

**THE CITIZEN CODE ENFORCEMENT BOARD
NOTICE OF HEARING
TO BE HELD AT 4:30 P.M.
JULY 19, 2011
CITY COMMISSION CHAMBERS, 210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA**

Members:

John Shelby (Chair)
Michael Slayton (Vice Chair)
P.J. (Pat) Arvidson
Katharine (Kathy) L. Cooley
Megan Badgley
Beverly Palmer

THIS SHALL SERVE AS YOUR OFFICIAL NOTIFICATION of a hearing of the Citizens Code Enforcement Board, to be held on TUESDAY, July 19, 2011 at 4:30 P.M. in the City Commission Chamber, City Hall, 210 Sams Avenue, New Smyrna Beach, Florida, for consideration of the following:



John Shelby, Chairperson
Citizens Code Enforcement Board

I. **ROLL CALL:**

II. **DISCLOSURE OF EX PARTE COMMUNICATIONS:**

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

III. **APPROVAL OF MINUTES:**

May 17, 2011

IV. **SWEARING OF CITY STAFF:**

V. **OLD BUSINESS:**

C2010-1105: **Douglas C. & Karen L. Hautz** **311 Granada St.** **Posted**

- A) Discarded and abandoned waste material upon the subject property in violation of §38-111. Of the City Code of Ordinances.
- B) Weeds and undergrowth upon the subject property in violation of §38-112. Of the City Code of Ordinances.
- C) Accessory structure (block wall and dilapidated fence) to exist that have not been properly maintained in good repair and structurally sound in violation of §302.7 of the 2006 International Property Maintenance Code

November 16, 2010: Board found the property in violation of §38-111., §38-112. Of the City Code of Ordinances & §307.2 2006 International Property Maintenance Code giving until November 30, 2010 to bring the property into compliance or face a fine of \$25 per day.

January 18, 2011: Board found the property in non-compliance and imposed the fine of \$25 per day.

VI. **NEW BUSINESS:**

C2011-0229: **Dennis C. Hadick** **900 N. Atlantic Ave.** **Served**

- A) Exterior surfaces that have not been maintained in good repair and free of holes, cracks, and deterioration in violation of §26-914 (2) of the City Code of Ordinances.
- B) Exterior surfaces that have not been maintained with a protective coating in violation of §26-914 (3) of the City Code of Ordinances.
- C) Exterior windows and doors shall be maintained in good repair, intact and functioning as originally intended or designed in violation of §26-914 (4) of the City Code of Ordinances.

- D) Exterior attachments, gutters, soffit, downspouts, lighting fixtures and utility connections that have not been maintained in good repair in violation of §26-914 (5) of the City Code of Ordinances.

C2011-0357: **GBL Properties LLC,** **219 Washington St., Apt: A, B, C**
Posted

- A) Two (2) or more rental units without the City business license tax receipt in violation of §74-146. Of the City Code of Ordinances.
B) Electrical system hazards in violation of §604.3 of the 2006 International Property Maintenance Code.
C) Electrical equipment installation, receptacles, and luminaires in violation of §605.1 & 605.2 & 605.3 of the 2006 International Property Maintenance Code.
D) Plumbing system hazards in violation of §504.3 of the 2006 International Property Maintenance Code.
E) Water system that has not been properly connected and maintained in violation of §505.1 of the 2006 International Property Maintenance Code.
F) Openings in the exterior envelope in violation of §304.6 of the 2006 International Property Maintenance Code.
G) Accumulation of rubbish and garbage in violation of §307.1 of the 2006 International Property Maintenance Code.

C2011-0380: **Tomoka Docks, Inc. & Christopher & Beverly Ligotino**
124 Mangrove Estates **Served**

- A) Location of dock, walkway and bridge is different from the plans submitted for permit A2008-1461 in violation of §106.1 and §106.1.1 of the Florida Building Code.
B) Bridge was not included in the original permit in violation of §106.1.1, §106.4 and §105.4.1 of the Florida Building Code.

C2011-0367: **McCharacter's Music Café and Sports Bar, LLC**
2004 N. Dixie Freeway **Served**

- A) Semi trailer that has been converted to a temporary stage in violation of §107 Temporary Structure and Uses of the Florida Building Code.
B) Additional outdoor seating exceeds the number of parking spaces allotted for the property in violation of §604.10. G. Exceeding the minimum number of required parking spaces of the Land Development Regulations.

VII. REPEAT BUSINESS:

C2011-0356:

All Phases, LLC

300 Milford Place

Served

- A) Construction without first obtaining the required permit in violation of §26-171. Of the City Code of Ordinances.

October 19th, 2010: Board entered an Order finding Michael Shane Miller, All Phases, LLC in violation of §26-171. of the City Code of Ordinances, no fine imposed.

November 16th, 2010: Board entered an Order finding Michael Shane Miller, All Phases, LLC in violation of §26-171. of the City Code of Ordinances, \$100.00 fine was imposed.

IX. ADJOURNMENT:

Pursuant to Florida statute 286.0105, if an individual decides to appeal any decision made by the Citizens Code Enforcement Board with respect to any matter considered at this hearing, 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 (ADA), persons needing assistance to participate in any of these proceedings should contact the Administrative Specialist of the Citizens Code Enforcement Board listed below prior to the hearing:

Administrative Specialist
% City Hall
210 Sams Avenue
New Smyrna Beach, FL 32168-9985
Telephone: 386.424.2137
Fax: 386.424.2143