENERAL FUND	$1,255,592	$1,255,592	$0	$1,255,592	3.2007	$4,018.77
0053	LAW ENFORCEMENT FUND	$1,255,592	$1,255,592	$0	$1,255,592	1.5994	$2,008.19
0055	LIBRARY	$1,255,592	$1,255,592	$0	$1,255,592	0.3891	$488.55
0520	MOSQUITO CONTROL	$1,255,592	$1,255,592	$0	$1,255,592	0.1647	$206.80
0530	PONCE INLET PORT AUTHORITY	$1,255,592	$1,255,592	$0	$1,255,592	0.0692	$86.89
0058	VOLUSIA ECHO	$1,255,592	$1,255,592	$0	$1,255,592	0.2000	$251.12
0057	VOLUSIA FOREVER	$1,255,592	$1,255,592	$0	$1,255,592	0.2000	$251.12
0065	FLORIDA INLAND NAVIGATION DISTRICT	$1,255,592	$1,255,592	$0	$1,255,592	0.0288	$36.16
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$1,255,592	$1,255,592	$0	$1,255,592	0.7506	$942.45
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$1,255,592	$1,255,592	$0	$1,255,592	0.1793	$225.13
0272	NEW SMYRNA BCH I&S 2018	$1,255,592	$1,255,592	$0	$1,255,592	0.0895	$112.38
0270	NEW SMYRNA BEACH	$1,255,592	$1,255,592	$0	$1,255,592	4.6370	$5,822.18
						16.7933	$21,085.53

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	7	$104.00	$728.00
			$728.00

Estimated Ad Valorem Tax:	$21,085.53
Estimated Non-Ad Valorem Tax:	$728.00
Estimated Taxes:	**$21,813.53**
Estimated Tax Amount without SOH:	$21,813.53

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2024	$915,705	$333,377	$1,249,082	$1,248,759	$0	$1,248,759	$0
2023	$824,135	$311,100	$1,135,235	$1,135,235	$0	$1,135,235	$0
2022	$686,779	$60,790	$747,569	$704,966	$0	$704,966	$0
2021	$583,762	$57,116	$640,878	$640,878	$0	$640,878	$0
2020	$583,762	$55,771	$639,533	$639,533	$0	$639,533	$0
2019	$560,869	$54,517	$615,386	$615,386	$0	$615,386	$0
2018	$549,423	$55,275	$604,698	$604,698	$0	$604,698	$0
2017	$549,423	$18,209	$567,632	$567,632	$0	$567,632	$0
2016	$457,853	$16,580	$474,433	$474,433	$0	$474,433	$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 LOTS 6 TO 8 BLK 28 DETWILERS 1ST ADD NEW SMYRNA BEACH MB 7 PG 85 & INC ADJ 45 FT STRIP MEAS ON W/L OF GOV LOT 5 PER OR 4431 PGS 4691-4726 INC PER OR 7344 PG 4087 PER OR 7592 PG 0069 PER OR 8342 PG 0857 PER OR 8343 PG 0523

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0373-2025**
Case Type: **Code Enforcement**
Date Case Established: **06/27/2025**
Compliance Deadline: **08/18/2025**

Owner: FREITAG MARK J TR MARK J FREITAG TRUST OF 1988

Mailing Address

MARK J FREITAG TR,
MARK J FREITAG TRUST OF 1988
207 HILLCREST DR
DURANGO, CO 81301

Drake Hickman
DRAKES SURF & RENTALS
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address	**Parcel**
765 E 3RD AV NEW SMYRNA BEACH, FL 32169	**741605280060**

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain BTR for Rental Equipment and Surfing School Businesses.
Contact the BTR specialist at 386-410-2865 for all questions regarding a BTR.
Compliance Date: 08/18/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0373-2025**
Case Type: **Code Enforcement**
Date Case Established: **06/27/2025**
Compliance Deadline: **08/18/2025**

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:
Property Owner: 207 HILLCREST DR., DURANGO, CO 81301 9214 8901 9403 8325 4164 10
Business Owner: 765 E 3RD AVE., NEW SMYRNA BEACH, FL 32169
9214 8901 9403 8325 4190 77

(✓) Post

( ) Hand Delivery

Sincerely,

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

Contact:
John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

7/28/25

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

FREITAG MARK J TR
MARK J FREITAG TRUST
OF 1988
207 HILLCREST DR
DURANGO, CO 81301

CASE NO. CE-0373-2025
765 E 3RD AV
NEW SMYRNA BEACH, FL
32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **August 21, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

FREITAG MARK J TR
MARK J FREITAG TRUST
OF 1988
207 HILLCREST DR
DURANGO, CO 81301

CASE NO. CE-0373-2025
765 E 3RD 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 Code Compliance Board 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.

CODE COMPLIANCE BOARD

THE CITY OF NEW SMYRNA BEACH

FREITAG MARK J TR
MARK J FREITAG TRUST
OF 1988
207 HILLCREST DR
DURANGO, CO 81301

CASE NO. CE-0373-2025
765 E 3RD 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:
Property Owner: 207 HILLCREST DR., DURANGO, CO 81301 9214 8901 9403 8325 4164 10
Business Owner: 765 E 3RD AVE., NEW SMYRNA BEACH, FL 32169
9214 8901 9403 8325 4190 77

