CITIZENS CODE ENFORCEMENT BOARD

NOTICE OF HEARING

SEPTEMBER 16, 2008

Members:

Carol Kerrigan (Chairperson)

John Shelby (Vice Chairperson)

Michael Slayton

Jay Crocker

P.J. (Pat) Arvidson

Keith Gerhartz

Ken Taylor

THIS SHALL SERVE AS YOUR OFFICIAL NOTIFICATION of a hearing of the Citizens Code Enforcement Board, to be held on TUESDAY, SEPTEMBER 16, 2008 at 4:30 P.M. in the **DEBERRY ROOM, 3RD FLOOR, UTILITIES COMMISSION, 200 CANAL STREET**, New Smyrna Beach, Florida, for consideration of the following:

_____

Carol Kerrigan, 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

July 15, 2008

IV. SWEARING OF CITY STAFF

V. CASES IN COMPLIANCE WITH THE BOARD'S ORDER:

C2007-0779: Kevin G. Wynne
313 Normandy Ave.

C2008-0542: Williams Real Estate & Management
Sugar Mill Dr. & Pioneer Trail

C2008-0364: James E. Waters
A Superior Thin Pavers, Inc.
Sugar Mill Subdivision

VI. OLD BUSINESS:

C2007-0179: Sunset Marine [SERVED]
101 Due East

Permitting or causing to be permitted construction (boat dock cover) without the required permit in violation of §26-171. of the City Code of Ordinances.

May 20, 2008: Case continued until the 19th day of August, 2008 hearing.

C2007-0829: **Gilbert L. Dannehower 137 Cunningham Dr.**

Permitting or causing to be permitted tree removal without the required tree removal permit in violation of §604.051 A. of the Land Development Regulations.

Mr. Dannehower is requesting a modification to the Board's Order dated July 15, 2008.

Gilbert L. Dannehower failed to comply with the Board's Order and the fine of $250.00 per day started on the 18th day of August, 2008.

C2008-0110: **Michael A. Monette, Sr. & Marie J. Monette**
Cheston Street

PARCEL ID: 7440-12-00-0022, LEGAL DESCRIPTION: N 133.50 FT LOT 9 EXC W 10 FT CAMARY MAUD GROVES SEC 3 S & W OF NEW ELEANORE AVE & PART OF FORMER ELEANOR AVE BETWEEN SEC 2 & 3 PER OR 4094 PGS 2639-2642 PER OR 5693 PGS 3670-3671

(A) Permitting or causing to be permitted weeds and undergrowth upon the subject property in violation of §38-111. of the City Code of Ordinances.
(B) Permitting or causing to be permitted the operation of a business without having paid the required business license tax in violation of §74-146. of the City Code of Ordinances.
(C) Permitting or causing to be permitted the operation of a business (storage and rental) without an approved site plan in violation of §303.01 of the Land Development Regulations.
(D) Permitting or causing to be permitted filling of low lot areas within the required yard areas without the required Stormwater Management permit in violation of §604.02 B. (3) i. of the Land Development Regulations.
(E) Permitting or causing to be permitted recreational equipment to be used as living, sleeping or housekeeping purposes in violation of §802.06 of the Land Development Regulations.

April 15, 2008: Case continued until the 15th day of July, 2008.
July 15, 2008: The Board found Michael A. Monette, Sr. & Marie J. Monette in violation and gave them until the 25th day of July, 2008 (10 days) to comply or face a fine of $100.00 per day for each and every day the property remains in non-compliance.
Michael A. Monette, Sr. & Marie J. Monette failed to comply with the Board's Order and the fine of $100.00 per day started on the 26th day of July, 2008 and totals $5,300.00 as of September 16, 2008 (53 days).

VII. NEW BUSINESS:

VIII. REPEAT BUSINESS:

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:

Claudia Soulie
Administrative Specialist
% City Hall
210 Sams Avenue
New Smyrna Beach, FL 32168-9985
Telephone: 386.424.2265
Fax: 386.424.2148