

7022 3330 0000 8407 7400

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OFFICIAL USE

Certified Mail Fee	\$
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	

DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE NY 11559
FIRE23-13/14/15/16SM

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7014 0510 0000 8653 3953

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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$

NOH

Postmark
Here

Re

Deltona Wellness LP
17 Copperbeech Ln.
Lawrence, NY 11559
FIRE23-013 & 014 & 015 & 016
1200 Deltona Blvd. Ste. #50-51
& 52-56 & 57-58

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

0120 9424 0000 0261 T202

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only, No Insurance Coverage Provided

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	

NOH

Postmark
Here

Re

Deltona Wellness LP
17 Copperbeech Ln.
Lawrence, NY 11559
Fire-23-014 MASSEY - NOH
1200 Deltona Blvd. Ste. #51

PS Form 3800, August 2015

See Reverse for Instructions

Certified

Prepared by and returned to:
City of Deltona, City Clerk
2345 Providence Blvd.
Deltona, FL 32725

2/20/2024 9:53:01 AM
Instrument# 2024032248 4 pages
Book: 8519 Page: 2976
Electronically Recorded By
Volusia County Clerk of the Court

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

**CITY OF DELTONA
FLORIDA**, a municipal corporation,

Petitioner,

vs.

FIRE-23-014 MASSEY

**Deltona Wellness LP
17 Copperbeech Lane
Lawrence, NY 11559,**

Respondent.

_____ /

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

THIS CAUSE was heard on January 24, 2024, 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 under oath, the Code Compliance Special Magistrate finds:

1. The property which is the subject of this code Compliance action is described as **81300600020** with physical address **1200 Deltona Boulevard, Suite #51, Deltona, FL 32725**.

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.

3. On September 27, 2023, the Special Magistrate found the Respondent in Violation of Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted, Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.5 & NFPA 101 Ch. 14.3.4.1.1, and issued an Order Finding Violation and Requiring Compliance ("Order").

4. The Respondent was ordered to correct the violation by 4:00 P.M. on November 30, 2023, which required the Respondent to cease and desist the use of the space as an educational occupancy or obtain a change of occupancy permit and pass all required final inspections. Further, the educational occupancy use required the installation of a fire alarm system in accordance with NFPA 1, Chapter 13, and the 2016 NFPA 72 or to extend the existing fire alarm system to the suite.

5. The Captain / Assistant Fire Marshall Samuel Schaller testified that he/she re-inspected the property for compliance on January 24, 2024, and testified and presented photographs of the following conditions that remain on the property, which constitute continuing non-compliance with the Order: The space is still being as utilized as a charter school occupancy and the fire alarm has not been installed or extended within the suite.

6. The Respondent was present and did testify at the hearing. Respondent testified he has engaged with an Engineer and Architect and currently are awaiting final approval of the plans, in order to correct the violations.

7. Respondent either failed or refused to correct such violation within the reasonable time provided in the Notice of Violation and remained in violation at the time of the hearing.

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

1. Respondent failed to correct the violation and comply with Ordinance of the City of Deltona: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.5 & NFPA 101 Ch. 14.3.4.1.1., within the time ordered.

2. A fine is hereby imposed in the amount of \$2750 as of the hearing date, January 24, 2024, which shall continue to accrue at a rate of \$50 per day and shall continue each and every day until the violation is corrected and full compliance is confirmed by the Captain / Assistant Fire Marshall.

3. The Respondent is further ordered to contact the Code Compliance Officer to verify compliance with the Order, on/at the property described as Parcel No.: **813006000020** physical address: **1200 Deltona Boulevard, Suite #51, Deltona, FL 32725.**

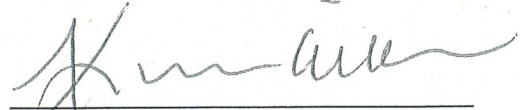
4. Any and all future recurrences of the violation addressed herein after same has been corrected shall necessitate further proceedings before the Code Compliance Special Magistrate without necessarily providing Respondent an opportunity to correct such violation. The Code Compliance Special Magistrate, 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.

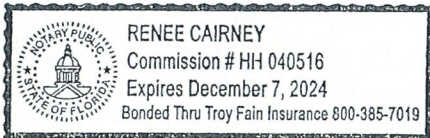
6. This Order may be appealed to the Circuit Court within thirty (30) days of its execution.

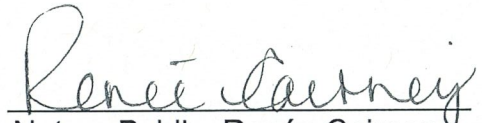
DONE AND ORDERED at City of Deltona, Florida on this 6th day of February, 2024.


Kristin N. Eick, Special Magistrate

WITNESS my hand and official seal this 6th day of February, 2024.

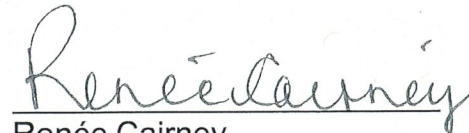
Seal




Notary Public, Renée Cairney
My Commission Expires: 12/07/2024

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing **ORDER IMPOSING FINE AND LIEN (MASSEY) Findings of Fact and Conclusions of Law** has been furnished by mail to: **Deltona Wellness LP, 17 Copperbeech Lane, Lawrence, NY 11559**, this 6th day of February, 2024.


Renée Cairney
Recording Secretary

CERTIFICATION FOR RECORDING ONLY

STATE OF FLORIDA
COUNTY OF VOLUSIA
CITY OF DELTONA

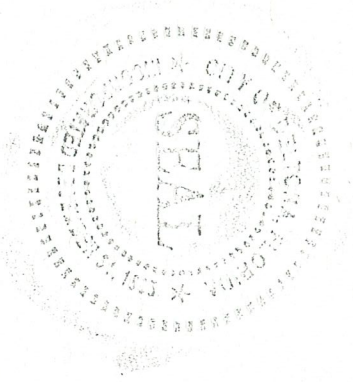
I, E. KEYS, do hereby certify this copy of the ORDER IMPOSING FINE AND LIEN (MASSEY) Findings of Fact and Conclusions of Law for Case #FIRE-23-014,

Certified

dated 2-6-24, is a true and correct photocopy of the City's record copy (Original).