(✓) Post

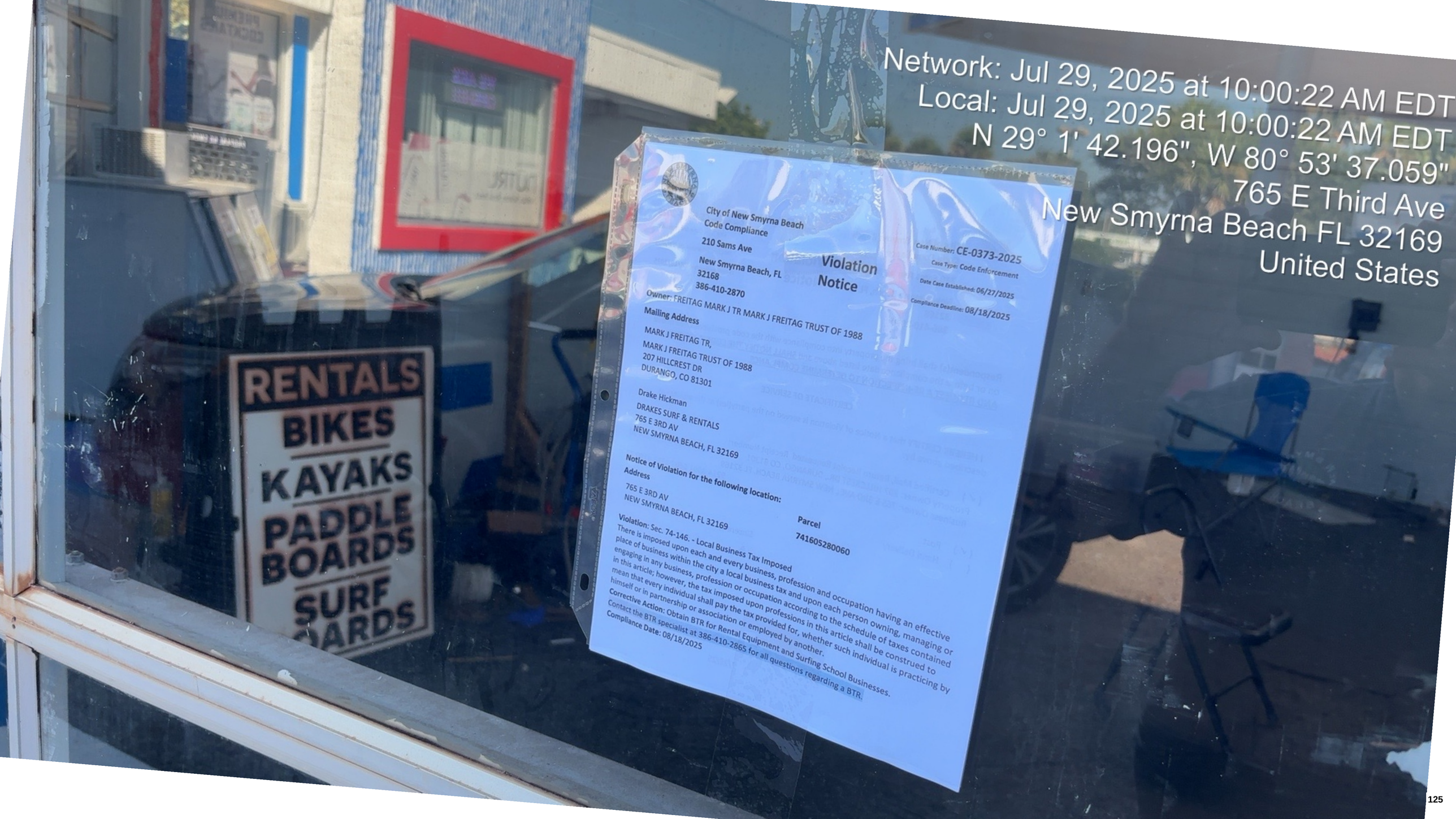
( ) Hand Delivery

Sincerely,

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

Contact:
John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
7/28/2025


Network: Jul 29, 2025 at 10:00:22 AM EDT
Local: Jul 29, 2025 at 10:00:22 AM EDT
N 29° 1' 42.196", W 80° 53' 37.059"
765 E Third Ave
New Smyrna Beach FL 32169
United States
RENTALS
BIKES
KAYAKS
PADDLE BOARDS
SURF
City of New Smyrna Beach
Code Compliance
210 Sams Ave
New Smyrna Beach, FL
32168
386-410-2870
Violation Notice
Case Number: CE-0373-2025
Case Type: Code Enforcement
Date Case Established: 06/27/2025
Compliance Deadline: 08/18/2025
Owner: FREITAG MARK J TR MARK J FREITAG TRUST OF 1988
Mailing Address
MARK J FREITAG TR,
MARK J FREITAG TRUST OF 1988
207 HILLCREST DR
DURANGO, CO 81301
Drake Hickman
DRAKES SURF & RENTALS
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169
Notice of Violation for the following location:
Address
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169
Parcel
741605280060
Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain BTR for Rental Equipment and Surfing School Businesses.
Contact the BTR specialist at 386-410-2865 for all questions regarding a BTR.
Compliance Date: 08/18/2025

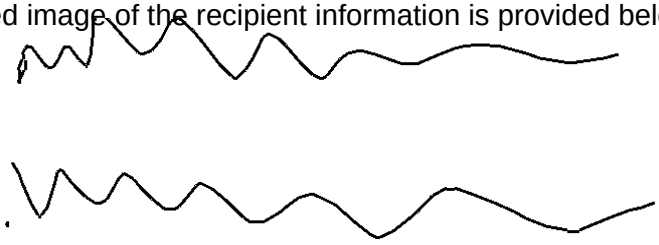
UNITED STATES POSTAL SERVICE

Date Produced: 08/01/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8325 4190 77. Our records indicate that this item was delivered on 07/31/2025 at 11:59 a.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 765 E 3RD AVE, 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:

DRAKE HICKMAN
DRAKES SURF & RENTALS
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169

Customer Reference Number: C6079740.36972026

2

UNITED STATES POSTAL SERVICE®

Return address:

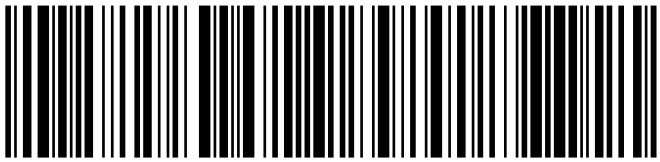
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

DRAKE HICKMAN
DRAKES SURF & RENTALS
765 E 3RD AV
NEW SMYRNA BEACH, FL 32169

MAILING DATE: 07/28/2025
DELIVERY DATE: 07/31/2025

USPS CERTIFIED MAIL



9214 8901 9403 8325 4190 77

USPS Tracking Label Number: 9214 8901 9403 8325 4190 77

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	07/28/2025 11:41
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	07/29/2025 19:04
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/29/2025 20:19
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/30/2025 19:14
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/31/2025 00:05
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	07/31/2025 11:59

CASE #: CE-0373-2025 - 765 E 3RD AVE


Network:May 30, 2025 at 9:48:54 AM EDT
Local:May 30, 2025 at 9:48:54 AM EDT
N 29° 1' 42.064", W 80° 53' 37.148"
765 E Third Ave
New Smyrna Beach FL 32169
United States

Network:May 30, 2025 at 9:48:57 AM EDT
Local:May 30, 2025 at 9:48:57 AM EDT
N 29° 1' 42.064", W 80° 53' 37.148"
765 E Third Ave
New Smyrna Beach FL 32169
United States


RENTALS
BIKES
KAYAKS
PADDLE BOARDS
SURF BOARDS
Network: Jul 29, 2025 at 10:00:26 AM EDT
Local: Jul 29, 2025 at 10:00:26 AM EDT
N 29° 1' 42.196", W 80° 53' 37.059"
765 E Third Ave
New Smyrna Beach FL 32169
United States



Drake's Surf & Rentals – *Your Surfing Adventure Starts Here in New Smyrna Beach, Rehoboth Beach & Hawaii.*

Located at 765 East 3rd Ave New Smyrna Beach, Rehoboth Beach, and in stunning North shore Oahu Hawaii, **Drake's Surf & Rentals** offers an unforgettable surfing experience for all levels. Whether you're a first-timer or a seasoned surfer, we provide top-quality surfboards, paddleboards, wetsuits, and gear rentals, along with expert lessons tailored to your skill level.

Our experienced instructors are passionate about helping you ride the waves, and our rentals ensure you have the best equipment for your beach day. From the shores of Rehoboth Beach to the breathtaking surf spots in Hawaii, Drake's is your go-to destination for surf adventures. Book your lesson or gear rental today and make the most of your time in the water!

djsurfingschool.com/contact-us-drakes-surf-rentals/

Volusia County Prop... LAURA E. ROTH | Cl... ESS Citizen Self Serve Code of Ordinances... Map for Energov FACE Inmate Inquiry - Sea... SunBiz Google LAND DEVELOPME... CODE OF ORDINAN... New Smyrna Beach,... All Bookmarks



drake hickman

Contact Us – Drake's Surfing Lessons & Rentals

808-465-8553

Drakehickmansurfingschool13@gmail.com

Ready to catch some waves? Whether you're interested in booking a surf lesson, renting gear, or simply learning more about our services, we're here to help! With locations in **New Smyrna Beach**, **Rehoboth Beach**, and **North Shore Oahu, Hawaii**, Drake's Surfing Lessons & Rentals is your go-to destination for surf and beach gear.

Get in touch with us today to book your next surf adventure!

