



City of New Smyrna Beach

THE BUILDING TRADES BOARD
NOTICE OF MEETING
TO BE HELD AT 6:30 P.M.
JANUARY 20, 2011
CITY COMMISSION CHAMBERS, 210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA

BUILDING TRADES BOARD MEMBERS:

William M. Cowherd, Chairman
Paul Heer, Vice Chairman
Joseph Blanchette
Randy Beach
R. Grant Clark
Terry D. Harrison

Dear Board Members:

THIS SHALL SERVE AS YOUR OFFICIAL NOTIFICATION meeting for the Building Trades Board which has been scheduled for THURSDAY, JANUARY 20, 2011, commencing at 6:30 P.M., in the City Commission Chambers, 210 Sams Avenue, New Smyrna Beach, to consider the enclosed agenda.



William M. Cowherd, Chairman
Building Trades Board

I. ROLL CALL:

II. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Members of the Building Trades Board are asked to please disclose, for the record, the substance of any ex parte communications that have occurred prior to this public hearing for any cases on this Agenda.

III. APPROVAL OF MINUTES:

November 18, 2010

IV. SWEARING OF CITY STAFF

V. OLD BUSINESS:

C2010-1046: Han Xiao Jun & Xia Jun Chan 545 Washington St

Consideration from Building Department to demolish a residential structure at 545 Washington Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

September 16, 2010: The Board continued this case to the October 21, 2010 Meeting.

October 21, 2010: The Board continued this case to the January 20, 2011 Meeting.

C2010-0623: Frederick Klein 500 Wayne Ave
(Al Sanford L/E)

Consideration from Building Department to demolish a residential structure at 500 Wayne Avenue due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

September 16, 2010: The Board continued this case to the November 18, 2010 Meeting.

November 18, 2010: The Board continued this case to the January 20, 2011 Meeting.

C2010-1176: Steve's Furniture Emporium LLC 1401 Canal St

Consideration from Building Department to demolish a commercial structure at 1401 Canal Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

October 21, 2010: The Board continued this case to the January 20, 2011 Meeting.

C2010-1182: Ocean Palms Beach Club Inc 2601 S Atlantic Ave

Consideration from Building Department to demolish residential structures at 2601 South Atlantic Avenue due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

October 21, 2010: The Board continued this case to the January 20, 2011 Meeting.

VI. NEW BUSINESS:

C2010-1339: Chris Pappas & Soula Pappas TTEES 101-C Tanglewood Ave

Consideration from Building Department to demolish a residential structure at 101-C Tanglewood Avenue due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

C2010-1340: Fields C. Marshall 707 Cheston St

Consideration from Building Department to demolish a residential structure at 707 Cheston Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

C2010-1341: Carol Maxine Baker 425 Palm St

Consideration from Building Department to demolish a residential structure at 425 Palm Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

VII. COMMENTS FROM BOARD MEMBERS AND STAFF

VIII. ADJOURNMENT

Pursuant to Florida Statutes 286.0160, if an individual decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office in person or by mail at 210 Sams Avenue, New Smyrna Beach, FL 32168, (386) 424-2112, prior to the meeting.

MINUTES OF THE BUILDING TRADES BOARD
HEARING
HELD AT 6:30 P.M. – NOVEMBER 18, 2010
CITY COMMISSION CHAMBERS, CITY HALL,
210 SAMS AVE, NEW SMYRNA BEACH, FLORIDA

- I. The Hearing of November 18, 2010, was called to order at 6:30 p.m. Answering to roll call were:

Paul Heer (Vice Chair)

Randy Beach

Joseph Blanchette

Terry Harrison

Grant Clark

Also present were Chief Building Official Michael Knotek, Asst. City Attorney Greg McDole and Permit & License Technician Dorlisa Pogany. Board member William Cowherd was absent.

II. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Members of the Citizens Code Enforcement Board were asked to please disclose, for the record, the substance of any ex parte communications that occurred prior to this public hearing.

Mr. Heer stated that there were none.

III. APPROVAL OF MINUTES

October 21, 2010

Mr. Clark made a motion to approve the minutes of the October 21, 2010 as written; seconded by Mr. Beach. Motion passed up roll call vote 6-0.

IV. SWEARING OF CITY STAFF

Michael Knotek, Chief Building Official, was sworn for testimony.

V. OLD BUSINESS:

C2010-0620:

Lawrence L. Kraker

551 Julia St

Consideration from Building Department to demolish a residential structure at 551 Julia Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

Mr. Heer asked staff for a recommendation

Mr. Knotek testified that staff recommends to continue this case until January 20, 2011 and for the property owner to show repairs have been made in accordance with the Board's stipulations..

Discussion ensued among staff, the Board and Mr. Wischmeier regarding the types of repairs to include plywood on outside of openings instead of inside to prevent further glass breakage, repair openings in fence and paint exterior.

Mr. Blanchette made a motion to condemn 553 Julia Street and give the property owner 60 days to bring into compliance by securing all building openings with plywood on the exterior, repair damage to fence and paint exterior; seconded by Mr. Beach. Motion passed unanimously upon roll call 6-0.

C2010-0623: Frederick Klein 500 Wayne Ave

Consideration from Building Department to demolish a residential structure at 500 Wayne Avenue due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

Al Sanford Life Estate was present and sworn in for testimony.

Mr. Heer asked staff for a recommendation.

Mr. Knotek testified that Mr. Klein has requested an extension for to obtain prices to repair structure and a price from the City for demolition. Mr. Knotek further testified that DBI Demolition has taken measurements to provide an estimate for demolition. Mr. Knotek recommends to continue this case until the January 20, 2011 meeting.

Discussion ensued among staff and the Board regarding the portion of the building that was fire damaged extent of the fire damage, if building has been condemned, the amount of debris that still needs to be removed and if the property owner will have a plan for the future of the building.

Gary Sanford was present and sworn in for testimony.

Mr. Sanford stated he was familiar with the property and has been working on cleaning up the property. Mr. Sanford further stated he understands it is taking time and is working and quickly as possible to remove the debris.

Mr. Clark made a motion to continue case C2010-0623 until the January 20, 2011 and for the property owner to provide a plan for the future of the building; seconded by Mr. Beach. Motion passed unanimously upon roll call 6-0.

VI. NEW BUSINESS

VII. COMMENTS FROM BOARD MEMBERS AND STAFF:

Mr. Heer asked Staff for an update to cases from the October 21, 2010 meeting.

Mr. Knotek provided an update on the following cases:

C2008-1135: 2105 Saxon Drive – Property has been sold in a tax auction and the new owner contacted the City. Mr. Knotek stated the owner has secured the pool and give the owner 60 days to complete a study for renovations or demolition.

C2010-0625: 1907 S Atlantic Avenue – The structure has been demolished.

C2010-0624: 640 Dora Street – Demolition crew moved equipment to site and will start demolition on November 19th. The structure should be demolished by Thanksgiving.