By hand and the official seal of the City of Deltona on this
13th day of February, 2024.

Elizabeth Coys
City Clerk or Deputy City Clerk Elizabeth Coys



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

**CITY OF DELTONA
FLORIDA**, a municipal corporation,

Petitioner,

vs.

FIRE-23-014 MASSEY

**Deltona Wellness LP
17 Copperbeech Lane
Lawrence, NY 11559,**

Respondent.

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

THIS CAUSE was heard on January 24, 2024, 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 under oath, the Code Compliance Special Magistrate finds:

1. The property which is the subject of this code Compliance action is described as **813006000020** with physical address **1200 Deltona Boulevard, Suite #51, Deltona, FL 32725**.

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.

3. On September 27, 2023, the Special Magistrate found the Respondent in Violation of Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted, Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.5 & NFPA 101 Ch. 14.3.4.1.1, and issued an Order Finding Violation and Requiring Compliance ("Order").

4. The Respondent was ordered to correct the violation by 4:00 P.M. on November 30, 2023, which required the Respondent to cease and desist the use of the space as an educational occupancy or obtain a change of occupancy permit and pass all required final inspections. Further, the educational occupancy use required the installation of a fire alarm system in accordance with NFPA 1, Chapter 13, and the 2016 NFPA 72 or to extend the existing fire alarm system to the suite.

5. The Captain / Assistant Fire Marshall Samuel Schaller testified that he/she re-inspected the property for compliance on January 24, 2024, and testified and presented photographs of the following conditions that remain on the property, which constitute continuing non-compliance with the Order: The space is still being as utilized as a charter school occupancy and the fire alarm has not been installed or extended within the suite.

6. The Respondent was present and did testify at the hearing. Respondent testified he has engaged with an Engineer and Architect and currently are awaiting final approval of the plans, in order to correct the violations.

7. Respondent either failed or refused to correct such violation within the reasonable time provided in the Notice of Violation and remained in violation at the time of the hearing.

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

1. Respondent failed to correct the violation and comply with Ordinance of the City of Deltona: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.5 & NFPA 101 Ch. 14.3.4.1.1., within the time ordered.

2. A fine is hereby imposed in the amount of \$2750 as of the hearing date, January 24, 2024, which shall continue to accrue at a rate of \$50 per day and shall continue each and every day until the violation is corrected and full compliance is confirmed by the Captain / Assistant Fire Marshall.

3. The Respondent is further ordered to contact the Code Compliance Officer to verify compliance with the Order, on/at the property described as Parcel No.: **813006000020** physical address: **1200 Deltona Boulevard, Suite #51, Deltona, FL 32725.**

4. Any and all future recurrences of the violation addressed herein after same has been corrected shall necessitate further proceedings before the Code Compliance Special Magistrate without necessarily providing Respondent an opportunity to correct such violation. The Code Compliance 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.

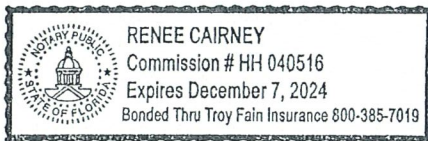
6. This Order may be appealed to the Circuit Court within thirty (30) days of its execution.

DONE AND ORDERED at City of Deltona, Florida on this 6th day of February, 2024.


Kristin N. Eick, Special Magistrate

WITNESS my hand and official seal this 6th day of February, 2024.

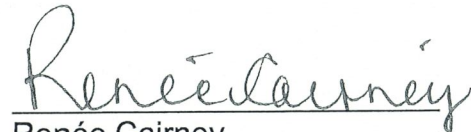
Seal




Notary Public, Renée Cairney
My Commission Expires: 12/07/2024

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing **ORDER IMPOSING FINE AND LIEN (MASSEY) Findings of Fact and Conclusions of Law** has been furnished by mail to: **Deltona Wellness LP, 17 Copperbeech Lane, Lawrence, NY 11559**, this 6th day of February, 2024.


Renée Cairney
Recording Secretary

CERTIFICATION FOR RECORDING ONLY

STATE OF FLORIDA
COUNTY OF VOLUSIA
CITY OF DELTONA

I, _____, do hereby certify this copy of the **ORDER IMPOSING FINE AND LIEN (MASSEY) Findings of Fact and Conclusions of Law** for Case #FIRE-23-014,

dated _____, is a true and correct photocopy of the City's record copy (Original).

By hand and the official seal of the City of Deltona on this
_____ day of _____, 2024.

City Clerk or Deputy City Clerk

CITY of DELTONA

Vs.

DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE, NY, 11559

Property Address: 1200 DELTONA BLVD STE 51, DELTONA, FL, 32725

MASSEY FIRE-014-2023

AFFIDAVIT OF SERVICE

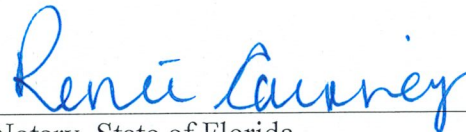
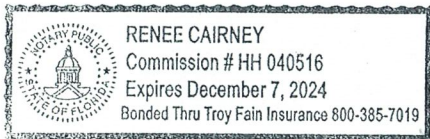
STATE of FLORIDA
(COUNTY of VOLUSIA)

Before me, the undersigned authority, on January 18th, 2024 personally appeared Asst. Fire Marshal Captain Samuel Schaller, who, being first duly sworn deposes and says:

1. I am a firesafety inspector with the City of Deltona, Florida.
2. I Posted the Notice of Violation and the Notice of Hearing pertaining to Special Magistrate Case Number Massey FIRE-014-2023, to the front door located at 1200 Deltona Blvd STE 51, DELTONA, FL, 32725 on January 12th, 2024 at approximately 10:48 AM.
3. The Notice of Hearing and Notice of Code Violation were sent certified mail to the property owner at the address listed with the Property Appraisers records. In addition, both notices are posted at City of Deltona City Hall at least 10 days prior to the hearing.