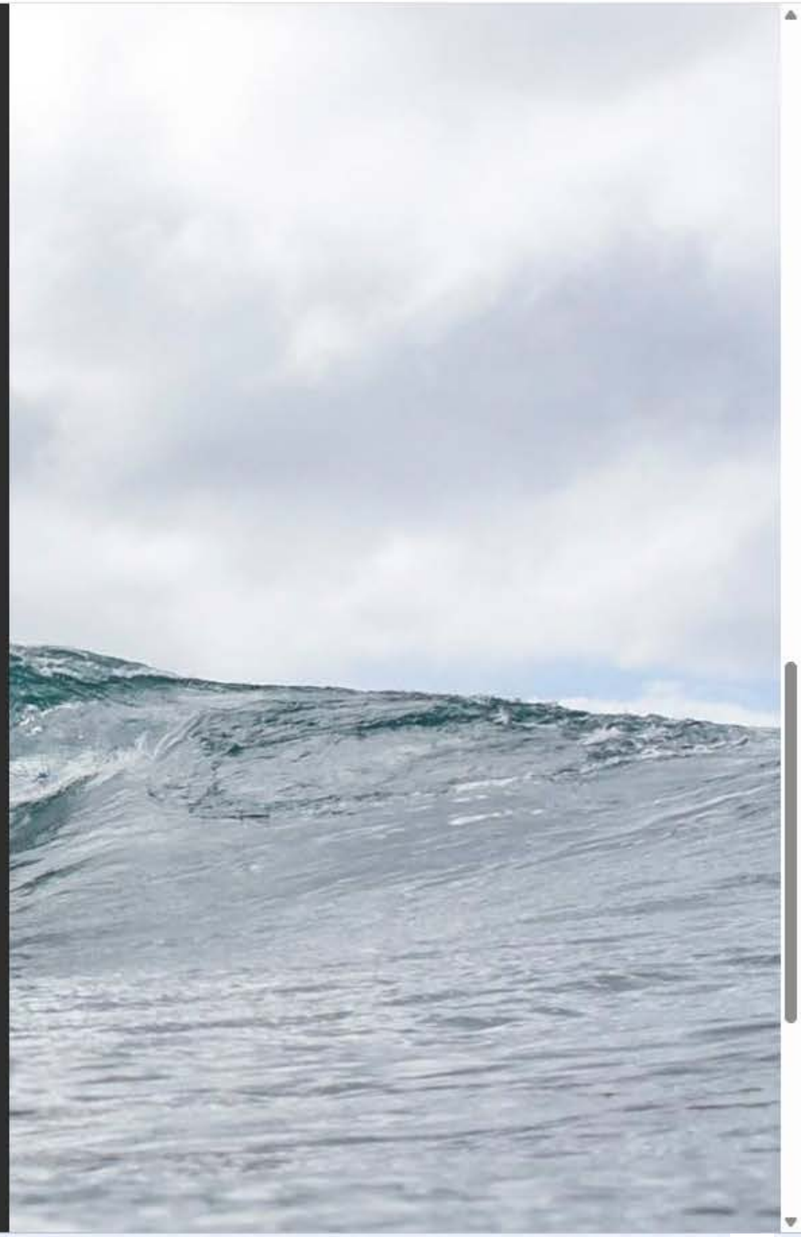
Location 1: New Smyrna Beach
765 East 3rd Ave, New Smyrna Beach, FL
Phone: 808-465-8553
Email: Drakehickmansurfingschool13@gmail.com

Location 2: Rehoboth Beach
808-465-8553

Email: Drakehickmansurfingschool13@gmail.com

Location 3: North Shore Oahu, Hawaii
Phone: 808-465-8553
Email: Drakehickmansurfingschool13@gmail.com

Feel free to contact us with any questions, to make a reservation, or to inquire about available rental gear. Our friendly staff at each location is ready to help you have the best surfing experience possible, whether you're a local or visiting the area!



Search

6/27/2025

djsurfingschool.com

Volusia County Prop... LAURA E. ROTH | Cl... ESS Citizen Self Serve Code of Ordinances... Map for Energov FACE Inmate Inquiry - Sea... SunBiz Google LAND DEVELOPME... CODE OF ORDINAN... New Smyrna Beach,... All Bookmarks

Surf Lessons, Camps, Rentals & Tours - Your Ultimate Beach Adventure

Welcome to Drake's Surf & Rentals!
At Drake's Surf & Rentals, we offer private & group surf lessons, surf camps, and e-bike & bike rentals for all ages and skill levels. With locations from Haleiwa, Hawaii to New Smyrna Beach, FL, and Rehoboth Beach, DE, we provide a fun and safe environment to learn and enjoy surfing, biking, and more.

We're open 365 days a year and cater to beginners, kids, and experienced surfers. Our expert instructors focus on surfing etiquette, ocean awareness, and essential skills to help you become a confident surfer.

Locations:
765 East 3rd Ave, New Smyrna Beach, FL,
Rehoboth Beach,
Haleiwa Hawaii,

Whether you're looking to ride the waves or explore the coast on an e-bike, Drake's Surf & Rentals is here to make your beach experience

Search

6/27/2025

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0661-2024- 690 E. 3RD AVE.; OWNER: MARK D. DAM AND/OR ENTITY; OFFICER: JOHN PARKS

August 21, 2025

Background:
Violation of City Code Sec. 26-171. (a) - Permits Required; Sec. 74-146. - Local Business Tax Imposed
Compliance Date: October 25, 2024.
Method of Service: Property posted July 29, 2025; Certified mail signed for on July 31, 2025.

Findings:
None

Fiscal Analysis:
None

Strategic Plan Item:
No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0661-2024- 690 E. 3rd Ave.pdf

CODE CASE DETAILED REPORT CE-0661-2024
FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**	**SPECIAL MAGISTRATE**	**Opened Date:**	08/30/2024
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	John Parks	**Description:**	Added outdoor seating on new paver area installed without a permit		

Parcel: 741605250010 Main	**Address:** 690 E 3Rd Av Main New Smyrna Beach, FL 32169	**Zone:** B-2 (NEIGHBORHOOD BUSINESS)

Complainant

Jesse Meyers

214 Sams Ave
New Smyrna Beach, FL 32168

Business: 3864102812

Owner

Beachside Tavern Llc
Mark Dam

690 E 3rd Ave
New Smyrna Beach, FL 32169

Business: 3864248282

Mobile: 3866897923

Note	Created By	Date and Time Created
1. Jesse Meyers, Engineering Dept., called after conducting an inspection at the property neighboring the Beachside Tavern to inform Code Compliance that pavers and additional seating have been installed at the rear of the property. No permits are on file for the permits and no new seating has been approved by the City. Pavers and seating maybe in the required buffer between commercial and residential property.	Barbara Bobelak	8/30/2024 12:19 pm
2. Assigned to: John Parks	Barbara Bobelak	8/30/2024 12:22 pm

Activity Type	Activity Number	Activity Name	User	Created On
Phone Call	PC-003363-2024	Complaint	Barbara Bobelak	08/30/2024

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

AltKey: 3798074 **Parcel ID: 741605250010**
BEACHSIDE TAVERN LLC **690 E 3RD AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3798074
Parcel ID:	741605250010
Township-Range-Section:	17 - 34 - 16
Subdivision-Block-Lot:	05 - 25 - 0010
Owner(s):	BEACHSIDE TAVERN LLC - FS - Fee Simple - 100%
Mailing Address On File:	690 E 3RD AVE NEW SMYRNA BEACH FL 32169
Physical Address:	690 E 3RD AVE, NEW SMYRNA BEACH 32169
Property Use:	3300 - NIGHT CLUBS
Tax District:	601-NEW SMYRNA BEACH
2024 Proposed Millage Rate:	17.1307
Neighborhood:	7033
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	$410,545	$410,545	$0	$410,545	1.5000	$615.82
0012	DISCRETIONARY	$410,545	$410,545	$0	$410,545	0.7480	$307.09
0011	REQ LOCAL EFFORT	$410,545	$410,545	$0	$410,545	3.0370	$1,246.83
0050	GENERAL FUND	$410,545	$410,545	$0	$410,545	3.2862	$1,349.13
0053	LAW ENFORCEMENT FUND	$410,545	$410,545	$0	$410,545	1.5994	$656.63
0055	LIBRARY	$410,545	$410,545	$0	$410,545	0.3891	$159.74
0520	MOSQUITO CONTROL	$410,545	$410,545	$0	$410,545	0.1647	$67.62
0530	PONCE INLET PORT AUTHORITY	$410,545	$410,545	$0	$410,545	0.0692	$28.41
0058	VOLUSIA ECHO	$410,545	$410,545	$0	$410,545	0.2000	$82.11
0057	VOLUSIA FOREVER	$410,545	$410,545	$0	$410,545	0.2000	$82.11
0065	FLORIDA INLAND NAVIGATION DISTRICT	$410,545	$410,545	$0	$410,545	0.0288	$11.82
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$410,545	$410,545	$0	$410,545	0.7506	$308.16
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$410,545	$410,545	$0	$410,545	0.1793	$73.61
0271	NEW SMYRNA BCH I&S 2005	$410,545	$410,545	$0	$410,545	0.0000	$0.00
0272	NEW SMYRNA BCH I&S 2018	$410,545	$410,545	$0	$410,545	0.0914	$37.52
0270	NEW SMYRNA BEACH	$410,545	$410,545	$0	$410,545	4.8870	$2,006.33
						17.1307	$7,032.92