C2010-0619: 331 Canal Street – The asbestos removal has been completed and demolition is scheduled to start the week after Thanksgiving and should be completed by the end of the year.

C2010-0618: 541 Charlovix Street – The City will complete a Purchase Order to demolish the structure and lien the property.

C2010-1045: 122 ½ Railroad Street – Community Redevelopment Agency (CRA) is purchasing the property from Mr. Mitchell and will demolish the structure.

C2010-1046: 545 Washington Street – This case was continued until January 20, 2011.

C2010-1047: 512 Ronnoc Lane – The structure has been demolished.

C2010-1180: 428 N Myrtle Avenue – The property owner has given the City authorization to demolish the structure. The City is completing a Purchase Order for the demolition.

C2010-1043: 312 N Myrtle Avenue – One of the property owners will have the funds by the end of the month to have the structure demolished.

C2010-1139: 144 S Timberlane Drive – The Developer contacted the City for a price to demolish the structure.

C2010-1177: 2275 Eslinger Drive – Centex Development requested a price to demolish the structure.

C2010-1176: 1401 Canal Street – This case was continued until January 20, 2011.

C2010-1182: 2601 S Atlantic Avenue – This case was continued until January 20, 2011.

C2010-1178: 1118 Live Oak Street – The City has received no response from the property owner so the City will have the demolition contractor provide and estimate to demolish the front porch, garage in rear and remove propane tank.

VIII. ADJOURNMENT:

Mr. Clark made the motion to adjourn; seconded by Mr. Beach. All agreed and the hearing adjourned at 7:25 pm.



TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
545 Washington Street
New Smyrna Beach, Florida
CASE NO: C2010-1046
DATE: January 20, 2011

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- X The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- X The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- X The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- X The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- X The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

ALTERNATIVES

1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that both structures be demolished within 30 days from the date of this hearing. If the structures are not demolished within 30 days then the city will proceed with the demolition and all costs

incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

If the Board chooses to allow the property owner to repair the structures and bring the structures up to code, Staff recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city.





CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



545 Washington Street



545 Washington Street





TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
500 Wayne Avenue
New Smyrna Beach, Florida
CASE NO: C2010-0623
DATE: January 20, 2011

This Property was inspected by the Code Enforcement Inspector and referred the Building Department since the structure had a fire and is vacant. This structure was occupied by a Commercial Auto Broker with an attached apartment on the east. Since the fire the property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- X The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- X The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- X The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- X The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- X The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

ALTERNATIVES

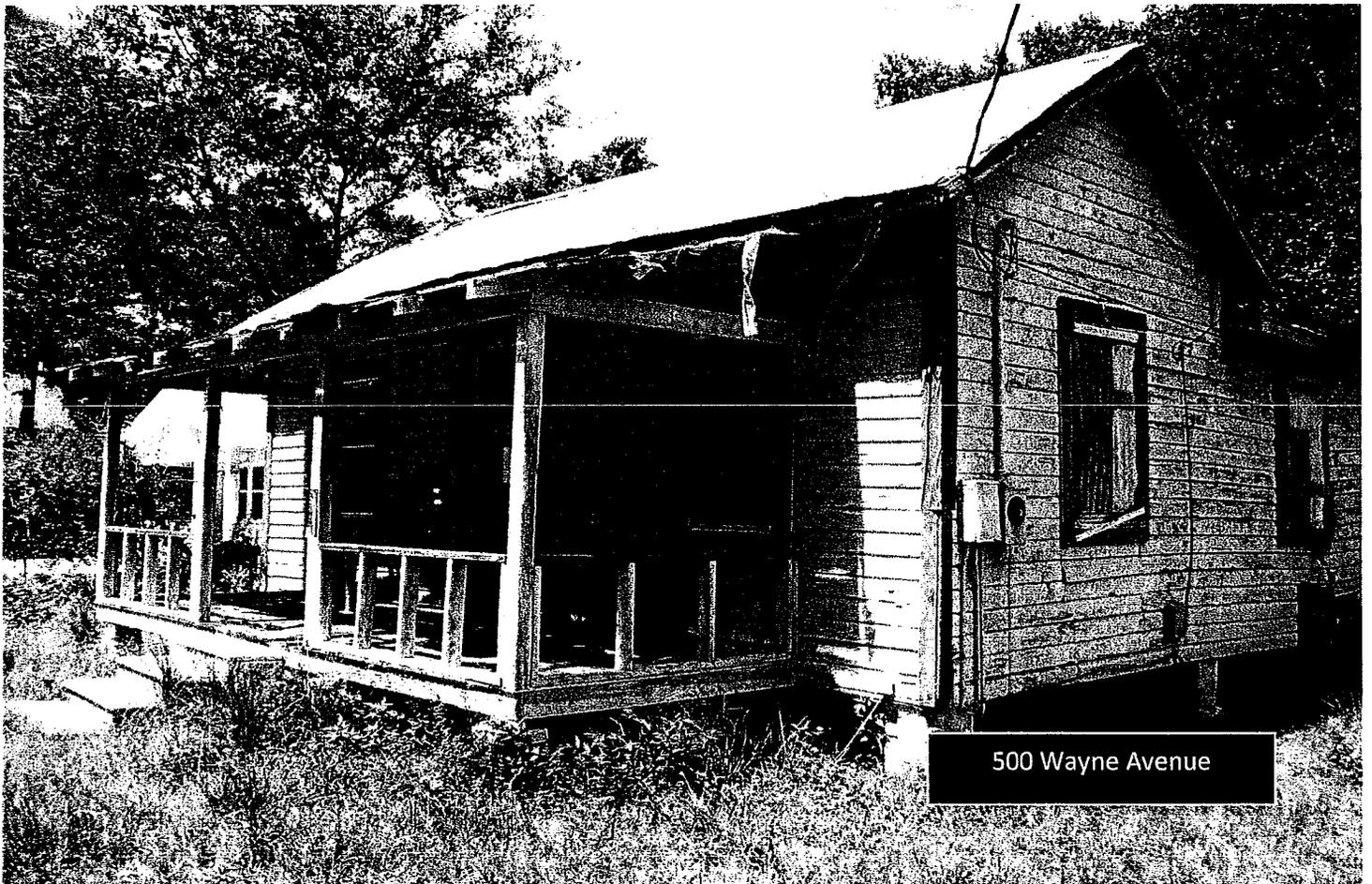
1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