Affiant



Notary, State of Florida
(Seal)

**SPECIAL MAGISTRATE
CODE COMPLIANCE HEARING
CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA**

Case No.: FIRE23-014 - MASSEY

City of Deltona, a
Florida Municipal Corporation

VS

DELTONA WELLNESS LP
Respondent

EXHIBITS

- | | |
|-----------|-----------------------------|
| Exhibit A | Case Detailed Report |
| Exhibit B | Photo of violation |
| Exhibit C | Notice of Violation |
| Exhibit D | Notice of Hearing |
| Exhibit E | Property Appraisers Records |
| Exhibit F | Certified Mailing Records |
| Exhibit G | Affidavit of Service |



Deltona Fire Department

1685 Providence Blvd.
Deltona, FL 32725
Office (386) 575-6901
www.deltonafl.gov



Occupant Name:	Vacant	Inspection Date:	9/26/2023 (Initial Insp. Date: 6/22/2023)
Address:	1200 Deltona Boulevard	InspectionType:	Reinspection #3 (Fire Inspection- Commercial)
Suite:	51		
Structure Name:			
City:	Deltona	Inspected By:	Ajorie Bailey 386-878-8652 abailey@deltonafl.gov

Insp. Result	Location	Code Set	Code
Deficiency	Suite 50	FL NFPA 1 2018 Chapter 1 Administration	1.7.12.5 - Permit Required - Change of Occupancy (see photo 1.1)

Inspector Comments:

*****This matter has been forwarded to a Special Magistrate hearing.*****

*****Change of Occupancy Without Interior Alterations/Modifications*****

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

SECONDARY VIOLATION:

In addition, this space is now being utilized for as an educational occupancy, and therefore will either require the existing fire alarm system in suites 52-56 be extended to provide notification & initiation in this suite, or a new fire alarm system installed in accordance with FFPC NFPA 1 Ch. 13 & 2016 NFPA 76 to serve suites 50 & 51.

(FFPC 7th Edition, NFPA 101 Ch. 14.3.4.1.1)

(Please note, "Location" states Suite 50, however, violation also applies to Suite 51 as well.)

Re-Inspection #2 Comment-

*****This matter has been forwarded to a Special Magistrate hearing.*****

*****Change of Occupancy Without Interior Alterations/Modifications*****

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

SECONDARY VIOLATION:

In addition, this space is now being utilized for as an educational occupancy, and therefore will either require the existing fire alarm system in suites 52-56 be extended to provide notification & initiation in this suite, or a new fire alarm system installed in accordance with FFPC NFPA 1 Ch. 13 & 2016 NFPA 76 to serve suites 50 & 51.



(FFPC 7th Edition, NFPA 101 Ch. 14.3.4.1.1)

(Please note, "Location" states Suite 50, however, violation also applies to Suite 51 as well.)

Re-Inspection #1 Comment-

Change of Occupancy Without Interior Alterations/Modifications

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

SECONDARY VIOLATION:

In addition, this space is now being utilized for as an educational occupancy, and therefore will either require the existing fire alarm system in suites 52-56 be extended to provide notification & initiation in this suite, or a new fire alarm system installed in accordance with FFPC NFPA 1 Ch. 13 & 2016 NFPA 76 to serve suites 50 & 51.

(FFPC 7th Edition, NFPA 101 Ch. 14.3.4.1.1)

(Please note, "Location" states Suite 50, however, violation also applies to Suite 51 as well.)

Initial Inspection Comment-

Change of Occupancy Without Interior Alterations/Modifications

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

If deemed necessary by an AHJ for a complete, accurate, and thorough fire safety plan review or inspection, the AHJ may request assistance from a building, electrical, mechanical, plumbing, or similar specialty inspector; however, nothing in this rule gives authority or jurisdiction to any person other than a fire safety inspector certified under Section 633.216, Florida Statutes, to perform fire safety inspections required by law, rule, ordinance, or code. [1:1.7.4.1]

Inspector Comments: Fire Re-Inspection #3 No Invoice Fee Applied

Inspector will return on or after 10/4/2023

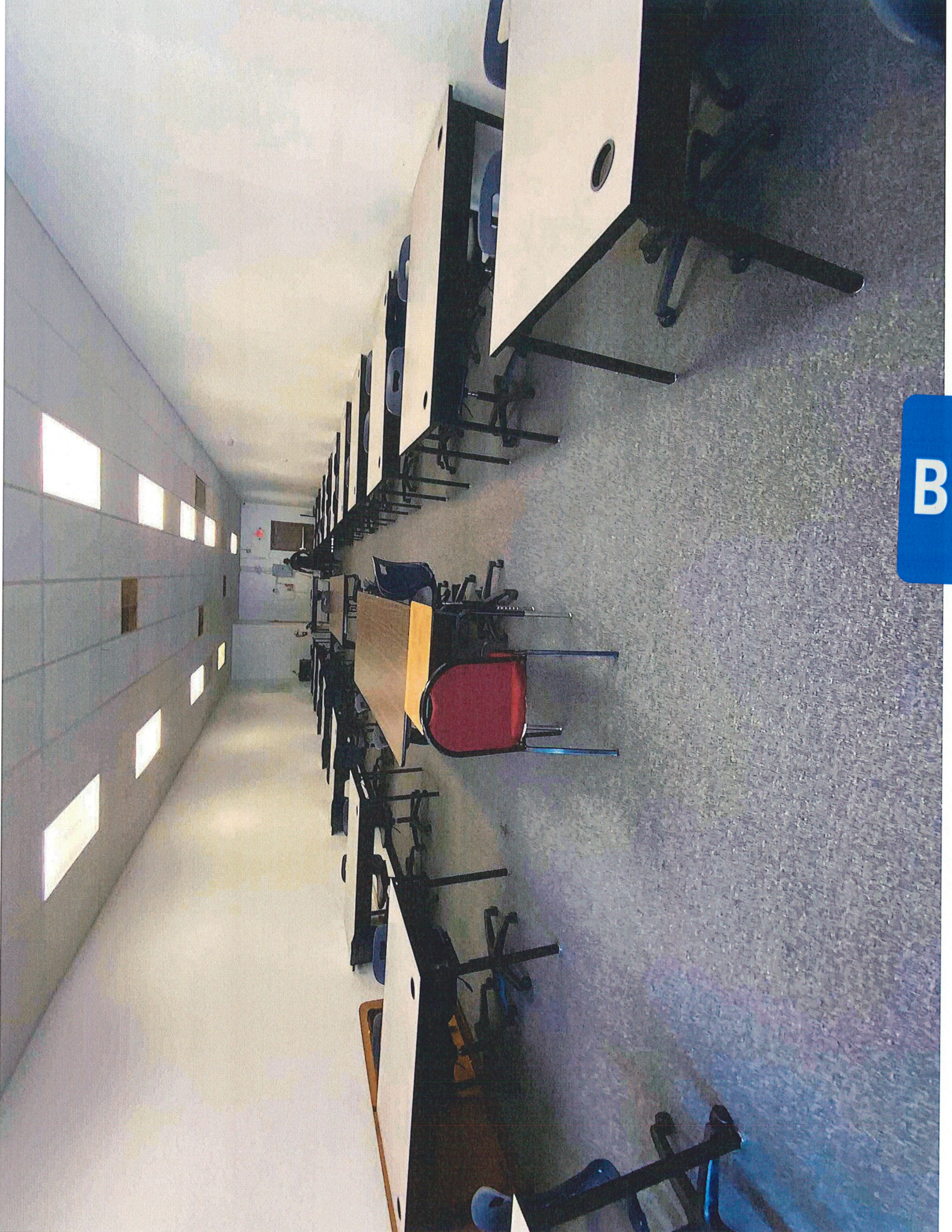
Your inspection today revealed fire code deficiencies that require immediate attention and/or repair. A follow-up inspection will be conducted to verify code compliance. Failure to comply may result in further action.