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	11	$104.00	$1,144.00
			$1,144.00

Estimated Ad Valorem Tax:	$7,032.92
Estimated Non-Ad Valorem Tax:	$1,144.00
Estimated Taxes:	**$8,176.92**
Estimated Tax Amount without SOH:	$8,176.92

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2023	$243,750	$158,656	$402,406	$402,406	$0	$402,406	$0
2022	$243,750	$145,111	$388,861	$388,861	$0	$388,861	$0
2021	$243,750	$112,235	$355,985	$355,985	$0	$355,985	$0
2020	$248,625	$129,718	$378,343	$378,343	$0	$378,343	$0
2019	$238,875	$121,516	$360,391	$360,391	$0	$360,391	$0
2018	$234,000	$128,277	$362,277	$360,627	$0	$360,627	$0
2017	$234,000	$117,885	$351,885	$327,843	$0	$327,843	$0
2016	$195,000	$86,680	$281,680	$281,680	$0	$281,680	$0
2015	$185,250	$81,776	$267,026	$267,026	$0	$267,026	$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.

LOTS 1 & 2 & E 32.8 FT OF LOT 3 BLK 25 DETWILERS 1ST ADD NEW SMYRNA BEACH MB 7 PG 85 PER OR 5258 PGS 3728-3733 INC PER OR 6768 PG 0130



Detail by Entity Name

Florida Limited Liability Company
BEACHSIDE TAVERN, L.L.C.

Filing Information

Document Number	L05000034539
FEI/EIN Number	14-1927093
Date Filed	04/08/2005
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	04/19/2011

Principal Address

690 EAST THIRD AVENUE
NEW SMYRNA BEACH, FL 32169

Mailing Address

526 S. Peninsula Avenue
New Smyrna Beach, FL 32169

Changed: 06/29/2020

Registered Agent Name & Address

DAM, MARK D
526 S. Peninsula Avenue
New Smyrna Beach, FL 32169

Name Changed: 04/19/2011

Address Changed: 04/09/2022

Authorized Person(s) Detail

Name & Address

Title MGMB

DAM, MARK D
526 S. Peninsula Avenue
New Smyrna Beach, FL 32169

Title MB

DAM, HEATHER R
526 S. Peninsula Avenue
New Smyrna Beach, FL 32169

Annual Reports

Report Year	Filed Date
2022	04/09/2022
2023	04/18/2023
2024	04/22/2024

Document Images

04/22/2024 -- ANNUAL REPORT	View image in PDF format
04/18/2023 -- ANNUAL REPORT	View image in PDF format
04/09/2022 -- ANNUAL REPORT	View image in PDF format
04/17/2021 -- ANNUAL REPORT	View image in PDF format
06/29/2020 -- ANNUAL REPORT	View image in PDF format
04/19/2019 -- ANNUAL REPORT	View image in PDF format
03/19/2018 -- ANNUAL REPORT	View image in PDF format
03/29/2017 -- ANNUAL REPORT	View image in PDF format
03/28/2016 -- ANNUAL REPORT	View image in PDF format
02/19/2015 -- ANNUAL REPORT	View image in PDF format
01/12/2014 -- ANNUAL REPORT	View image in PDF format
04/29/2013 -- ANNUAL REPORT	View image in PDF format
03/26/2012 -- ANNUAL REPORT	View image in PDF format
04/19/2011 -- REINSTATEMENT	View image in PDF format
03/15/2009 -- ANNUAL REPORT	View image in PDF format
08/05/2008 -- ANNUAL REPORT	View image in PDF format
04/13/2007 -- ANNUAL REPORT	View image in PDF format
04/26/2006 -- ANNUAL REPORT	View image in PDF format
04/08/2005 -- Florida Limited Liabilites	View image in PDF format

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL 32169

CASE NO. CE-0661-2024
690 E 3RD 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 **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.

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.

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL
32169

CASE NO. CE-0661-2024
690 E 3RD AV
NEW SMYRNA BEACH, FL
32169

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 8312 1560 91

(✓) Post

( ) Hand Delivery

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
4/30/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0661-2024**

Case Type: **Code Enforcement**

Date Case Established: **08/30/2024**

Compliance Deadline: **10/25/2024**

Owner: BEACHSIDE TAVERN LLC

Mailing Address

BEACHSIDE TAVEN LLC
MARK DAM – REGISTERED AGENT
690 E 3rd AVE
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address

690 E 3RD AV
NEW SMYRNA BEACH, FL 32169

Parcel

741605250010

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 required permits for pavers, patio, fencing, awnings, and temporary toilets/ restroom trailer.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0661-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **10/25/2024**

Corrective Action: Update BTR indicating appropriate seating capacity and parking spaces for business.
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**.

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:
(✓) Post 9489 0090 0027 6145 9458 51
( )Hand Delivery

Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

Network:May 1, 2025 at 8:00:09 AM EDT
Local:May 1, 2025 at 8:00:09 AM EDT
N 29° 1' 44.658", W 80° 53' 49.550"
690 E Third Ave
New Smyrna Beach FL 32169
United States

NO SHOES
NO SHIRT
NO SERVICE
NO
EXCEPTIONS

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL 32169

CASE NO. CE 0661 2024
690 E 3RD 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 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 recurs 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.

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.

TAVERN

BUSCH LIGHT
CRACK ONE OPEN
RADAR
TACO TUESDAY!
BRING the ALOHA
KONA
NUTRL
$3
Keep It Tasty.
Shiner
WICKED RAM IPA
LANDSHARK
TRULY

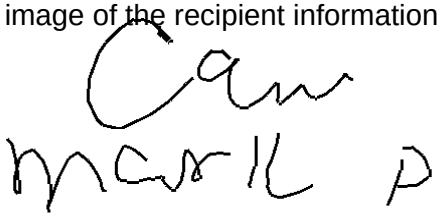
UNITED STATES POSTAL SERVICE

Date Produced: 05/05/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8312 1560 91. Our records indicate that this item was delivered on 05/03/2025 at 11:04 a.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 690 E 3RD AVE, 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:

MARK DAM
690 E 3RD AVE
NEW SMYRNA FL 32169-3174

Customer Reference Number: C5859351.35525752

2

UNITED STATES POSTAL SERVICE®

Return address:

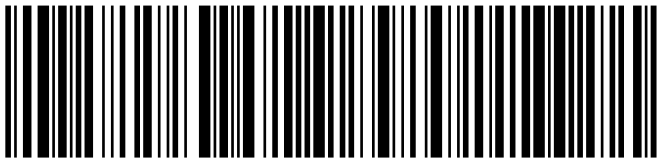
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

MARK DAM
690 E 3RD AVE
NEW SMYRNA FL 32169-3174

MAILING DATE: 04/30/2025
DELIVERY DATE: 05/03/2025

USPS CERTIFIED MAIL



9214 8901 9403 8312 1560 91

USPS Tracking Label Number: 9214 8901 9403 8312 1560 91

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	04/30/2025 09:37
USPS IN POSSESSION OF ITEM	NEW SMYRNA BEACH,FL 32168	04/30/2025 11:05
DEPART POST OFFICE	NEW SMYRNA BEACH,FL 32168	04/30/2025 18:44
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/01/2025 21:52
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/02/2025 20:08
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/03/2025 02:16
DELIVERED LEFT WITH INDIVIDUAL	NEW SMYRNA BEACH,FL 32169	05/03/2025 11:04