Alternative number 2 is recommended. Based on the inspections, there are parts of the structure that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommends that the structure be demolished within 30 days from the date of this hearing. If the structure is not demolished within 30 days then the city will proceed with the demolition and all costs

incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

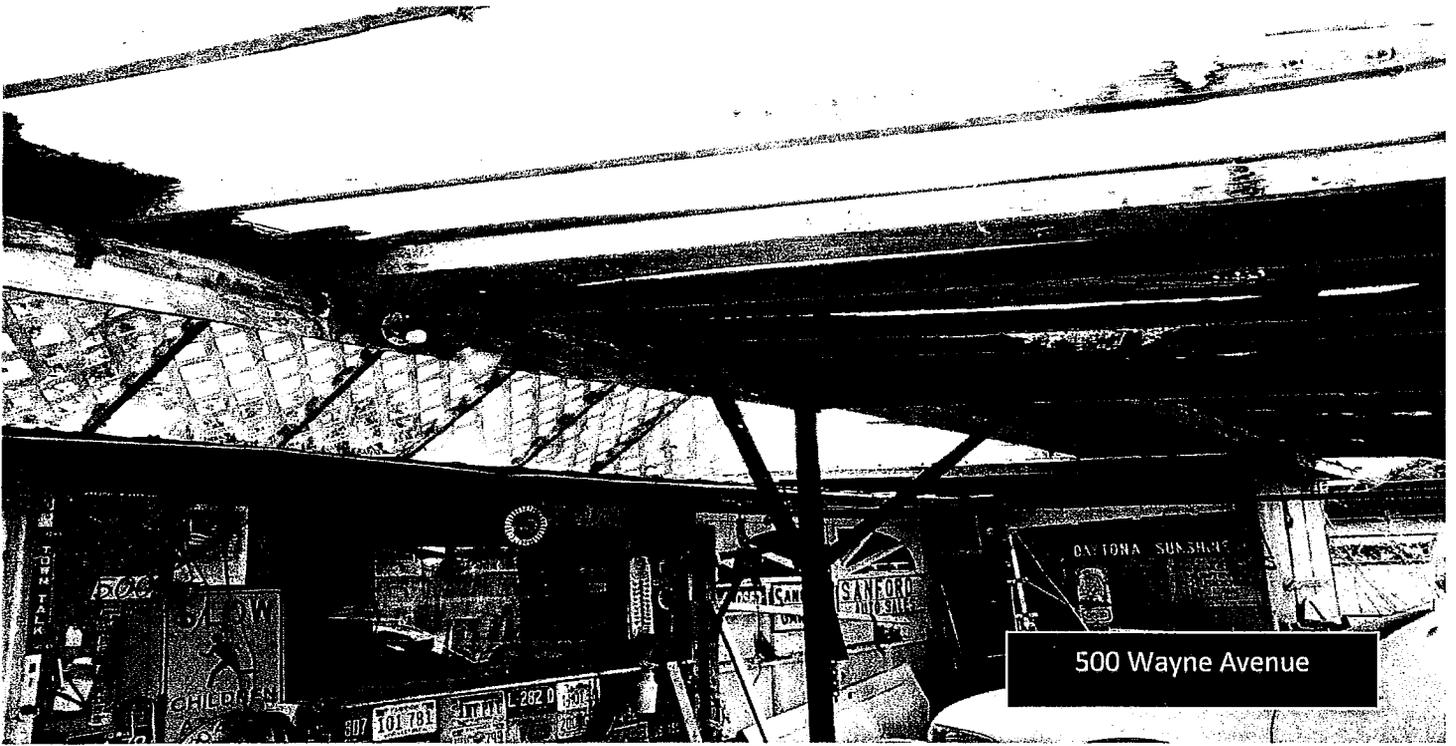
If the Board chooses to allow the property owner to repair the structures and bring the structures up to code, Staff recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city and a lien assessed against the property.



500 Wayne Avenue



CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY



500 Wayne Avenue

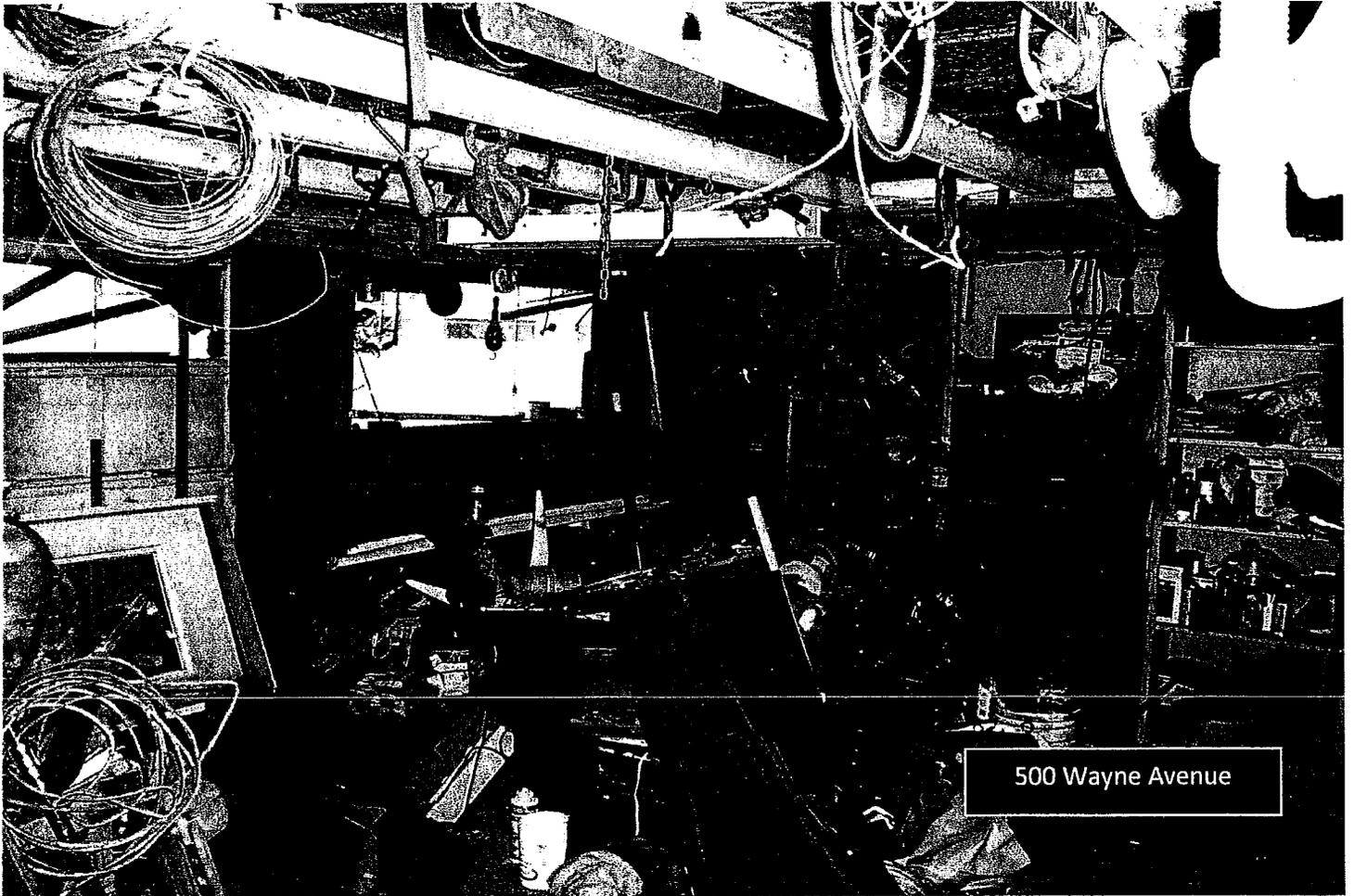
06/01/2010



500 Wayne Avenue



CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



500 Wayne Avenue

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY



TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
1401 Canal Street
New Smyrna Beach, Florida
CASE NO: C2010-1176
DATE: January 20, 2011

