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'Dream home' being repaired; Vecellios suing over defects that chased them out

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By Michele Dargan

Daily News Staff Writer

Leo and Kathryn Vecellio are nearing completion on the “redo” of their oceanfront dream home they say they’ve been unable to live in for more than a year because of major construction defects.

The Vecellios filed a lawsuit in December against the seller, builder and various contractors, alleging the parties knew about defects prior to the sale at 589 N. County Road in January 2009. The Vecellio family heads The Vecellio Group Inc., a conglomerate that includes Ranger Construction Co.

According to the lawsuit, the Vecellios lived in the house briefly before major construction defects began to become apparent.

The problems, they say, included water intrusion, mold and a leaky roof, which have caused them to live elsewhere.

Other problems named in the lawsuit include: musty air, rotten wood, mildew, bugs, warm moist air flows, cracked stucco, hollow floors, shaky railings, faulty roof installation, pool leakage and improper waterproofing.

Alleging negligence and fraud, the lawsuit names Addison Construction Corp., Addison Development Corp., (builder/developer) Danny E. Swanson and (former owners) Dean and Laura DeSantis. They also name a plethora of subcontractors with services that include roofing, windows and doors, plumbing, electrical, painting, air conditioning, stucco, architecture, aluminum and ironworks.

Attorneys for Addison Construction, Addison Development, Danny Swanson and Dean and Laura DeSantis did not return several calls for comment.

“This really is their dream home, and they are looking forward to moving in soon,” said G. Joseph Curley, attorney for the Vecellios. “The redo is close to being finished and that chapter is about to be closed.”

Curley said the Vecellios have been living at another location, while the extensive repairs were being made.

The property was originally listed for \$47 million by D.L.K.K. LLC, which listed Dean DeSantis as president. But because the deal was made through a Deed of Trust in December 2008, the actual price the Vecellios paid for the house is unknown.

Court documents show that United Bank extended a \$42.5 million mortgage on the property to the Vecellios in January 2008.

The house and property have a 2009 appraised value of \$35.1 million, according to the property appraiser's website.

D.L.K.K. bought 589 N. County Road in November 2001 from the Doris Merrill Magowan estate for \$11.8 million, according to property records.

The existing 1962 Bermuda-style home, guest house and staff quarters were razed.

The developer constructed a Mediterranean-style villa with ancillary buildings, comprising 15,700 air-conditioned square feet, two guest houses and a seven-car garage.

In addition, the Vecellios still own their Via Del Mar lakefront home in the South End. The Fatio-designed house is on the market for \$13.6 million by broker/associate Paulette Koch with The Corcoran Group. That house was purchased in 2002 for \$8.2 million.

Until all the repairs are finished and the bills submitted, they will not know the depth of all the damages, Curley said. At that point, they can enter into settlement discussions, he said.

"The game plan is to work through these issues and settle them," Curley said. "The end is in sight. There are a lot of moving parts — a lot of players. It may be difficult to get everybody on the same page, but not impossible."

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