CASE #: 690 E 3RD AVE SM 0661-2024 JP

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL 32169

CASE NO. CE-0661-2024
690 E 3RD AV
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **July 17, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

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 Code Compliance Board 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 8315 0218 39

(✓) Post

( ) Hand Delivery

Teresa Merck

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/20/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0661-2024**

Case Type: **Code Enforcement**

Date Case Established: **08/30/2024**

Compliance Deadline: **10/25/2024**

Owner: BEACHSIDE TAVERN LLC

Mailing Address

BEACHSIDE TAVEN LLC
MARK DAM – REGISTERED AGENT
690 E 3rd AVE
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address

690 E 3RD AV
NEW SMYRNA BEACH, FL 32169

Parcel

741605250010

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 required permits for pavers, patio, fencing, awnings, and temporary toilets/ restroom trailer.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0661-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **10/25/2024**

Corrective Action: Update BTR indicating appropriate seating capacity and parking spaces for business.
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**.

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:
(✓) Post 9489 0090 0027 6145 9458 51
( )Hand Delivery

Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

Network:May 21, 2025 at 9:50:07 AM EDT
Local:May 21, 2025 at 9:50:07 AM EDT
N 29° 1' 44.630", W 80° 53' 49.541"
690 E Third Ave
New Smyrna Beach FL 32169
United States

NO SHOES
NO SHIRT
NO SERVICE
NO
EXCEPTIONS

NO DOGS AFTER 8 PM
ALL DOGS MUST BE ON A LEASH
ALL DOGS MUST BE ON OUTSIDE PATIO ONLY
NO ROTTWILERS
NO PIT BULLS
NO GERMAN SHEPHERDS
NO DOBERMANS
NO EXCEPTIONS
EXCEPT
SERVICE DOGS

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL 32169

CASE NO. CE-0501-2024
690 E 3RD Av
NEW SMYRNA BEACH, FL
32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on July 17, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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) 410-3630.

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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

TAVERN
BUSCH LIGHT
CRACK ONE OPEN
RADAR
BRING the ALOHA
nUTRL
Shiner
TRULY
BIG ASS FANS
KONA
153

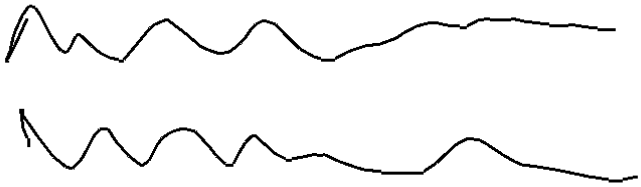
UNITED STATES POSTAL SERVICE

Date Produced: 05/23/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8315 0218 39. Our records indicate that this item was delivered on 05/22/2025 at 11:42 a.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 690 E 3RD AVE, 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:

MARK DAM
690 E 3RD AVE
NEW SMYRNA FL 32169-3174

Customer Reference Number: C5910179.35848497

2

UNITED STATES POSTAL SERVICE®

Return address:

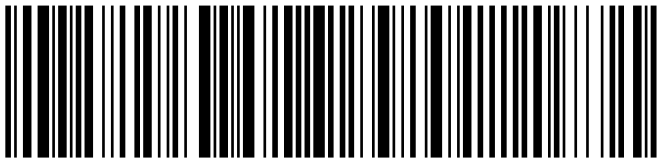
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

MARK DAM
690 E 3RD AVE
NEW SMYRNA FL 32169-3174

MAILING DATE: 05/20/2025
DELIVERY DATE: 05/22/2025

USPS CERTIFIED MAIL



9214 8901 9403 8315 0218 39

USPS Tracking Label Number: 9214 8901 9403 8315 0218 39

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	05/20/2025 07:56
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	05/21/2025 16:45
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/21/2025 18:00
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/21/2025 21:13
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/22/2025 00:44
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	05/22/2025 11:42

CASE #: 690 E 3RD AVE CB 0661-2024 JP

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL 32169

CASE NO. CE-0661-2024
690 E 3RD AV
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **August 21, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

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 Code Compliance Board 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 8325 4670 61

(✓) Post

( ) Hand Delivery

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/20/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0661-2024**

Case Type: **Code Enforcement**

Date Case Established: **08/30/2024**

Compliance Deadline: **10/25/2024**

Owner: BEACHSIDE TAVERN LLC

Mailing Address

BEACHSIDE TAVEN LLC
MARK DAM – REGISTERED AGENT
690 E 3rd AVE
NEW SMYRNA BEACH, FL 32169

Notice of Violation for the following location:

Address	Parcel
690 E 3RD AV NEW SMYRNA BEACH, FL 32169	**741605250010**

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 required permits for pavers, patio, fencing, awnings, and temporary toilets/ restroom trailer.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0661-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **10/25/2024**

Corrective Action: Update BTR indicating appropriate seating capacity and parking spaces for business.
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**.

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 6145 9458 51
(✓) Post
( )Hand Delivery

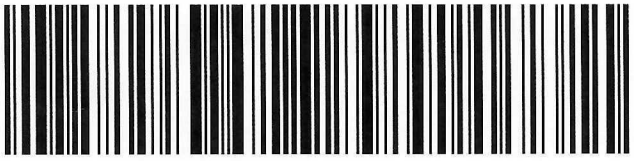
Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

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

USPS CERTIFIED MAIL



9214 8901 9403 8325 4670 61

MARK DAM
C/O: BEACHSIDE TAVERN
690 E 3RD AVE
NEW SMYRNA BEACH FL 32169-3174

CE-0661-2024
690 E. 3rd Ave

Network: Jul 29, 2025 at 9:52:06 AM EDT
Local: Jul 29, 2025 at 9:52:06 AM EDT
N 29° 1' 44.691", W 80° 53' 49.488"
690 E Third Ave
New Smyrna Beach FL 32169
United States

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E 3rd AVE
New Smyrna Beach, FL 32169

CASE NO. CE-0661-2024
690 E 3RD AV
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

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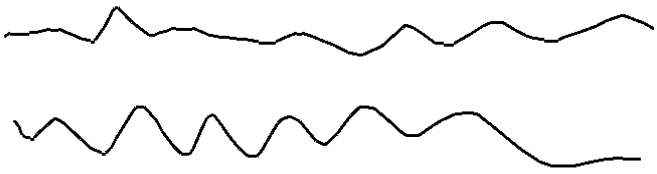
UNITED STATES POSTAL SERVICE

Date Produced: 08/01/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8325 4670 61. Our records indicate that this item was delivered on 07/31/2025 at 12:23 p.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 690 E 3RD AVE, 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:

MARK DAM
C/O: BEACHSIDE TAVERN
690 E 3RD AVE
NEW SMYRNA BEACH FL 32169-3174

Customer Reference Number: C6079740.36972028

2

UNITED STATES POSTAL SERVICE®

Return address:

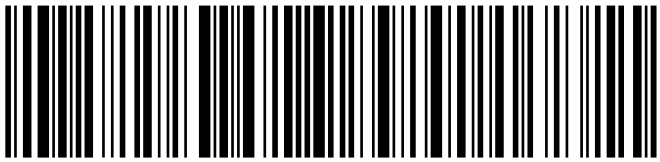
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

MARK DAM
C/O: BEACHSIDE TAVERN
690 E 3RD AVE
NEW SMYRNA BEACH FL 32169-3174

MAILING DATE: 07/28/2025
DELIVERY DATE: 07/31/2025

USPS CERTIFIED MAIL



9214 8901 9403 8325 4670 61

USPS Tracking Label Number: 9214 8901 9403 8325 4670 61

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	07/28/2025 11:41
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	07/29/2025 19:15
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/29/2025 20:30
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/30/2025 19:11
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/31/2025 00:44
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	07/31/2025 12:23

