

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$

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

NOH

Postmark
Here

Re

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2021 2970 0000 8424 0120

**U.S. Postal Service™
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 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$

Total Postage and Fees \$

Sent To

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

2202 0000 0000 2048 2047

DELTONA WELLNESS LP
 17 COPPERBEECH LN
 LAWRENCE NY 11559
 FIRE23-13/14/15/165M

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

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Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)

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Postmark
Here

Re

Deltona Wellness LP
 17 Copperbeech Ln.
 Lawrence, NY 11559
 Fire-23-013 MASSEY
 1200 Deltona Blvd. - NOH

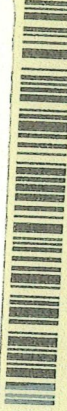
PS Form 3800, August 2006 See Reverse for Instructions

2024 0520 0000 8598 9446

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece.

Deltona Wellness LP
 17 Copperbeech Ln.
 Lawrence, NY 11559
 Fire-23-013 MASSEY
 1200 Deltona Blvd. - NOH



9590 9402 8014 2305 9047 69

2. Article Number (Transfer from service label)

7014 0510 0000 8653 3946

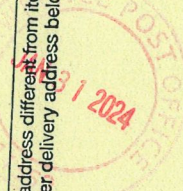
PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) Addressee
 C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Signature Confirmation™
 Signature Confirmation Restricted Delivery



Re

Domestic Return Receipt

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# 2024032247 4 pages
Book: 8519 Page: 2972
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-23-013 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 #50, 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 be 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 firm, 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 #50, 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.

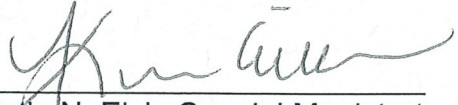
5. A Certified copy of this Order may be recorded in the Public Records of Volusia County and thereafter shall constitute a lien against the subject property on which the

Certified

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.

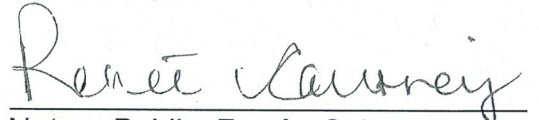
6. This Order may be appealed to the Circuit Court within thirty (30) days of its execution.

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


Kristin N. Eick, Special Magistrate

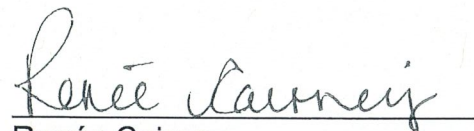
WITNESS my hand and official seal this 6th day of February, 2024.




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

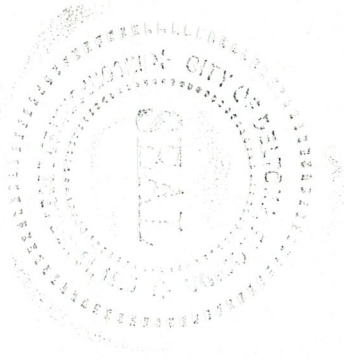
I, E. KEYS, do hereby certify this copy of the ORDER IMPOSING FINE AND LIEN (MASSEY) Findings of Fact and Conclusions of Law for Case #FIRE-23-013,

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 Keys
City Clerk or Deputy City Clerk Elizabeth Keys



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

CITY OF DELTONA
FLORIDA, a municipal corporation,

Petitioner,

vs.

FIRE-23-013 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 #50, 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 be 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 firm, 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 #50, 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.

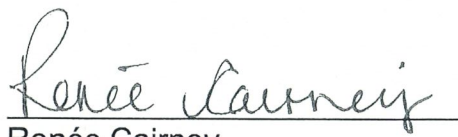




Notary Public, Renée Cairney
My Commission Expires: 12/07/2024

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-23-013,

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

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

CASE NO.: FIRE23-013

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 #50, 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 #50, 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 any change of occupancy and installation of a fire alarm system for an educational occupancy. 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 19, 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 building suite is now being used for a charter school occupancy and has no fire alarm system.

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 as required.

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 **\$50.00** (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 #50, 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



my hand and official seal this 05th day of October, 2023.

Vanessa Buck Renee Cairney, Notary Public 28 V.B., My Commission Expires: 12/07/2024

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 Cairney
Recording Secretary

DANNY RON
CODE COMPLIANCE MGR

CITY of DELTONA

Vs.

DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE, NY, 11559

Property Address: 1200 DELTONA BLVD STE 50, DELTONA, FL, 32725

MASSEY FIRE-013-2023 - MASSEY

AFFIDAVIT OF SERVICE

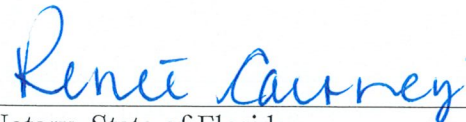
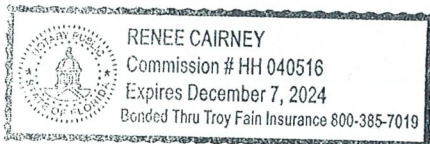
STATE of FLORIDA
(COUNTY of VOLUSIA)

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-013-2023, to the front door located at 1200 Deltona Blvd STE 50, 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.: FIRE23-013

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:	50		
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*****

It appears that this space formerly classified as business occupancy is now being utilized as educational occupancy.

Permit No. COUC23-0007 for change of occupancy classification has been applied for, however, to date, no permit has been issued.