Should you have any questions, please contact your Inspector. If you feel the need to speak with the supervisor, please contact Chief Shivers Fire Marshal at 386-575-6909 or sshivers@deltonafl.gov

1.1 - 1.7.12.5.



Ref: 4230-5158



B

Sep 26, 2023 at 12:35:49 PM





DELTONA FIRE DEPARTMENT
1685 Providence Blvd.
Deltona, FL 32725
(386) 575-6901

VIOLATION NOTICE	CASE NUMBER: FIRE-014-2023
	CASE TYPE: FIRE
	DATE CASE ESTABLISHED: 06/22/2023
COMPLIANCE DEADLINE: 9/13/2023	

OWNER: DELTONA WELLNESS LP

MAILING ADDRESS

17 COPPERBEECH LN
LAWRENCE NY 11559



NOTICE OF VIOLATION FOR THE FOLLOWING LOCATION:

ADDRESS	PARCEL
1200 DELTONA BLVD, STE 51, DELTONA, FL 32725	813006000020

Pursuant to FS 162.06, if the violation is corrected and then recurs, or if the violation is not corrected by the date specified herein, a citation may be issued or the case may be presented to the City Code Enforcement Special Magistrate, who has the authority to fine up to \$250.00 per day for each violation of Fire Prevention codes. Please contact the Fire Marshal for additional information or assistance.

Violation: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7 th Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1. See attached Fire Inspection report for detailed information.
Corrective Action: Cease & Desist utilization of space as educational occupancy OR obtain change of occupancy permit & pass all required final inspections. Install fire alarm system in accordance with NFPA 1 Ch. 13 & 2016 NFPA 72, or extend existing fire alarm system to provide initiation & notification within suite.
Compliance Date: 9/13/2023

A follow-up inspection will be conducted. Continued violations will result in a citation being issued or a Public Hearing before the Special Magistrate. The Special Magistrate has the authority to fine up to \$250.00 per day for each violation of Fire Prevention codes. Please contact the Fire Marshal for additional information or assistance. **THIS NOTICE OF VIOLATION REQUIRES YOUR IMMEDIATE ATTENTION.** We need your help to make the city a safer place by correcting the health/safety concern.

Sincerely, Samuel Schaller, Captain/Asst. Fire Marshal

**CODE COMPLIANCE SPECIAL MAGISTRATE
HEARING IN AND FOR THE CITY OF DELTONA,
VOLUSIA COUNTY, FLORIDA**

CASE NO.: FIRE23-014 MASSEY

CITY OF DELTONA, a
Florida municipal corporation,

VS

DELTONA WELLNESS LP
Respondent

NOTICE OF HEARING/NOTICE TO IMPOSE FINE

STATE OF FLORIDA
COUNTY OF VOLUSIA

TO: DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE NY 11559

YOU ARE HEREBY NOTIFIED that you were charged with a violation of an Ordinance of the City of Deltona: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1. See attached Fire Inspection Report for detailed information. On your real property located at **1200 DELTONA BLVD SUITE 51, DELTONA, FL 32725. Parcel ID: 813006000020.**

Corrective action: Cease & Desist utilization of space as educational occupancy OR obtain change of occupancy permit & pass all required final inspections. Install fire alarm system in accordance with NFPA 1 Ch. 13 & 2016 NFPA 72, or extend existing fire alarm system to provide initiation & notification within suite. You are hereby notified that a fine may be ordered if the violation is not corrected before the Hearing date of **January 24, 2024.**

A hearing concerning this violation is set before the Code Compliance Special Magistrate on **January 24, 2024 at 5:30 p.m.** at the **City Hall Commission Chambers, 2345 Providence Blvd., Deltona, Florida 32725,** to determine whether or not you have committed said violation and if so, to set a penalty if determined necessary.

You must be prepared to present your case at this time. You must have present, all witnesses and documents you intend to rely upon. You have the right to be present, to be represented by an attorney, and to subpoena witnesses and documents. If you fail to appear, the hearing will proceed in your absence.



Pursuant to FS 162.06, if the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code enforcement officer, the case may be presented to the Code Compliance Special Magistrate even if the violation has been corrected prior to the Hearing, per City Ordinance, Section 2-52, which gives the authority to impose fines and/or penalties.

If you wish to have any witnesses subpoenaed or have any other questions please contact the Hearing Clerk immediately at 386-878-8703.

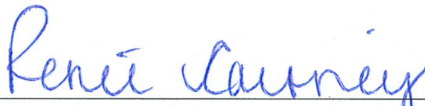
Persons are advised that if they decide to appeal any decision made at this hearing, they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based, per Chapter 80-150, Laws of Florida. The City of Deltona does not provide this verbatim record.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Hearing Clerk 48 hours in advance of the meeting at 386-878-8703.