CASE #: CE-0661-2024 690 E. 3RD AVE


Network: Sep 3, 2024 at 8:04:27 AM EDT
Local: Sep 3, 2024 at 8:04:27 AM EDT
N 29° 1' 44.824", W 80° 53' 49.485"
690 E Third Ave
New Smyrna Beach FL 32169
United States
164


Network: Sep 3, 2024 at 8:04:51 AM EDT
Local: Sep 3, 2024 at 8:04:51 AM EDT
N 29° 1' 45.146", W 80° 53' 49.222"
690 E Third Ave
New Smyrna Beach FL 32169
United States
165


Network: Sep 3, 2024 at 8:04:58 AM EDT
Local: Sep 3, 2024 at 8:04:58 AM EDT
N 29° 1' 45.146", W 80° 53' 49.222"
690 E Third Ave
New Smyrna Beach FL 32169
United States
166


Network: Sep 3, 2024 at 8:07:09 AM EDT
Local: Sep 3, 2024 at 8:07:09 AM EDT
N 29° 1' 45.821", W 80° 53' 50.566"
631 E 2nd Ave
New Smyrna Beach FL 32169
United States


Network: Oct 3, 2024 at 8:21:23 AM EDT
Local: Oct 3, 2024 at 8:21:23 AM EDT
N 29° 1' 44.548", W 80° 53' 50.035"
690 E Third Ave
New Smyrna Beach FL 32169
United States
NO SHOES
NO SHIRT
NO SERVICE
NO
EXCEPTIONS
THIS
WAY
LOW
ISLAMORADA
NO
MINORS
AFTER 8pm
NO ALCOHOL
168

THE CITY OF NEW SMYRNA BEACH - CODE COMPLIANCE

CCB-0662-2024- 715 E. 2ND AVE., UNIT 3; OWNER: MARK D. DAM AND/OR ENTITY: OFFICER: JOHN PARKS

August 21, 2025

Background:

Violation of City Code Sec. 26-171. (a) - Permits Required; Sec. 74-146. - Local Business Tax Imposed
Compliance Date: October 25, 2024
Method of Service: Property posted July 29, 2025; Certified mail signed for on July 31, 2025.

Fiscal Analysis:

None

Strategic Plan Item:

No

Staff Report Created By: Teresa Merck

Attachments:

CCB-0662-2024- 715 E. 2nd Ave.pdf

CE-0662-2024 – 715 E. 2ND AVENUE
CODE CASE DETAILED REPORT FOR CITY OF NEW SMYRNA BEACH

Case Type:	Code Enforcement	**Project:**		**Opened Date:**	08/30/2024
Status:	In Progress	**District:**	New Smyrna Beach	**Closed Date:**	NOT CLOSED
Assigned To:	John Parks	**Description:**	Pavers installed without a permit		

Parcel: 741612000030 Main	**Address:** 715 E 2nd Ave, 3 Main New Smyrna Beach, FL 32169	**Zone:** B-2 (NEIGHBORHOOD BUSINESS)

Owner	**Complainant**
Mark Dam	Jesse Meyers
111 Lincoln Rd Edgewater, FL 32141	214 Sams Ave New Smyrna Beach, FL 32168
Mobile: 3866897923	Business: 3864102812

Note	**Created By**	**Date and Time Created**
1. Jesse Meyers, Engineering Dept., called after conducting an inspection at this property to inform Code Compliance that pavers have been installed at the rear of the property. No permits are on file for the permits. Pavers maybe in the required buffer between commercial and residential property.	Barbara Bobelak	8/30/2024 12:46 pm
2. Assigned to: John Parks	Barbara Bobelak	8/30/2024 12:51 pm

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

AltKey: 3800427 **Parcel ID: 741612000030**
DAM MARK D **0030-715 E 2ND AVE, NEW SMYRNA BEACH, FL**

Parcel Summary

Alternate Key:	3800427
Parcel ID:	741612000030
Township-Range-Section:	17 - 34 - 16
Subdivision-Block-Lot:	12 - 00 - 0030
Owner(s):	DAM MARK D - FS - Fee Simple - 100%
Mailing Address On File:	111 LINCOLN RD EDGEWATER FL 32141
Physical Address:	0030-715 E 2ND AVE, NEW SMYRNA BEACH 32169
Property Use:	0400 - CONDOMINIUM
Tax District:	601-NEW SMYRNA BEACH
2024 Proposed Millage Rate:	17.1307
Neighborhood:	0328
Subdivision Name:	CALLALISA CONDOMINIUM APARMENTS
Homestead Property:	No

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$242,566	$153,967	$0	$242,566	1.5000	$363.85
0012	DISCRETIONARY	$242,566	$153,967	$0	$242,566	0.7480	$181.44
0011	REQ LOCAL EFFORT	$242,566	$153,967	$0	$242,566	3.0370	$736.67
0050	GENERAL FUND	$242,566	$153,967	$88,599	$153,967	3.2862	$505.97
0053	LAW ENFORCEMENT FUND	$242,566	$153,967	$88,599	$153,967	1.5994	$246.25
0055	LIBRARY	$242,566	$153,967	$88,599	$153,967	0.3891	$59.91
0520	MOSQUITO CONTROL	$242,566	$153,967	$88,599	$153,967	0.1647	$25.36
0530	PONCE INLET PORT AUTHORITY	$242,566	$153,967	$88,599	$153,967	0.0692	$10.65
0058	VOLUSIA ECHO	$242,566	$153,967	$88,599	$153,967	0.2000	$30.79
0057	VOLUSIA FOREVER	$242,566	$153,967	$88,599	$153,967	0.2000	$30.79
0065	FLORIDA INLAND NAVIGATION DISTRICT	$242,566	$153,967	$88,599	$153,967	0.0288	$4.43
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$242,566	$153,967	$88,599	$153,967	0.7506	$115.57
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$242,566	$153,967	$88,599	$153,967	0.1793	$27.61
0271	NEW SMYRNA BCH I&S 2005	$242,566	$153,967	$88,599	$153,967	0.0000	$0.00
0272	NEW SMYRNA BCH I&S 2018	$242,566	$153,967	$88,599	$153,967	0.0914	$14.07
0270	NEW SMYRNA BEACH	$242,566	$153,967	$88,599	$153,967	4.8870	$752.44
						17.1307	$3,105.81

Non-Ad Valorem Assessments

Project	Units	Rate	Total
6012-NSB STORMWATER	1	$104.00	$104.00
			$104.00

Estimated Ad Valorem Tax:	$3,105.81
Estimated Non-Ad Valorem Tax:	$104.00
Estimated Taxes:	**$3,209.81**
Estimated Tax Amount without SOH:	$4,259.33

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2023	$31,900	$197,649	$229,549	$139,970	$0	$139,970	$0
2022	$31,900	$175,373	$207,273	$127,245	$0	$127,245	$0
2021	$31,900	$138,962	$170,862	$115,677	$0	$115,677	$0
2020	$31,900	$130,562	$162,462	$105,161	$0	$105,161	$0
2019	$31,900	$115,732	$147,632	$95,601	$0	$95,601	$0
2018	$31,900	$104,706	$136,606	$86,910	$0	$86,910	$0
2017	$31,900	$96,015	$127,915	$79,009	$0	$79,009	$0
2016	$16,000	$55,826	$71,826	$71,826	$0	$71,826	$0
2015	$16,000	$52,160	$68,160	$68,160	$0	$68,160	$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.

