

City of Deltona
Department of Community Development
2345 Providence Blvd.
Deltona, Florida 32725
386-878-8703

Date: 4/12/2024

Recipient Requesting Hearing

Name: SFR JV-HD Property LLC Representative: Dwayne Volkema
Address: 541 Battersea Avenue,
City, State: Deltona, FL 32738
Phone Number: (844) 874-2661 or (321) 299-3713

TO: Hearing Clerk

I (print) Representative for SFR JV-HD Property LLC: Dwayne Volkema hereby formally request to schedule a Hearing before the Special Magistrate to request a reduction in fine or lien on the property located at 541 Battersea Avenue, Deltona, FL 32738.

1. The Violation DEL 22-241 MASSEY
2. The total amount of the fine/lien/judgment 40,050.00
3. The date upon which the violator/property owner brought the property into compliance with the City Code and a copy of the Affidavit of Compliance to be included with this request. March 22, 2024.
4. The reason the violation was not in compliance by the date given by the Special Magistrate or prior to the lien being recorded,
we are requesting a reduction of the full amount of \$40,050.00 owed to the City of Deltona.
There was a miscommunication and the vendor that was assigned to perform the work did not pull a permit.
x



- 5. Include the factual basis and/or extenuating circumstances upon which the violator/property owner believes the application for reduction of the lien should be granted and if the property is still in Compliance. Current Permit number if applicable to this case. Pictures and documents should be attached that will be used as back-up/proof of Compliance.

Permit number: BLDR24-0918

We are requesting a reduction of the full amount of \$40, 050.00 owed to the City of Deltona as the person that was handling this matter is no longer with the company, and unfortunately it was something that did not get completed. The moment we were made aware of it, we started the process to get it corrected. We have made changes withing our organization to prevent this from occurring again in the future.

- 6. The application shall be executed in the presence of a Public Notary.
- 7. Upon Completion of this form, please return all copies to the Office indicated below:

City of Deltona, ATTN: Code Compliance Department, Hearing Clerk

- 8. Any person who requests a Hearing, shall include this form with payment in the amount of **\$100.00**, made payable to the City of Deltona. This fee is **non-refundable or negotiable**, without regard for the final disposition of the Application for Reduction or Release of Lien/Fine/Judgement. Only the owner of the property will be heard by the Special Magistrate or Commission.

STATE OF FLORIDA

COUNTY OF VOLUSIA

SUBSCRIBED AND SWORN TO

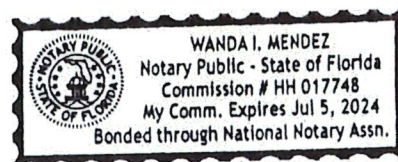
Before Me;

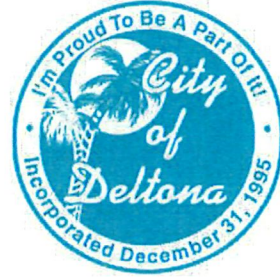
On 4/12/2024 by (print) Dwayne Volkema, who is known to me or provides

DL/ID v425164672240

Notary Public Wanda Mendez Seal 4/12/24

Signature of requester Dwayne Volkema
DocuSigned by:
F01C5B7327844E2...





Department of Community Development:

Received by: Renee Cairney

Case Number: DEL-22-241 Massey Date: April 12, 2024

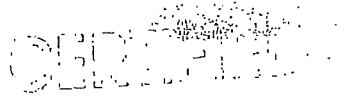
If the application is denied or if the application is automatically denied due to the failure of the violator/property owner to comply with the conditions imposed by the Special Magistrate or City Commission, the violator/property owner shall thereafter be barred from applying for a subsequent reduction or forgiveness of the Lien for a period of one year from the date of denial. During the one year period, the Lien may be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter. All other properties owned by the violator within the City must be free from Active Code Compliance Cases.

If the application is deemed to be complete, the matter shall be scheduled for the next available Special Magistrate Hearing available and the applicant notified of the hearing date.

Notification Date: April 12, 2024

Notified Person:

Initials: RC



**BEFORE THE SPECIAL MAGISTRATE
OF THE CITY OF DELTONA, FLORIDA**

CITY OF DELTONA
FLORIDA, a municipal corporation,

Petitioner,

vs.