DATED this **January 3, 2024**



Samuel Schaller: Captain / Assistant Fire Marshall



Renée Cairney: Special Magistrate Hearing Clerk



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

AltKey: 2630418

Parcel ID: 813006000020

DELTONA WELLNESS LP

1200 DELTONA BLVD, DELTONA, FL

Parcel Summary

Alternate Key:	2630418
Parcel ID:	813006000020
Township-Range-Section:	18 - 31 - 30
Subdivision-Block-Lot:	06 - 00 - 0020
Owner(s):	DELTONA WELLNESS LP - FS - Fee Simple - 100%
Mailing Address On File:	17 COPPERBEECH LN LAWRENCE NY 11559
Physical Address:	1200 DELTONA BLVD, DELTONA 32725
Property Use:	1600 - SH CTR CMMITY
Tax District:	016-DELTONA
2023 Proposed Millage Rate:	19.7779
Neighborhood:	7045
Business Name:	DELTONA PLAZA
Subdivision Name:	DELTONA LAKES UNIT 6
Homestead Property:	No

E

Tracking Number:

Remove X

70140510000086533953

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 6:40 pm on January 16, 2024 in LAWRENCE, NY 11559.

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USPS Tracking Plus[®]

Delivered

Delivered, Left with Individual

LAWRENCE, NY 11559

January 16, 2024, 6:40 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus[®]



Product Information



See Less ^

Track Another Package



Feedback



CITY of DELTONA

Vs.

DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE, NY, 11559

Property Address: 1200 DELTONA BLVD STE 51, DELTONA, FL, 32725

MASSEY FIRE-014-2023

AFFIDAVIT OF SERVICE

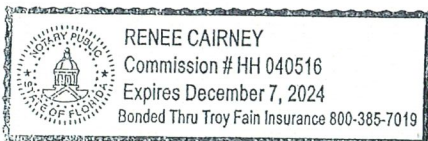
STATE of FLORIDA
(COUNTY of VOLUSIA)

Before me, the undersigned authority, on January 18th, 2024 personally appeared Asst. Fire Marshal Captain Samuel Schaller, who, being first duly sworn deposes and says:

1. I am a firesafety inspector with the City of Deltona, Florida.
2. I Posted the Notice of Violation and the Notice of Hearing pertaining to Special Magistrate Case Number Massey FIRE-014-2023, to the front door located at 1200 Deltona Blvd STE 51, DELTONA, FL, 32725 on January 12th, 2024 at approximately 10:48 AM.
3. The Notice of Hearing and Notice of Code Violation were sent certified mail to the property owner at the address listed with the Property Appraisers records. In addition, both notices are posted at City of Deltona City Hall at least 10 days prior to the hearing.



Affiant





Notary, State of Florida
(Seal)

G

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
IN AND FOR THE CITY OF DELTONA,
VOLUSIA COUNTY, FLORIDA

CASE NO.: FIRE23-014

CITY OF DELTONA, a
Florida Municipal Corporation
2345 Providence Blvd.
Deltona, Florida 32725,

Petitioner,

vs.

Deltona Wellness LP
17 Copperbeech Ln.
Lawrence, NY 11559

Respondent.

Property Location: **1200 Deltona Boulevard, Suite #51, Deltona, FL 32725**
Parcel No.: **813006000020**

ORDER FINDING VIOLATION AND REQUIRING COMPLIANCE
Findings of Fact and Conclusions of Law

THIS CAUSE came on for public hearing before the Special Magistrate, on September 27, 2023 after due notice to Respondent to determine whether a violation of the City of Deltona Code of Ordinances exists or existed on the property. The 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 Conditions of Law.

Findings of Fact and Conclusions of Law

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

1. The property which is the subject of this action is located at **1200 Deltona Boulevard, Suite #51, Deltona, Florida 32725.**
2. The Respondent was provided a Notice of Violation and Notice of Hearing 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.

3. The Notice of Violation identified a violation of Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7 Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1., which requires a permit prior to a change of occupancy and a fire alarm system be installed for educational occupancies. The Notice of Violation described the corrective action needed to be taken to remedy the violation. A reasonable time to correct the violation was given by the Code Enforcement Officer in the Notice of Violation until September 13, 2023, as allowed by City Code and Chapter 162, Fla. Statutes.

4. The Captain/Assistant Fire Marshall Samuel Schaller testified and submitted photographs into evidence, demonstrating that the suite is being used as a charter school as children are present during school hours and that the existing fire alarm system was not extended within the suite.

5. The Respondent was present at the hearing. Respondent testified that he has employees who will begin work on the violations immediately and requested 60 days to come into compliance.

6. A violation of Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. the Florida Fire Prevention Code 7 Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1 exists on the property because a change of occupancy permit, passing of all final inspections, and installation of a fire alarm system have not been obtained prior to the suite being used as a school.

7. Respondent either failed or refused to correct such violation within the reasonable time provided in the Notice of Violation and remained in violation at the time of the hearing.

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

1. Respondent is given until **4:00 P.M. on November 30, 2023** to correct the violation in the manner provided in the Notice of Violation.

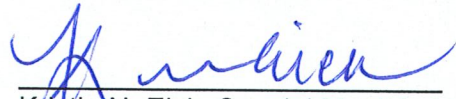
2. If the Respondent fails to correct the violation and comply with Section Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. the Florida Fire Prevention Code 7 Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1, within the time period ordered, a fine of **\$50** (for both violations combined) will be imposed for each and every day the violation continues past the aforementioned date 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.: **813006000020**, physical address: **1200 Deltona Boulevard, Suite #51, Deltona, FL 32725**

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. Per Section 162.11 of the Florida Statutes and Section 2-111 of the City Code, an aggrieved party, including the City, may appeal a final administrative order of the Special Magistrate in Circuit Court. An appeal shall be filed with the Circuit Court within 30 days of the execution of this Order to be appealed.

DONE AND ORDERED at City of Deltona, Florida on this 17th day of October, 2023.


Kristin N. Eick, Special Magistrate


Seal of Vanessa Buck my hand and official seal this 25th day of October, 2023.



Vanessa Buck
Vanessa Buck, Notary Public
My Commission Expires: 12/28/2024

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing **ORDER FINDING VIOLATION AND REQUIRING COMPLIANCE** has been furnished by mail to: **Deltona Wellness LP, 17 Copperbeech Lane, Lawrence, NY 11559**, this 26 day of October, 2023.


Renee Gairney
Recording Secretary

Danny Row
CODE COMPLIANCE MGR.