APT 3 CALLALISA CONDO APTS MB 32 PGS 125-126 INC PER OR 4825 PG 0230 PER OR 5556 PGS 0723-0724 PER OR 6767 PG 4507 PER OR 6840 PG 4778

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL 32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **10/25/2024**

Owner: MARK DAM

Mailing Address

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

Notice of Violation for the following location:

Address	Parcel
715 E 2ND AVE 3 NEW SMYRNA BEACH, FL 32169	**741612000030**

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 permits for the pavers, fencing, stairs, decking and other improvements made without the required permits.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain a BTR for the rental apartments.
Compliance Date: 10/25/2024

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **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**.

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:
(✓) Post 9489 0090 0027 6145 9458 68
( )Hand Delivery

Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2ND AVE 3
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 **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

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2ND AVE 3
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: 94890090002761459458

(✓) Post

( )Hand Delivery

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
10/2/2024

Network: Oct 3, 2024 at 8:27:33 AM EDT
Local: Oct 3, 2024 at 8:27:33 AM EDT
N 29° 1' 45.726", W 80° 53' 48.915"
715 E 2nd Ave
New Smyrna Beach FL 32169
United States

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

Violation
Notice

Case Number: CE-0662-2024
Case Type: Code Enforcement
Date Case Established: 08/30/2024
Compliance Deadline: 10/25/2024

Owner: MARK DAM

Mailing Address

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

Notice of Violation for the following location:

Address

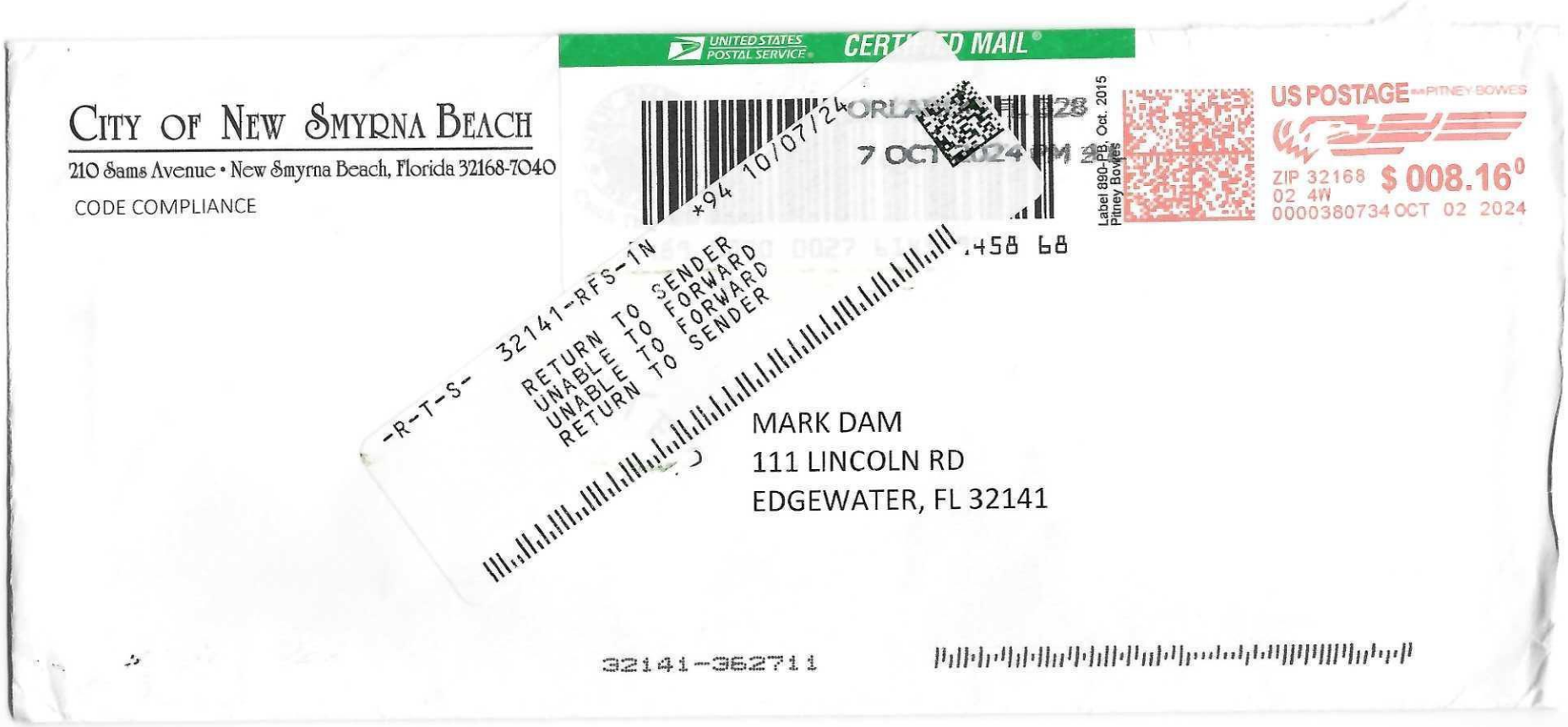
715 E 2ND AVE 3
NEW SMYRNA BEACH, FL 32169

Parcel

741612000030

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 permits for the pavers, fencing, stairs, decking and other improvements made without the required permits.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain a BTR for the rental apartments.
Compliance Date: 10/25/2024



CITY OF NEW SMYRNA BEACH
210 Sams Avenue • New Smyrna Beach, Florida 32168-7040
CODE COMPLIANCE

UNITED STATES POSTAL SERVICE CERTIFIED MAIL®

*94 10/07/24 ORLA 28
7 OCT 2024 PM 2

Label 890-PB, Oct. 2015
Pitney Bowes

US POSTAGE PITNEY BOWES
ZIP 32168 $ 008.16⁰
02 4W
0000380734 OCT 02 2024

-R-T-S- 32141-RFS-1N .458 68
RETURN TO SENDER
UNABLE TO FORWARD
UNABLE TO FORWARD
RETURN TO SENDER

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

32141-362711

SPECIAL MAGISTRATE

THE CITY OF NEW SMYRNA BEACH

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2ND AVE 3
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 **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.

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.

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2ND AVE 3
NEW SMYRNA BEACH, FL 32169

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 8312 1629 00

(✓) Post

(Hand Delivery

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
4/30/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL 32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **10/25/2024**

Owner: MARK DAM

Mailing Address

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

Notice of Violation for the following location:

Address	Parcel
715 E 2ND AVE 3 NEW SMYRNA BEACH, FL 32169	**741612000030**

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 permits for the pavers, fencing, stairs, decking and other improvements made without the required permits.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain a BTR for the rental apartments.
Compliance Date: 10/25/2024

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **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**.

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:
(✓) Post 9489 0090 0027 6145 9458 68
( )Hand Delivery

Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

Network:May 1, 2025 at 8:03:26 AM EDT
Local:May 1, 2025 at 8:03:26 AM EDT
N 29° 1' 45.998", W 80° 53' 48.757"
715 E 2nd Ave
New Smyrna Beach FL 32169
United States

SPECIAL MAGISTRATE
THE CITY OF NEW SMYRNA BEACH

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2NO AVE 3
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 **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.

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.

CERTIFIED MAIL
Code Department
City of New Smyrna Beach
210 Sams Ave Fl 1
New Smryna Beach FL 32168
*92 05/03/25
32141-RFS-1N
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
RETURN TO SENDER
RESTRICTED MAIL
US POSTAGE
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FIRST-CLASS MAIL
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CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2ND AVE 3
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **July 17, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

NOTICE TO PERSONS WITH DISABILITIES

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RECORD IS REQUIRED TO APPEAL

In the event you decide to appeal any decision made by the Code Compliance Board 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 8314 8545 99

(✓) Post

( ) Hand Delivery

Teresa Merck

Teresa Merck
Administrative Specialist II

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/20/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: CE-0662-2024
Case Type: Code Enforcement
Date Case Established: 08/30/2024
Compliance Deadline: 10/25/2024

Owner: MARK DAM

Mailing Address

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

Notice of Violation for the following location:

Address

715 E 2ND AVE 3
NEW SMYRNA BEACH, FL 32169

Parcel

741612000030

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 permits for the pavers, fencing, stairs, decking and other improvements made without the required permits.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain a BTR for the rental apartments.
Compliance Date: 10/25/2024

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**

Case Type: **Code Enforcement**

Date Case Established: **08/30/2024**

Compliance Deadline: **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**.