This Property was inspected by the Code Enforcement Inspector and referred to the Building Department since the structure had been vacant for a long period of time. Since the property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- X The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- X The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- X The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- X The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- X The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

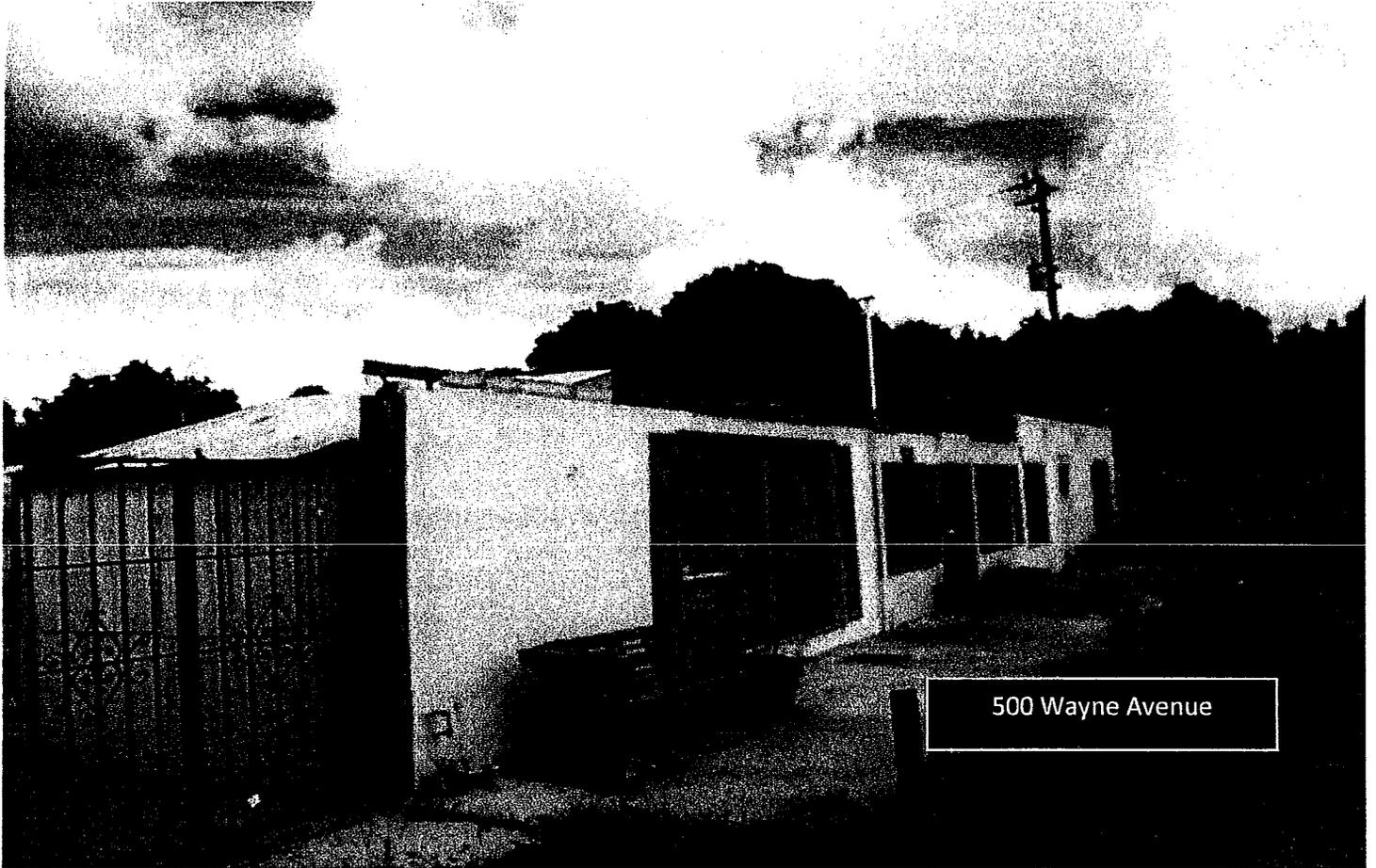
ALTERNATIVES

1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

Pursuant to Senate Bill 1752 and the City of New Smyrna Beach Land Development Regulations, Article III, Section 304(F) the city has reinstated permit A2008-0271 for a two year period provided that substantial performance associated with a Class I site plan review is accomplished. Substantial performance will be accomplished when the site has received a certificate of occupancy. Staff

recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances and the reinstatement of the building permit allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city and a lien assessed against the property.





CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



1401 Canal Street



1401 Canal Street

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY



1401 Canal Street

NOTICE TO REINSTATE BUILDING PERMIT

December 21, 2010

OWNER: Steve's Furniture Emporium LLC.
Steve and Cindy Thomas
1401 Canal Street
New Smyrna Beach, Florida 32168

APPLICANT: 173 Inc. DBA Leader Construction and Roofing
Brett Charles Bannister
173 Spruce Street
New Smyrna Beach, Florida 32168

CONTRACTOR: 173 Inc. DBA Leader Construction and Roofing
Brett Charles Bannister
173 Spruce Street
New Smyrna Beach, Florida 32168

Re: **NOTICE TO REINSTATE APPROVAL(S) AND PERMIT(S)**
1401 Canal Street
New Smyrna Beach, Florida
Parcel #741900000290
Application #A2008-0271

Dear Sir/Madam

The Building Department has reinstated the approval(s) and permit(s) issued in connection with the application(s) referenced above, pursuant to Senate Bill 1752 and Article III, Section 304(F) of the Land Development Regulations of the City of New Smyrna Beach, immediately after the posting of this letter by certified mail unless sufficient information is presented to the Department to demonstrate that the permit(s) should not be reinstated.

Pursuant to Senate Bill 1752 and Land Development Regulations, Article III, Section 304(F), the Building Permit and Site Plan is extended for a two year period from the date of this reinstatement provided that substantial performance associated with a Class I site plan review is accomplished when the structure and site work has been substantially completed and all conditions that the Builders Trade Board may place on the permit and/or property at their January 20, 2011 meeting are met. The perform work on the site must maintain good standing with an approved inspection every 180 days as per the Florida Building Code.

Please contact Michael Knotek at (386) 424-2139 with any questions regarding this notice.