**CODE COMPLIANCE SPECIAL MAGISTRATE
HEARING IN AND FOR THE CITY OF DELTONA,
VOLUSIA COUNTY, FLORIDA**

CASE NO.: FIRE23-014

CITY OF DELTONA, a
Florida municipal corporation,

VS

DELTONA WELLNESS LP
Respondent

NOTICE OF HEARING/NOTICE TO IMPOSE FINE

STATE OF FLORIDA
COUNTY OF VOLUSIA

TO: DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE NY 11559

YOU ARE HEREBY NOTIFIED that you were charged with a violation of an Ordinance of the City of Deltona: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1. See attached Fire Inspection Report for detailed information. On your real property located at **1200 DELTONA BLVD SUITE 51, DELTONA, FL 32725. Parcel ID: 813006000020.**

Corrective action: Cease & Desist utilization of space as educational occupancy OR obtain change of occupancy permit & pass all required final inspections. Install fire alarm system in accordance with NFPA 1 Ch. 13 & 2016 NFPA 72, or extend existing fire alarm system to provide initiation & notification within suite. You are hereby notified that a fine may be ordered if the violation is not corrected before the Hearing date of **September 27, 2023.**

A hearing concerning this violation is set before the Code Compliance Special Magistrate on **September 27, 2023 at 5:30 p.m.** at the **City Hall Commission Chambers, 2345 Providence Blvd., Deltona, Florida 32725,** to determine whether or not you have committed said violation and if so, to set a penalty if determined necessary.

You must be prepared to present your case at this time. You must have present, all witnesses and documents you intend to rely upon. You have the right to be present, to be represented by an attorney, and to subpoena witnesses and documents. If you fail to appear, the hearing will proceed in your absence.



Pursuant to FS 162.06, if the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code enforcement officer, the case may be presented to the Code Compliance Special Magistrate even if the violation has been corrected prior to the Hearing, per City Ordinance, Section 2-52, which gives the authority to impose fines and/or penalties.

If you wish to have any witnesses subpoenaed or have any other questions please contact the Hearing Clerk immediately at 386-878-8705.

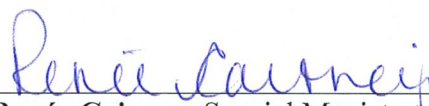
Persons are advised that if they decide to appeal any decision made at this hearing, they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based, per Chapter 80-150, Laws of Florida. The City of Deltona does not provide this verbatim record.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Hearing Clerk 48 hours in advance of the meeting at 386-878-8705.

DATED this September 7, 2023



Samuel Schaller: Captain / Assistant Fire Marshall



Renée Cairney: Special Magistrate Hearing Clerk



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

AltKey: 2630418

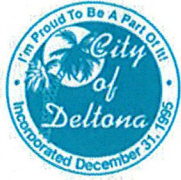
Parcel ID: 813006000020

DELTONA WELLNESS LP

1200 DELTONA BLVD, DELTONA, FL

Parcel Summary

Alternate Key:	2630418
Parcel ID:	813006000020
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Owner(s):	DELTONA WELLNESS LP - FS - Fee Simple - 100%
Mailing Address On File:	17 COPPERBEECH LN LAWRENCE NY 11559
Physical Address:	1200 DELTONA BLVD, DELTONA 32725
Property Use:	1600 - SH CTR CMMITY
Tax District:	016-DELTONA
2023 Proposed Millage Rate:	19.7779
Neighborhood:	7045
Business Name:	DELTONA PLAZA
Subdivision Name:	DELTONA LAKES UNIT 6
Homestead Property:	No



DELTONA FIRE DEPARTMENT
1685 Providence Blvd.
Deltona, FL 32725
(386) 575-6901

CASE NUMBER: FIRE-014-2023	
<h1>VIOLATION NOTICE</h1>	CASE TYPE: FIRE
	DATE CASE ESTABLISHED: 06/22/2023
	COMPLIANCE DEADLINE: 9/13/2023

OWNER: DELTONA WELLNESS LP

MAILING ADDRESS

17 COPPERBEECH LN
LAWRENCE NY 11559

NOTICE OF VIOLATION FOR THE FOLLOWING LOCATION:

ADDRESS

PARCEL

1200 DELTONA BLVD, STE 51, DELTONA, FL 32725 813006000020

Pursuant to FS 162.06, if the violation is corrected and then recurs, or if the violation is not corrected by the date specified herein, a citation may be issued or the case may be presented to the City Code Enforcement Special Magistrate, who has the authority to fine up to \$250.00 per day for each violation of Fire Prevention codes. Please contact the Fire Marshal for additional information or assistance.

<p>Violation: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.5 & NFPA 101 Ch. 14.3.4.1.1. See attached Fire Inspection report for detailed information.</p>
<p>Corrective Action: Cease & Desist utilization of space as educational occupancy OR obtain change of occupancy permit & pass all required final inspections. Install fire alarm system in accordance with NFPA 1 Ch. 13 & 2016 NFPA 72, or extend existing fire alarm system to provide initiation & notification within suite.</p>
<p>Compliance Date: 9/13/2023</p>

A follow-up inspection will be conducted. Continued violations will result in a citation being issued or a Public Hearing before the Special Magistrate. The Special Magistrate has the authority to fine up to \$250.00 per day for each violation of Fire Prevention codes. Please contact the Fire Marshal for additional information or assistance. **THIS NOTICE OF VIOLATION REQUIRES YOUR IMMEDIATE ATTENTION.** We need your help to make the city a safer place by correcting the health/safety concern.

Sincerely, Samuel Schaller, Captain/Asst. Fire Marshal

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[https://reg.usps.com/xsell?](https://reg.usps.com/xsell?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

Tracking Number:

70211970000042480210

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Latest Update

The delivery status of your item has not been updated as of September 20, 2023, 1:24 am. We apologize that it may arrive later than expected.

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In and for the CITY of DELTONA, FLORIDA

CITY of DELTONA

Vs.

DELTONA WELLNESS LP

AFFIDAVIT OF SERVICE

STATE of FLORIDA
(COUNTY of VOLUSIA)

Before me the undersigned authority, 9/12/2023, personally appeared Asst. Fire Marshal Samuel Schaller, who, being first duly sworn deposes and says:

1. I am a firesafety inspector with the City of Deltona, Florida.
2. I Posted the Notice of Violation and the Notice of Hearing pertaining to this matter, a true copy of which is attached hereto, on 9/11/2023 to 1200 Deltona Blvd Suite 51.