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 6145 9458 68

(✓) Post

( )Hand Delivery

Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

Network:May 21, 2025 at 9:48:02 AM EDT
Local:May 21, 2025 at 9:48:02 AM EDT
N 29° 1' 45.789", W 80° 53' 48.844"
715 E 2nd Ave
New Smyrna Beach FL 32169
United States

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

CASE NO. CE-0662-2024
715 E 2ND AVE 3
NEW SMYRNA BEACH, FL
32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **July 17, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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) 410-2130.

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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

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:

MARK DAM
111 LINCOLN RD
EDGEWATER FL 32141-3627



USPS Tracking Label Number: 9214 8901 9403 8314 8545 99

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	05/20/2025 07:56
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	05/21/2025 16:43
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/21/2025 17:58
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/21/2025 21:13
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/22/2025 00:15
FORWARD EXPIRED	EDGEWATER,FL 32141	05/22/2025 13:44
RETURN TO SENDER PROCESSED	EDGEWATER,FL 32132	05/22/2025 17:00
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/23/2025 18:43

CODE COMPLIANCE BOARD
THE CITY OF NEW SMYRNA BEACH

MARK DAM
690 E. 3RD AVENUE
NEW SMYRNA BEACH, FL 32169

CASE NO. CE-0662-2024
715 E 2ND AVE 3
NEW SMYRNA BEACH, FL 32169

NOTICE OF HEARING

YOU ARE HEREBY notified that a hearing will be held before the Code Compliance Board Hearing for the City of New Smyrna Beach on **August 21, 2025 at 4:30 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 Code Compliance Board will be based upon the evidence presented at the hearing. If the Code Compliance Board determines that you are in violation and you fail to correct the violation(s) within the time period specified by the Code Compliance Board, the Code Compliance Board 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 Code Compliance Board 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 Code Compliance Board. 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 Code Compliance Board even if the violation(s) has been corrected prior to the Code Compliance Board hearing.

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 Code Compliance Board 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 8325 4411 22

(✓) Post

( ) Hand Delivery

Barbara Bobelak

Barbara Bobelak
Code Compliance Supervisor

Contact
John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com
5/20/2025

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**

Case Type: **Code Enforcement**

Date Case Established: **08/30/2024**

Compliance Deadline: **10/25/2024**

Owner: MARK DAM

Mailing Address

MARK DAM
111 LINCOLN RD
EDGEWATER, FL 32141

Notice of Violation for the following location:

Address	Parcel
715 E 2ND AVE 3 NEW SMYRNA BEACH, FL 32169	**741612000030**

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 permits for the pavers, fencing, stairs, decking and other improvements made without the required permits.
Compliance Date: 10/25/2024

Violation: Sec. 74-146. - Local Business Tax Imposed
There is imposed upon each and every business, profession and occupation having an effective place of business within the city a local business tax and upon each person owning, managing or engaging in any business, profession or occupation according to the schedule of taxes contained in this article; however, the tax imposed upon professions in this article shall be construed to mean that every individual shall pay the tax provided for, whether such individual is practicing by himself or in partnership or association or employed by another.
Corrective Action: Obtain a BTR for the rental apartments.
Compliance Date: 10/25/2024

City of New Smyrna Beach
Code Compliance

210 Sams Ave

New Smyrna Beach, FL
32168
386-410-2870

Violation Notice

Case Number: **CE-0662-2024**
Case Type: **Code Enforcement**
Date Case Established: **08/30/2024**
Compliance Deadline: **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**.

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:
(✓) Post 9489 0090 0027 6145 9458 68
( )Hand Delivery

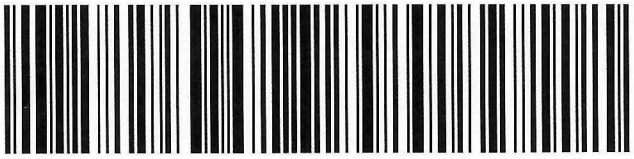
Sincerely,

John Parks
Code Compliance Officer
Phone: (386) 410-2877
Email: jparks@cityofnsb.com

10/2/24

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

USPS CERTIFIED MAIL



9214 8901 9403 8325 4411 22

MARK DAM
%BEACHSIDE TAVERN
690 E. 3RD AVENUE
NEW SMYRNA BEACH, FL 32169

CE-0662-2024
715 E. 3rd Ave

Network: Jul 29, 2025 at 9:49:39 AM EDT
Local: Jul 29, 2025 at 9:49:39 AM EDT
N 29° 1' 45.941", W 80° 53' 48.721"
715 E 2nd Ave
New Smyrna Beach FL 32169
United States

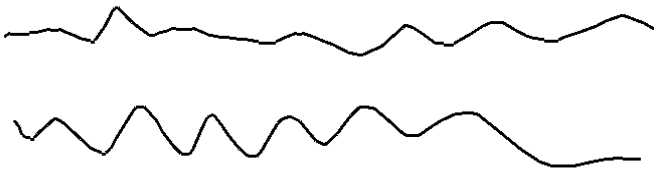
UNITED STATES POSTAL SERVICE

Date Produced: 08/01/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8325 4411 22. Our records indicate that this item was delivered on 07/31/2025 at 12:23 p.m. in NEW SMYRNA BEACH, FL 32169. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient : 690 E 3RD AVE, 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:

MARK DAM
%BEACHSIDE TAVERN
690 E. 3RD AVENUE
NEW SMYRNA BEACH, FL 32169

Customer Reference Number: C6079740.36972027

2

UNITED STATES POSTAL SERVICE®

Return address:

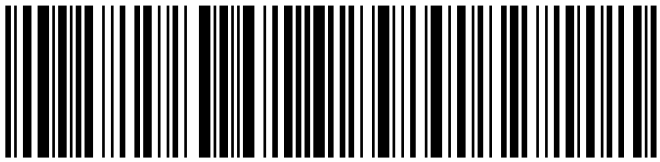
CODE DEPARTMENT
CITY OF NEW SMYRNA BEACH
210 SAMS AVE FL 1
NEW SMRYNA BEACH FL 32168

Recipient address:

MARK DAM
%BEACHSIDE TAVERN
690 E. 3RD AVENUE
NEW SMYRNA BEACH, FL 32169

MAILING DATE: 07/28/2025
DELIVERY DATE: 07/31/2025

USPS CERTIFIED MAIL



9214 8901 9403 8325 4411 22

USPS Tracking Label Number: 9214 8901 9403 8325 4411 22

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NEW SMYRNA BEACH,FL 32168	07/28/2025 11:41
ORIGIN ACCEPTANCE	NEW SMYRNA BEACH,FL 32168	07/29/2025 19:04
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/29/2025 20:19
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/30/2025 19:14
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/31/2025 00:44
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	NEW SMYRNA BEACH,FL 32169	07/31/2025 12:23

CASE #: CE-0662-2024 715 E. 2ND AVE


Network: Sep 3, 2024 at 8:07:09 AM EDT
Local: Sep 3, 2024 at 8:07:09 AM EDT
N 29° 1' 45.821", W 80° 53' 50.566"
631 E 2nd Ave
New Smyrna Beach FL 32169
United States
201


Network: Sep 3, 2024 at 8:07:15 AM EDT
Local: Sep 3, 2024 at 8:07:15 AM EDT
N 29° 1' 45.821", W 80° 53' 50.566"
631 E 2nd Ave
New Smyrna Beach FL 32169
United States
202