Sincerely,



Michael Knotek
Building Official

CC: City Manager
Code Enforcement
Planning and Zoning



TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
2601 S Atlantic Ave
New Smyrna Beach, Florida
CASE NO: C2010-1182
DATE: January 20, 2011

This Property was inspected by the Code Enforcement Inspector and referred to the Building Department since the structure had been vacant for a long period of time. Since the property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- X The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- X The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- X The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- X The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- X The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

ALTERNATIVES

1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

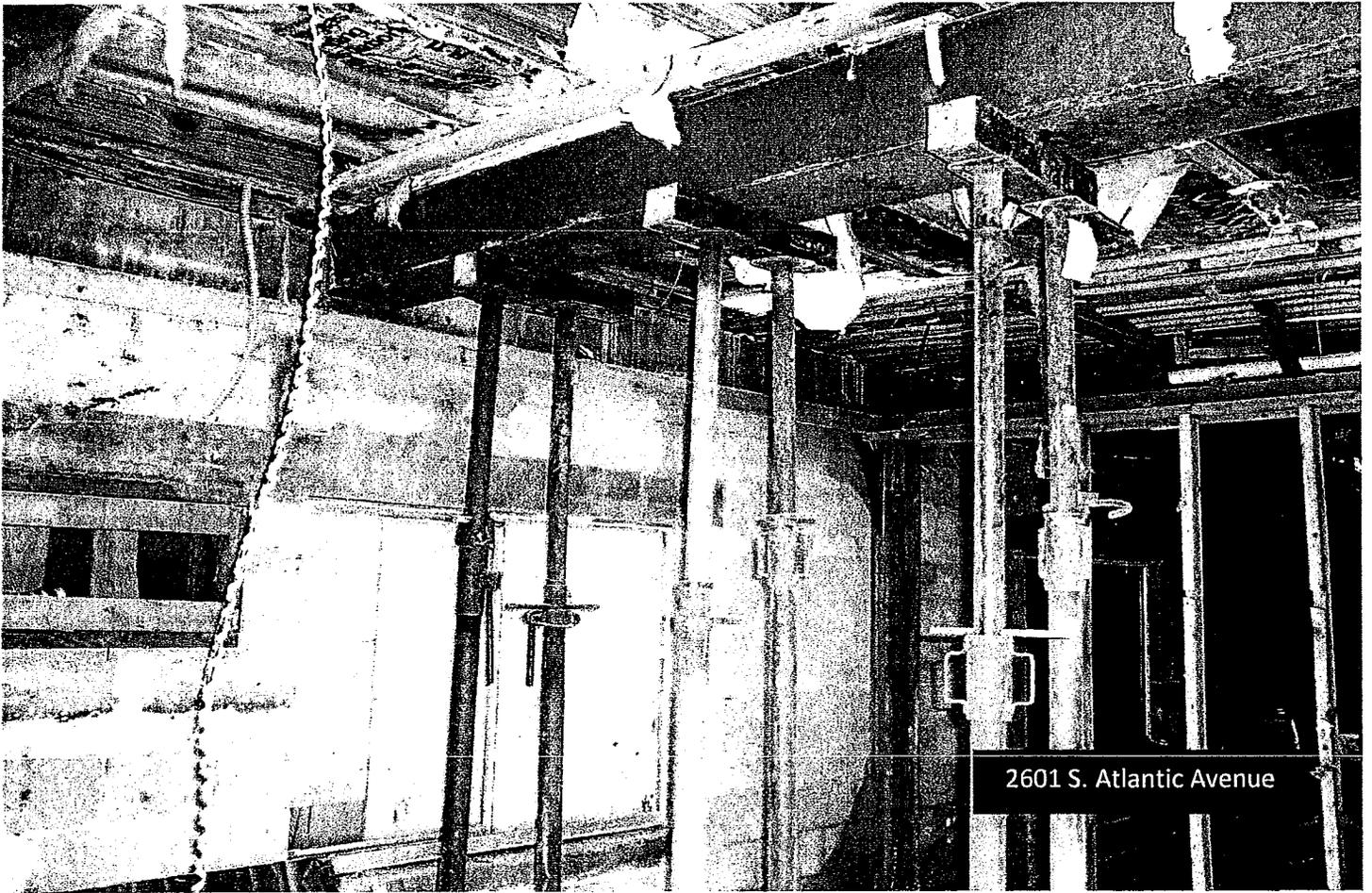
Pursuant to Senate Bill 1752 and the City of New Smyrna Beach Land Development Regulations, Article III, Section 304(F) the city has reinstated permit A2007-2220 for a two year period provided that substantial performance associated with a Class I site plan review is accomplished. Substantial performance will be accomplished when the site has received a certificate of occupancy. Staff

recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances and the reinstatement of the building permit allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city and a lien assessed against the property.





CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



2601 S. Atlantic Avenue



2601 S Atlantic Avenue

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY



2601 S Atlantic Avenue



2601 S. Atlantic Avenue



CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



2601 S. Atlantic Avenue



2601 S. Atlantic Avenue

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY



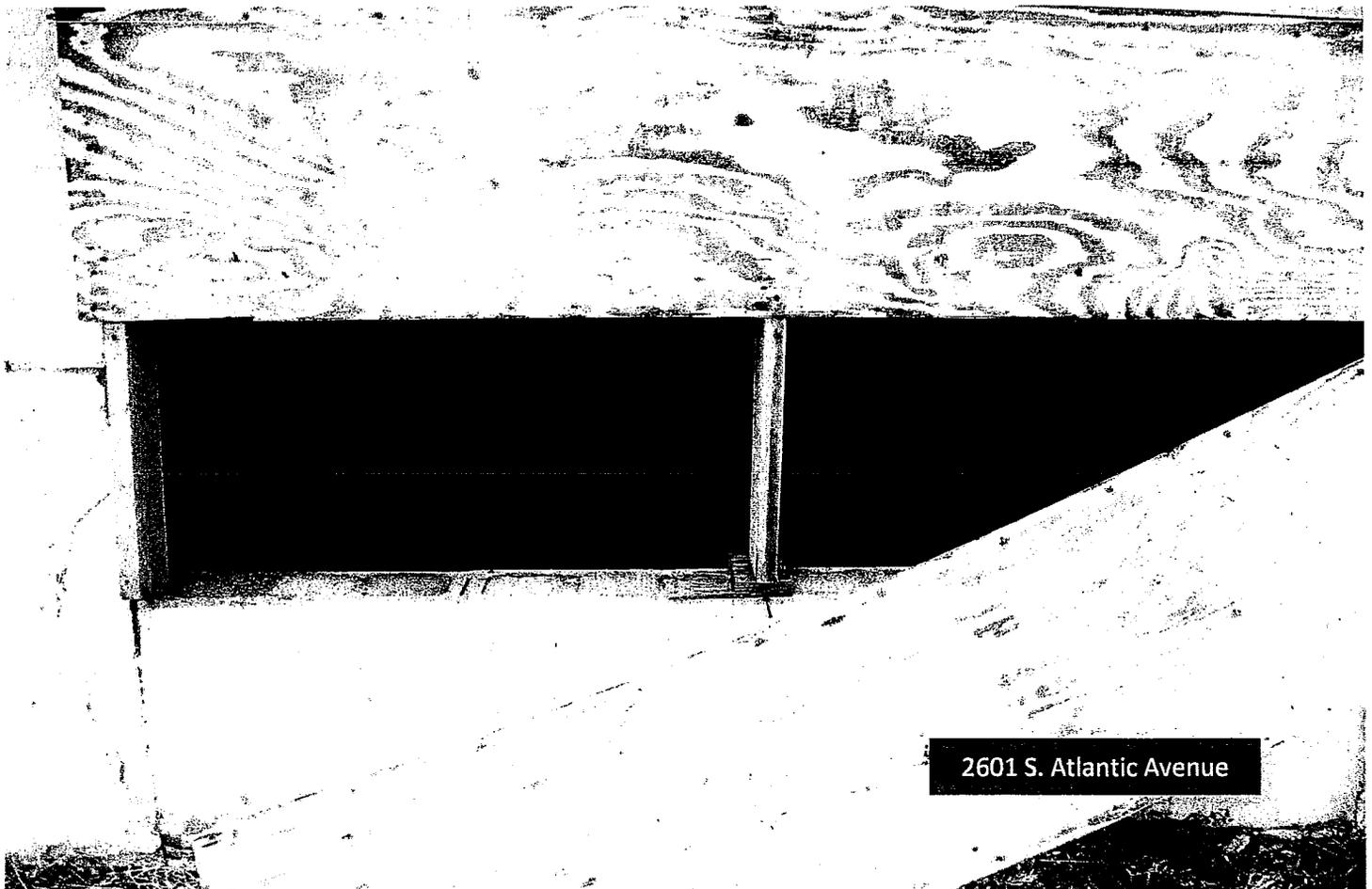
2601 S. Atlantic Avenue



2601 S. Atlantic Avenue



CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY





CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY

NOTICE TO REINSTATE BUILDING PERMIT

December 21, 2010

OWNER: Ocean Palms Beach Club, Inc.
Michele Price, Registered Agent, SD
1017 E. South Street
Orlando, Florida 32801

APPLICANT: Premier Construction, Inc.
Robert A. Mott
544 Douglas Avenue
Altamonte Springs, Florida 32714

CONTRACTOR: Premier Construction, Inc.
Robert A. Mott
544 Douglas Avenue
Altamonte Springs, Florida 32714

Re: **NOTICE TO REINSTATE APPROVAL(S) AND PERMIT(S)**
2601 S. Atlantic Avenue
New Smyrna Beach, Florida
Parcel #742209000001
Application #A2007-2220

Dear Sir/Madam

The Building Department has reinstated the approval(s) and permit(s) issued in connection with the application(s) referenced above, pursuant to Senate Bill 1752 and Article III, Section 304(F) of the Land Development Regulations of the City of New Smyrna Beach, immediately after the posting of this letter by certified mail unless sufficient information is presented to the Department to demonstrate that the permit(s) should not be reinstated.

Pursuant to Senate Bill 1752 and Land Development Regulations, Article III, Section 304(F), the Building Permit and Site Plan is extended for a two year period from the date of this reinstatement provided that substantial performance associated with a Class II or Class III site plan review is accomplished when the exterior envelope and site work of all structures has been completed and all conditions that the Builders Trade Board may place on the permit and/or property at their January 20, 2011 meeting are met. The perform work on the site must maintain good standing with an approved inspection every 180 days as per the Florida Building Code.

Please contact Michael Knotek at (386) 424-2139 with any questions regarding this notice.

Sincerely,


Michael Knotek
Building Official

CC: City Manager
Code Enforcement
Planning and Zoning



CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax

TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
101C Tanglewood Ave.
New Smyrna Beach, Florida
CASE NO: C2010-1339
DATE: January 20, 2011

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- X The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- X The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- X The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- X The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- X The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

ALTERNATIVES

1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that both structures be demolished within 30 days from the date of this hearing. If the structures are not demolished within 30 days then the city will proceed with the demolition and all costs

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY

incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

If the Board chooses to allow the property owner to repair the structures and bring the structures up to code, Staff recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city.





CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



101C Tanglewood Ave



101C Tanglewood Ave

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY





CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax

TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
707 Cheston Street
New Smyrna Beach, Florida
CASE NO: C2010-1340
DATE: January 20, 2011

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

ALTERNATIVES

1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that both structures be demolished within 30 days from the date of this hearing. If the structures are not demolished within 30 days then the city will proceed with the demolition and all costs

FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY

incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

If the Board chooses to allow the property owner to repair the structures and bring the structures up to code, Staff recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city.