DEL 22 – 241 MASSEY

SFR JV-HD Property LLC, CO: Ticon American Homes LLC
15771 Red Hill Ave. Ste. 100
Tustin, CA 92780

Respondent.

ORDER IMPOSING FINE AND LIEN (MASSEY)
Findings of Fact and Conclusions of Law

THIS CAUSE was heard on January 25, 2023 before the undersigned Special Magistrate, after being duly noticed, to determine whether the previously-determined violation was timely corrected. The undersigned Special Magistrate having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact and Conclusions of Law:

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Special Magistrate finds:

1. The property which is the subject of this code enforcement action is described as [REDACTED] with physical address **541 Battersea Ave., Deltona, FL 32738.**
2. The Respondent was properly provided a Notice of Hearing (Massey) in accordance with Section 2-112 of the City of Deltona Code of Ordinances ("City Code") and consistent with Sections 162.06 and 162.12 of the Florida Statutes; and
3. That on August 24, 2022 the Special Magistrate found the Respondent in Violation of Section 18-3 of the City Code adopting the latest edition of the Florida Building Code; Section 105.1 and;
4. The Respondent was ordered to correct the violation by September 23, 2022, which required the Respondent to obtain a permit; and

5. The Code Enforcement Officer Todd Meade testified that he re-inspected the property for compliance on January 25, 2023 and testified and presented photographs of the following conditions that remain on the property, which constitute continuing non-compliance with the Order: Respondent had not obtained a permit for the fence.

6. The Respondent was not present at the hearing.

7. The Respondent either failed or refused to correct the violation of Section 18-3 of the City Code adopting the latest edition of the Florida Building Code, Section 105.1, within the time frame ordered as no permit was issued.

BASED ON THE FOREGOING FACTS AND CONCLUSIONS, IT IS HEREBY ORDERED:

1. Respondent, SFR JV-HD Property LLC, failed to correct the violation and comply with Section 18-3 of the City Code adopting the latest edition of the Florida Building Code, Section 105.1, within the time frame.

2. A fine is hereby imposed in the amount of **\$9,925** as of the hearing date, January 25, 2023, which shall continue to accrue at a rate of \$75 per day and shall continue each and every day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

3. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with the Order, on/at the property described as Parcel No.: **813021080060**, physical address: **541 Battersea Ave., Deltona, FL 32738**

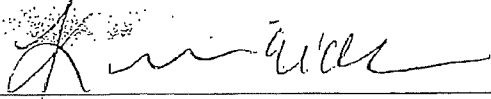
4. Any and all future recurrences of the violation addressed herein after same has been corrected shall necessitate further proceedings before the Code Enforcement Special Magistrate without necessarily providing Respondent an opportunity to correct such violation. The Code Enforcement Special Magistrate, upon finding such repeat violation exists may impose a fine not to exceed five hundred dollars (\$500.00) per day for each repeat violation, beginning on the first day the repeat violation is found to exist.

5. A Certified copy of this Order may be recorded in the Public Records of Volusia County and thereafter shall constitute a lien against the subject property on which the violation exists and upon any other real or personal property owned by the Respondent. This recorded Order shall constitute notice of the lien to any subsequent purchasers, successors in interest, or assigns of all real and personal property owned by the Respondent, and the findings herein shall be binding upon the Respondent and any subsequent purchasers, successors in interest, or assigns.

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

CLERK

DONE AND ORDERED at City of Deltona, Florida on 31st January, 2023.



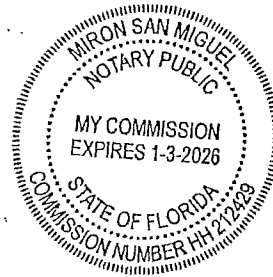
Special Magistrate Kristin N. Eick

WITNESS my hand and official seal, this 31 day of January, 2023.

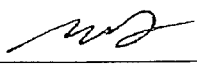


Notary Public, Miron San Miguel
My Commission Expires: January 3, 2026

Seal



I HEREBY CERTIFY that a true and correct copy of the above and foregoing ORDER IMPOSING FINE AND LIEN (MASSEY) has been furnished by mail to: **SFR JV-HD Property LLC, 15771 Red Hill Ave., Ste. 100 Tustin, CA 92870**, this 31 day of January, 2023.