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]

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)

Re-Inspection #2 Comment-

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

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

It appears that this space formerly classified as business occupancy is now being utilized as educational occupancy.

Permit No. COUC23-0007 for change of occupancy classification has been applied for, however, to date, no permit has been issued.

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]



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)

Re-Inspection #1 Comment-

Change of Occupancy Without Interior Alterations/Modifications

It appears that this space formerly classified as business occupancy is now being utilized as educational occupancy.

Permit No. COUC23-0007 for change of occupancy classification has been applied for, however, to date, no permit has been issued.

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]

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)

Initial Inspection Comment-

Change of Occupancy Without Interior Alterations/Modifications

It appears that this space formerly classified as business occupancy is now being utilized as educational occupancy.

Permit No. COUC23-0007 for change of occupancy classification has been applied for, however, to date, no permit has been issued.

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

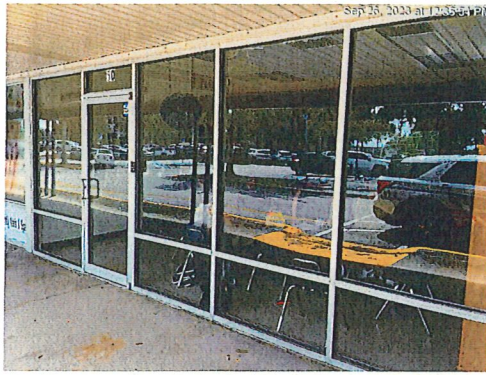
Your inspection today revealed fire code deficiencies that require immediate attention and/or repair. A follow-up inspection will be conducted to verify code compliance. Failure to comply may result in further action.

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



B

1.1 - 1.7.12.5.



Ref: 4232-5157



Wells & Sp...

30



Sep. 26, 2023 at 12:35:54 PM



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

VIOLATION NOTICE	CASE NUMBER: FIRE-013-2023
	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 50 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.: FIRE23-013 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, 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.

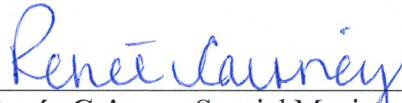
Persons are advised that if they decide to appeal any decision made at this hearing, they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based, per Chapter 80-150, Laws of Florida. The City of Deltona does 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



Tracking Number:

Remove X

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Delivered, Left with Individual

LAWRENCE, NY 11559

January 16, 2024, 6:41 pm

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CITY of DELTONA

Vs.

DELTONA WELLNESS LP
17 COPPERBEECH LN
LAWRENCE, NY, 11559

Property Address: 1200 DELTONA BLVD STE 50, DELTONA, FL, 32725

MASSEY FIRE-013-2023

AFFIDAVIT OF SERVICE

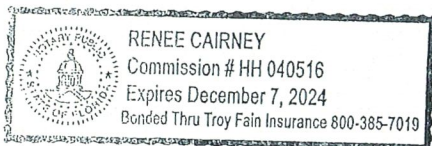
STATE of FLORIDA
(COUNTY of VOLUSIA)

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-013-2023, to the front door located at 1200 Deltona Blvd STE 50, 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)





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:	50		
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*****

It appears that this space formerly classified as business occupancy is now being utilized as educational occupancy.

Permit No. COUC23-0007 for change of occupancy classification has been applied for, however, to date, no permit has been issued.

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]

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)

Re-Inspection #2 Comment-

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

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

It appears that this space formerly classified as business occupancy is now being utilized as educational occupancy.

Permit No. COUC23-0007 for change of occupancy classification has been applied for, however, to date, no permit has been issued.

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]



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

Case No.: FIRE23-013

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 |

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

CASE NO.: FIRE23-013

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, DELTONA, FL 32725. Parcel ID: 81300600020.**

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.

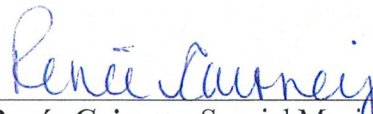
Persons are advised that if they decide to appeal any decision made at this hearing, they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based, per Chapter 80-150, Laws of Florida. The City of Deltona does 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
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



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<https://reg.usps.com/xsell?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformdelivery.usps.com/box/pages/intro/start.action>)

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September 20, 2023, 1:24 am

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LAWRENCE, NY 11559

September 19, 2023, 7:24 am

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In and for the CITY of DELTONA, FLORIDA

CITY of DELTONA

Vs.

DELTONA WELLNESS LP

AFFIDAVIT OF SERVICE

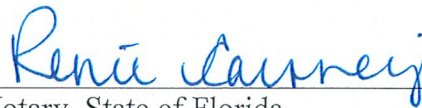
STATE of FLORIDA
(COUNTY of VOLUSIA)

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

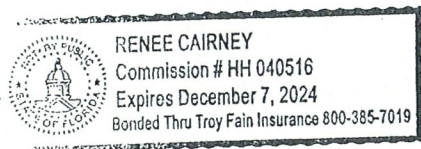
1. I am a firesafety inspector with the City of Deltona, Florida.
2. I Posted the Notice of Violation and the Notice of Hearing pertaining to this matter, a true copy of which is attached hereto, on 9/11/2023 to 1200 Deltona Blvd Suite 50.

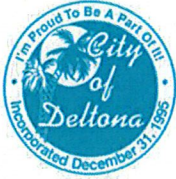


Affiant



Notary, State of Florida
(Seal)





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

VIOLATION NOTICE	CASE NUMBER: FIRE-013-2023
	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 50 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 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.

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.