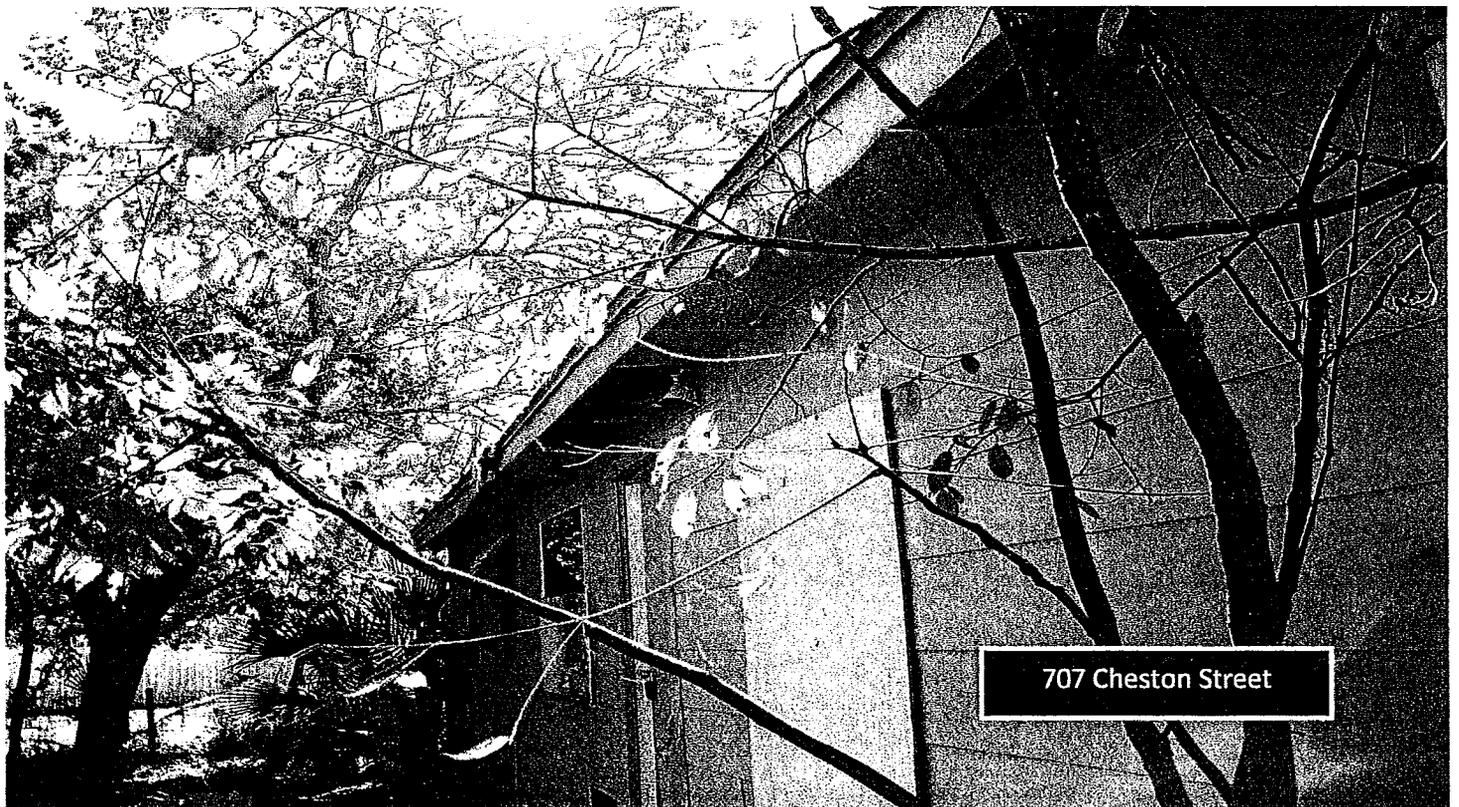
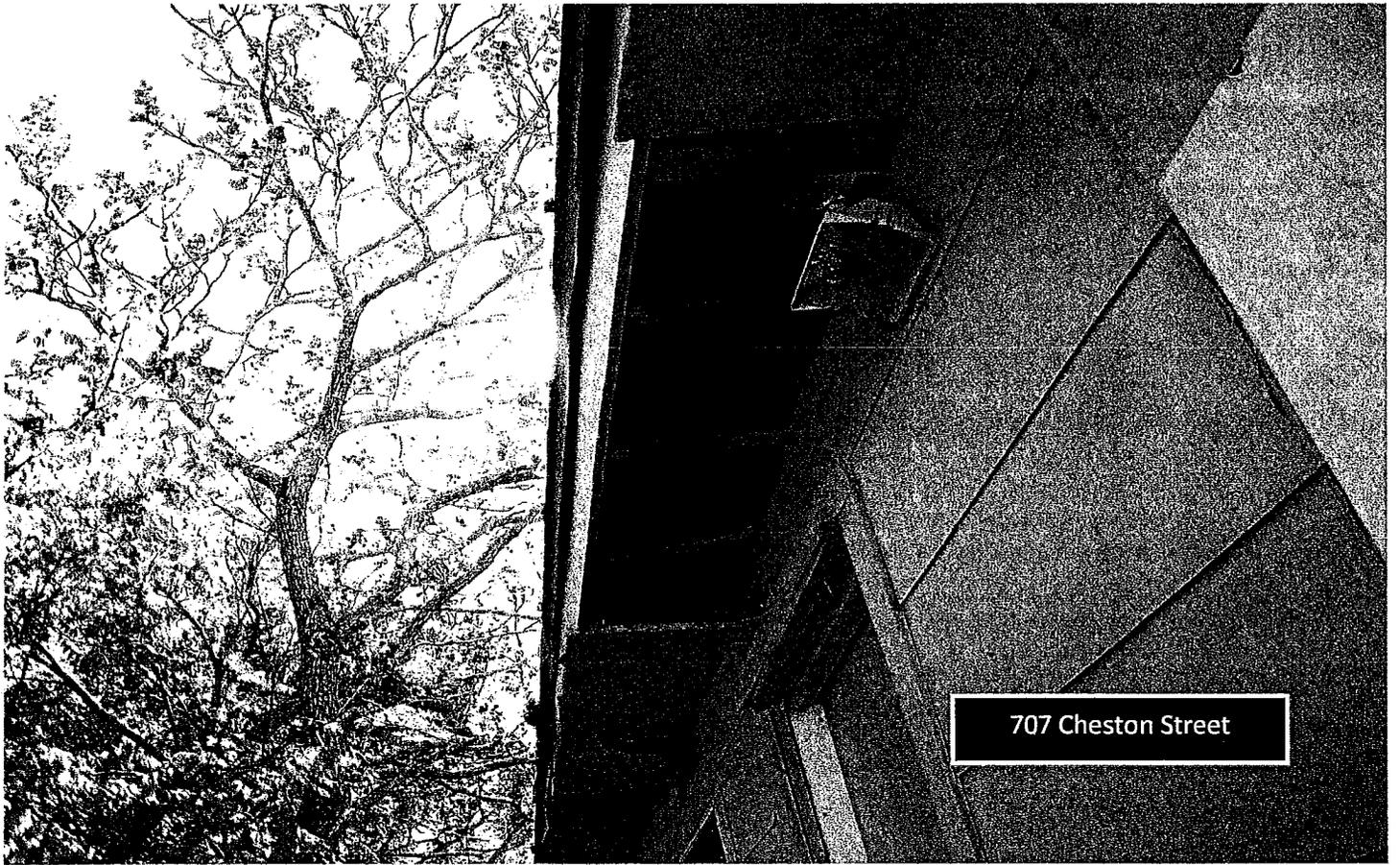


707 Cheston Street



CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax







TO: Building Trade Board
FROM: Michael W. Knotek, Chief Building Official
SUBJECT: Unsafe & Dilapidated Structure
425 Palm Street
New Smyrna Beach, Florida
CASE NO: C2010-1341
DATE: January 20, 2011

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- X The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- X The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- X The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- X The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- X The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing. Photographs of the property that was taken showing the condition of the property is attached for your review.