Miron San Miguel Hearing Clerk

STATE OF FLORIDA
COUNTY OF VOLUSIA
This is to certify that the foregoing is a true and correct copy of Order imposing Fine and Lien (Massey)
witness my hand and official Seal, this 31 day of February 2023
Elizabeth Key
Elizabeth Key



Deltona

PERMIT NUMBER: BLDR24-0918

FENCE PERMIT APPLICATION

FBC 2023 8TH EDITION - 2020 NEC - FPC 8TH EDITION

INCOMPLETE OR EMAILED APPLICATIONS
WILL NOT BE ACCEPTED

RESIDENTIAL COMMERCIAL

JOBSITE INFORMATION:

PARCEL ID: 813021080060

STREET ADDRESS: 541 BATTERSEA AVE

SUITE: _____ CITY: DELTONA STATE: FL ZIP CODE: 32738

PROPERTY OWNER:

NAME: SFR JV-HD PROPERTY LLC

MAILING ADDRESS: 15771 RED HILL AVE

SUITE: 100 CITY: TUSTIN STATE: CA ZIP CODE: 92780

PROPERTY OWNER PHONE: _____ EMAIL ADDRESS: _____

APPLICANT INFORMATION:

CHECK HERE IF APPLYING AS AN OWNER/BUILDER

COMPANY NAME: RJC CONTRACTING AND SERVICES LLC

AUTHORIZED PERMIT RUNNER: _____

QUALIFIER NAME: _____ LICENSE NO.: CGC1524843

STREET ADDRESS: 1801 W KELLY PARK RD

SUITE: _____ CITY: APOPKA STATE: FL ZIP CODE: 32712

APPLICANT PHONE: 407-989-4554 CONTACT EMAIL: sarahmrk@outlook.com

ALL COMMUNICATION WILL BE SENT VIA EMAIL

PROPOSED WORK: (INCLUDE HEIGHT AND TYPE OF PROPOSED FENCING)

SCOPE OF WORK: Replace existing 6' wood fence around property.

PER FLORIDA STATE STATUTE CHAPTER 556.105 (1) (A), NOT LESS THAN 2 FULL BUSINESS DAYS BEFORE BEGINNING ANY EXCAVATION OR DEMOLITION UNDER THE SCOPE OF THIS APPLICATION, AN EXCAVATOR SHALL PROVIDE NOTIFICATION BY CALLING SUNSHINE STATE ONE-CALL AT 811 INITIAL HERE: _____

FENCE WILL BE CONSTRUCTED AS A POOL BARRIER PER RESIDENTIAL SWIMMING POOL ACT REQUIREMENTS, SECTION 515. FLORIDA STATE STATUTE. CHECK ONE: YES NO

NOTICE TO OWNER: UTILITY COMPANIES RESERVE THE RIGHT TO ACCESS PRIVATE PROPERTY FOR PURPOSES OF INSTALLING, MAINTAINING, REPAIRING, AND REPLACEMENT OF LINES AND EQUIPMENT IN THE UTILITY DRAINAGE EASEMENT. UTILITY COMPANIES ARE NOT REQUIRED TO REPLACE, REPAIR, OR RE-INSTALL ANY FENCE THAT OBSTRUCTS THEIR ACCESS.

IT IS THE RESPONSIBILITY OF THE APPLICANT TO ENSURE FENCE IS INSTALLED ON THEIR PROPERTY AND COMPLIES WITH CITY ORDINANCE SECTION 110-806

DECLARED PROJECT COST (LABOR AND MATERIALS): \$ 5,250.00

2345 PROVIDENCE BLVD. DELTONA, FL 32725

386-878-8660 - PERMITTING@DELTONAFL.GOV

Application is hereby made to obtain a permit to do the work and installations as indicated.

I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, AIR CONDITIONERS, etc.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

The Applicant agrees to comply with the Municipal Ordinances and with the conditions of this permit; understands that the issuance of the permit creates no legal liability; express or implied, of the Department, Municipality, Agency, or Inspector; and certifies that all of the above information is accurate.