Affiant



Notary, State of Florida
(Seal)

G

**SPECIAL MAGISTRATE
CODE COMPLIANCE HEARING
CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA**

Case No.: FIRE23-014

City of Deltona, a
Florida Municipal Corporation

VS

DELTONA WELLNESS LP
Respondent

EXHIBITS

- | | |
|-----------|-----------------------------|
| Exhibit A | Case Detailed Report |
| Exhibit B | Photo of violation |
| Exhibit C | Notice of Violation |
| Exhibit D | Notice of Hearing |
| Exhibit E | Property Appraisers Records |
| Exhibit F | Certified Mailing Records |
| Exhibit G | Affidavit of Service |



Deltona Fire Department

1685 Providence Blvd.
Deltona, FL 32725
Office (386) 575-6901
www.deltonafl.gov



Occupant Name: Vacant
Address: 1200 Deltona Boulevard
Suite: 51
Structure Name:
City: Deltona

Inspection Date: 9/26/2023 (Initial Insp. Date: 6/22/2023)
InspectionType: Reinspection #3 (Fire Inspection- Commercial)

Inspected By: Ajorie Bailey
386-878-8652
abailey@deltonafl.gov

Insp. Result	Location	Code Set	Code
Deficiency	Suite 50	FL NFPA 1 2018 Chapter 1 Administration	1.7.12.5 - Permit Required - Change of Occupancy (see photo 1.1)

Inspector Comments:

*****This matter has been forwarded to a Special Magistrate hearing.*****

*****Change of Occupancy Without Interior Alterations/Modifications*****

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

SECONDARY VIOLATION:

In addition, this space is now being utilized for as an educational occupancy, and therefore will either require the existing fire alarm system in suites 52-56 be extended to provide notification & initiation in this suite, or a new fire alarm system installed in accordance with FFPC NFPA 1 Ch. 13 & 2016 NFPA 76 to serve suites 50 & 51.

(FFPC 7th Edition, NFPA 101 Ch. 14.3.4.1.1)

(Please note, "Location" states Suite 50, however, violation also applies to Suite 51 as well.)

Re-Inspection #2 Comment-

*****This matter has been forwarded to a Special Magistrate hearing.*****

*****Change of Occupancy Without Interior Alterations/Modifications*****

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

SECONDARY VIOLATION:

In addition, this space is now being utilized for as an educational occupancy, and therefore will either require the existing fire alarm system in suites 52-56 be extended to provide notification & initiation in this suite, or a new fire alarm system installed in accordance with FFPC NFPA 1 Ch. 13 & 2016 NFPA 76 to serve suites 50 & 51.

(FFPC 7th Edition, NFPA 101 Ch. 14.3.4.1.1)

(Please note, "Location" states Suite 50, however, violation also applies to Suite 51 as well.)

Re-Inspection #1 Comment-

Change of Occupancy Without Interior Alterations/Modifications

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

SECONDARY VIOLATION:

In addition, this space is now being utilized for as an educational occupancy, and therefore will either require the existing fire alarm system in suites 52-56 be extended to provide notification & initiation in this suite, or a new fire alarm system installed in accordance with FFPC NFPA 1 Ch. 13 & 2016 NFPA 76 to serve suites 50 & 51.

(FFPC 7th Edition, NFPA 101 Ch. 14.3.4.1.1)

(Please note, "Location" states Suite 50, however, violation also applies to Suite 51 as well.)

Initial Inspection Comment-

Change of Occupancy Without Interior Alterations/Modifications

Space formerly used as business occupancy now being used for educational occupancy.

A change of occupancy permit shall be obtained for a change of occupancy, when no interior alterations have been conducted.

Please see Change of Occupancy Guidelines provided.

Disclaimer: This list of guidelines may not be all-inclusive to your situation; therefore is important to note additional questions and/or comments may be generated during the formal plan review process. Violation will not be cleared until change of occupancy permit is issued, and all final inspections called in & passed. [1:1.12.8]

The property or property owner's representative shall be responsible for permit application submittal. Additional code requirements may be generated at time of formal plan review submittal.

If deemed necessary by an AHJ for a complete, accurate, and thorough fire safety plan review or inspection, the AHJ may request assistance from a building, electrical, mechanical, plumbing, or similar specialty inspector; however, nothing in this rule gives authority or jurisdiction to any person other than a fire safety inspector certified under Section 633.216, Florida Statutes, to perform fire safety inspections required by law, rule, ordinance, or code. [1:1.7.4.1]

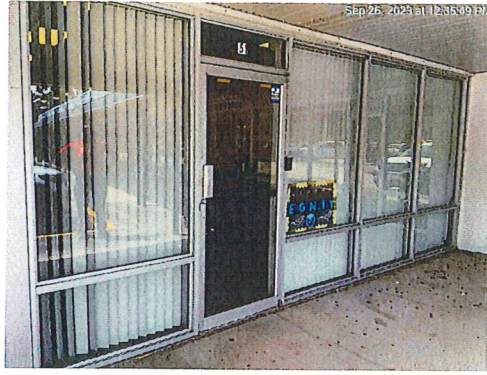
Inspector Comments: Fire Re-Inspection #3 No Invoice Fee Applied

Inspector will return on or after 10/4/2023

Your inspection today revealed fire code deficiencies that require immediate attention and/or repair. A follow-up inspection will be conducted to verify code compliance. Failure to comply may result in further action.

Should you have any questions, please contact your Inspector. If you feel the need to speak with the supervisor, please contact Chief Shivers Fire Marshal at 386-575-6909 or sshivers@deltonafl.gov

1.1 - 1.7.12.5.