ALTERNATIVES

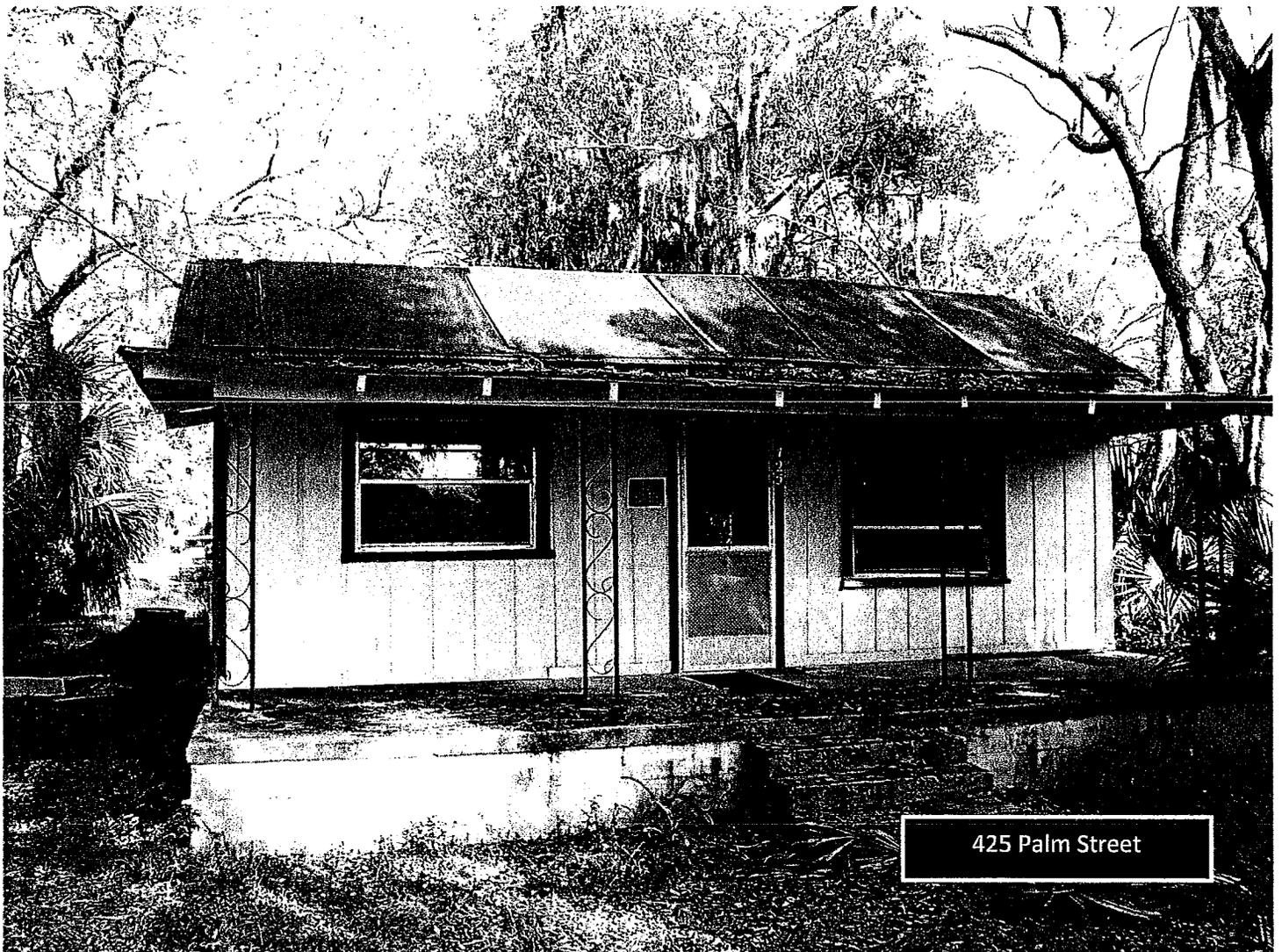
1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if the expenses are not paid within 30 days from the date of the invoice.

RECOMMENDATION

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that both structures be demolished within 30 days from the date of this hearing. If the structures are not demolished within 30 days then the city will proceed with the demolition and all costs

incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

If the Board chooses to allow the property owner to repair the structures and bring the structures up to code, Staff recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city.

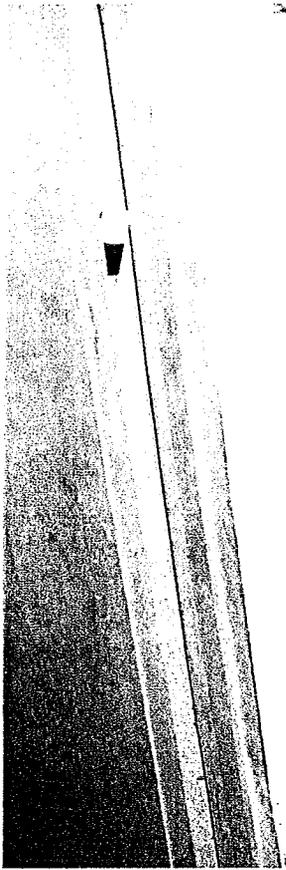




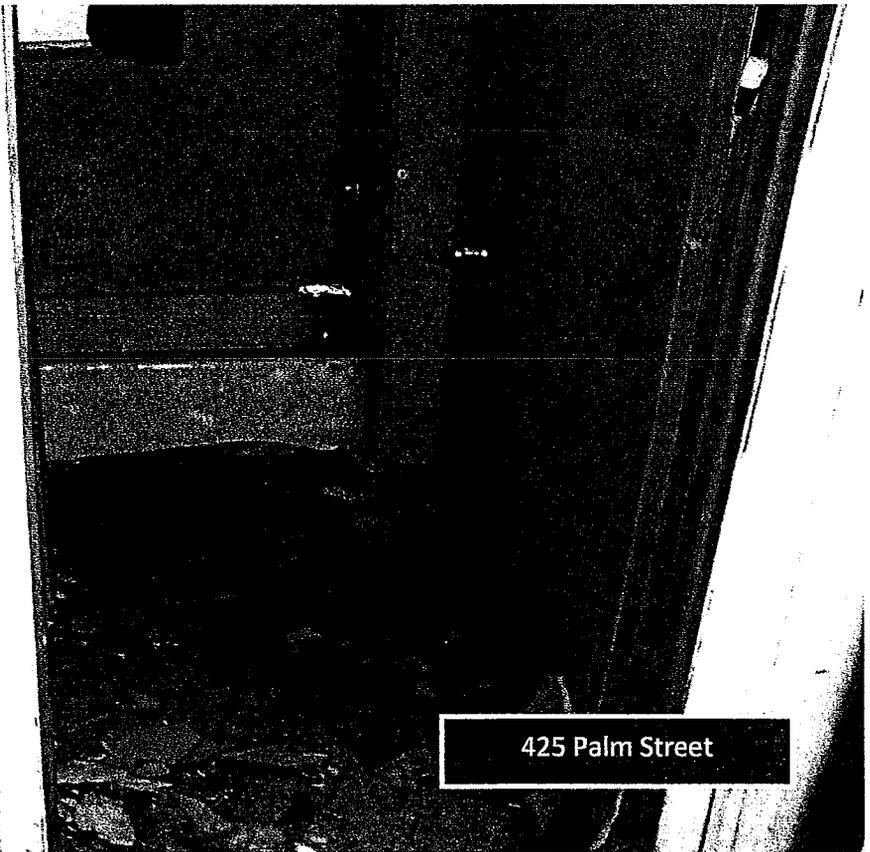
CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168
386.424.2141 phone 386.424.2143 fax



FINAL INSPECTION IS REQUIRED FAILURE TO OBTAIN A FINAL INSPECTION MAY RESULT IN A PENALTY



425 Palm Street



425 Palm Street