SIGNATURE OF APPLICANT: [Handwritten Signature]

CHECK ONE:

CONTRACTOR OR AUTHORIZED AGENT (POA required if other than qualifier)

PROPERTY OWNER

STATE OF FLORIDA, COUNTY OF Orange

AFFIRMED AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL PRESENCE OR ONLINE NOTARIZATION

THIS 14 DAY OF March, 2024.

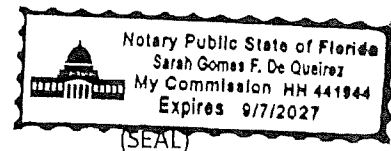
BY Robert W. Hippensteel
(name of person making statement)

PERSONALLY KNOWN PRODUCED IDENTIFICATION

TYPE OF IDENTIFICATION PRODUCED _____

[Handwritten Signature]
Signature of Notary

Sarah De Queiroz
Name of Notary



(SEAL)

APPLICATION APPROVED BY: _____
(PERMIT OFFICER)

DATE: _____

Prepared By - Return To:
Sarah De Queiroz

PERMIT NUMBER: BLDR24-0918

NOTICE OF COMMENCEMENT

The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. **DESCRIPTION OF PROPERTY** a. Tax Parcel No. Required: 813021080060 b. Full Legal Description Required:

LOT 6 BLK 576 DELTONA LAKES UNIT 21 MB 27 PGS 7-10 INC PER O
R 3740 PG 2805 PER OR 8039 PG 3903 PER OR 8189 PG 3364

c. Physical Address. Required if available 541 BATTERSEA AVE, DELTONA 32738

2. **GENERAL DESCRIPTION OF IMPROVEMENT:** Replace existing wood fence

3. **OWNER / LESSEE INFORMATION IF THE LESSEE CONTRACTED FOR THE IMPROVEMENT:**

a. Name and address:

b. Interest in property: _____

c. Name and address of fee simple titleholder (If other than owner): _____

4. **CONTRACTOR'S:** a. Name: RJC Contracting and Services LLC

b. Address: _____ c. Phone: _____

5. **SURETY** (if applicable, a copy of the payment bond is attached): a. Name _____

b. Address: _____

c. Phone number: _____ d. Amount of bond: \$ _____

6. **LENDER'S NAME:** a. _____

b. Lender's Address's: _____ c. Phone: _____

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13 (1)a/7., Florida Statutes

a. Name and address: _____

b. Phone numbers of designated persons: _____

8. a. In addition to himself or herself, Owner designates _____ of _____
to receive a copy of the Lienor's Notice as provided in Section 713.13 (1) (b). Florida Statutes.

9. b. Phone number of person or entity designated by owner: _____

Expiration date of notice of commencement: _____, 20____.

(The Expiration date will be 1 year from the date of the Recording unless otherwise specified)

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13 FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

[Signature]
(Signature of Owner or Lessee, or Owner's or Lessee's
Authorized Officer/Director/Partner/Manager)

Dwayne D Volkema Manager
(Print Name and Provide Signatory's Title/Office)

State of Florida, County of Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this

13 day of March, 2024 by Dwayne D. Volkema
(name of acknowledged)

Personally Known or Produced Identification Type of Identification Produced _____

CL-0737-2310

[Signature]
(Signature of Notary Public)
Notary Public State of Florida
Sarah Gomes F. De Queiroz
My Commission HH 441944
Expires 9/7/2027

SFR JV-HD Property LLC

P.O. Box 15087
Santa Ana, CA 92735

Wells Fargo

03-29-2024

809235

**** ONE HUNDRED US DOLLAR AND 00/100

AMOUNT

\$100.00***

PAY
TO THE
ORDER OF

CITY OF DELTONA
BUSINESS TAX DEPT., 2345 PROVIDENCE BLVD
DELTONA, FL 32725
USA

VOID AFTER 90 DAYS



MEMO: -541 Battersea Ave

⑈0000809235⑈ ⑆121000248⑆

4943923409⑈

SFR JV-HD Property LLC

Vendor:SF-004229,City of Deltona
Property
541 Battersea Ave,Deltona,FL

Invoice-Date
32500049-1 AT 3.29-3/29/20

Description

03-29-2024

Cheque: 809235

Amount
100.00

Total

100.00

SFR JV-HD Property LLC

Vendor:SF-004229,City of Deltona

03-29-2024

Cheque: 809235