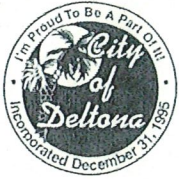
Ref: 4230-5158

B



Sep 26, 2023 at 12:35:49 PM





DELTONA FIRE DEPARTMENT
 1685 Providence Blvd.
 Deltona, FL 32725
 (386) 575-6901

VIOLATION NOTICE	CASE NUMBER: FIRE-014-2023
	CASE TYPE: FIRE
	DATE CASE ESTABLISHED: 06/22/2023
	COMPLIANCE DEADLINE: 9/13/2023

OWNER: DELTONA WELLNESS LP

MAILING ADDRESS

17 COPPERBEECH LN LAWRENCE NY 11559
--



NOTICE OF VIOLATION FOR THE FOLLOWING LOCATION:

ADDRESS	PARCEL
1200 DELTONA BLVD, STE 51, DELTONA, FL 32725	813006000020

Pursuant to FS 162.06, if the violation is corrected and then recurs, or if the violation is not corrected by the date specified herein, a citation may be issued or the case may be presented to the City Code Enforcement Special Magistrate, who has the authority to fine up to \$250.00 per day for each violation of Fire Prevention codes. Please contact the Fire Marshal for additional information or assistance.

Violation: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7 th Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1. See attached Fire Inspection report for detailed information.
Corrective Action: Cease & Desist utilization of space as educational occupancy OR obtain change of occupancy permit & pass all required final inspections. Install fire alarm system in accordance with NFPA 1 Ch. 13 & 2016 NFPA 72, or extend existing fire alarm system to provide initiation & notification within suite.
Compliance Date: 9/13/2023

A follow-up inspection will be conducted. Continued violations will result in a citation being issued or a Public Hearing before the Special Magistrate. The Special Magistrate has the authority to fine up to \$250.00 per day for each violation of Fire Prevention codes. Please contact the Fire Marshal for additional information or assistance. **THIS NOTICE OF VIOLATION REQUIRES YOUR IMMEDIATE ATTENTION.** We need your help to make the city a safer place by correcting the health/safety concern.

Sincerely, Samuel Schaller, Captain/Asst. Fire Marshal

**CODE COMPLIANCE SPECIAL MAGISTRATE
HEARING IN AND FOR THE CITY OF DELTONA,
VOLUSIA COUNTY, FLORIDA**

CASE NO.: FIRE23-014

CITY OF DELTONA, a
Florida municipal corporation,

VS

DELTONA WELLNESS LP
Respondent

NOTICE OF HEARING/NOTICE TO IMPOSE FINE

STATE OF FLORIDA
COUNTY OF VOLUSIA

TO: DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE NY 11559

YOU ARE HEREBY NOTIFIED that you were charged with a violation of an Ordinance of the City of Deltona: Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted. Florida Fire Prevention Code 7th Edition, NFPA 1, Ch. 1, 1.7.12.8 & NFPA 101 Ch. 14.3.4.1.1. See attached Fire Inspection Report for detailed information. On your real property located at **1200 DELTONA BLVD SUITE 51, DELTONA, FL 32725. Parcel ID: 813006000020.**

Corrective action: Cease & Desist utilization of space as educational occupancy OR obtain change of occupancy permit & pass all required final inspections. Install fire alarm system in accordance with NFPA 1 Ch. 13 & 2016 NFPA 72, or extend existing fire alarm system to provide initiation & notification within suite. You are hereby notified that a fine may be ordered if the violation is not corrected before the Hearing date of **September 27, 2023.**

A hearing concerning this violation is set before the Code Compliance Special Magistrate on **September 27, 2023 at 5:30 p.m.** at the **City Hall Commission Chambers, 2345 Providence Blvd., Deltona, Florida 32725,** to determine whether or not you have committed said violation and if so, to set a penalty if determined necessary.

You must be prepared to present your case at this time. You must have present, all witnesses and documents you intend to rely upon. You have the right to be present, to be represented by an attorney, and to subpoena witnesses and documents. If you fail to appear, the hearing will proceed in your absence.



Pursuant to FS 162.06, if the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code enforcement officer, the case may be presented to the Code Compliance Special Magistrate even if the violation has been corrected prior to the Hearing, per City Ordinance, Section 2-52, which gives the authority to impose fines and/or penalties.

If you wish to have any witnesses subpoenaed or have any other questions please contact the Hearing Clerk immediately at 386-878-8705.


Persons are advised that if they decide to appeal any decision made at this hearing, they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based, per Chapter 80-150, Laws of Florida. The City of Deltona does not provide this verbatim record.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Hearing Clerk 48 hours in advance of the meeting at 386-878-8705.

DATED this September 7, 2023



Samuel Schaller: Captain / Assistant Fire Marshall



Renée Cairney: Special Magistrate Hearing Clerk



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

AltKey: 2630418

Parcel ID: 813006000020

DELTONA WELLNESS LP

1200 DELTONA BLVD, DELTONA, FL

Parcel Summary

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Subdivision-Block-Lot:	06 - 00 - 0020
Owner(s):	DELTONA WELLNESS LP - FS - Fee Simple - 100%
Mailing Address On File:	17 COPPERBEECH LN LAWRENCE NY 11559
Physical Address:	1200 DELTONA BLVD, DELTONA 32725
Property Use:	1600 - SH CTR CMMITY
Tax District:	016-DELTONA
2023 Proposed Millage Rate:	19.7779
Neighborhood:	7045
Business Name:	DELTONA PLAZA
Subdivision Name:	DELTONA LAKES UNIT 6
Homestead Property:	No

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[https://reg.usps.com/xsell?](https://reg.usps.com/xsell?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

Tracking Number:

7021197000042480210

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Latest Update

The delivery status of your item has not been updated as of September 20, 2023, 1:24 am. We apologize that it may arrive later than expected.

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Alert

Awaiting Delivery Scan
September 20, 2023, 1:24 am

Out for Delivery
LAWRENCE, NY 11559
September 19, 2023, 7:24 am

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[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package)
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In and for the CITY of DELTONA, FLORIDA

CITY of DELTONA

Vs.

DELTONA WELLNESS LP

AFFIDAVIT OF SERVICE

STATE of FLORIDA
(COUNTY of VOLUSIA)

Before me the undersigned authority, 9/12/2023, personally appeared Asst. Fire Marshal Samuel Schaller, who, being first duly sworn deposes and says:

1. I am a firesafety inspector with the City of Deltona, Florida.
2. I Posted the Notice of Violation and the Notice of Hearing pertaining to this matter, a true copy of which is attached hereto, on 9/11/2023 to 1200 Deltona Blvd Suite 51.



Affiant



Notary, State of Florida
(Seal)