

MINUTES OF THE CITIZENS CODE ENFORCEMENT BOARD
HEARING HELD AT 4:30 P.M.
SEPTEMBER 20TH, 2005
UTILITIES COMMISSION, 3RD FLOOR, DEBERRY ROOM, 200 CANAL STREET
NEW SMYRNA BEACH, FLORIDA

The Hearing of September 20th, 2005 was called to order at 4:30 p.m. Answering to roll call:

Maggie Hawk (Chairperson)
John Shelby (Vice Chairperson)
Michael E. Slayton
Jay Crocker
Elliott Hoffman
Susan Ellis
Carol Kerrigan (Absent)

Also present were Code Enforcement Supervisor Lynne Kunkle, Code Enforcement Officer Barbara Bobelak, City Attorney Frank Gummey, and Administrative Specialist Inga Campbell.

APPROVAL OF MINUTES

August 17th, 2005

Regina Lynne Kunkle, Code Enforcement Supervisor and Barbara Jo Bobelak, Code Enforcement Officer were sworn for testimony.

Susan Ellis made a motion to approve the minutes as written; seconded by Jay Crocker. Motion passed unanimously on roll call vote 6-0.

Jay Crocker made a motion to accept the cases in compliance; seconded by Michael Slayton. Motion passed unanimously on roll call vote 6-0.

OLD BUSINESS:

CASE NO: C2005-0195 Clariece Everette
507 N. Duss Street
New Smyrna Beach, FL 32168

Violation Location: 507 N. Duss Street

- A. Permitting or causing to be permitted storage of abandoned, junked or discarded motor vehicles upon the subject property in violation of §38-31 (a) of the City Code of Ordinances.
- B. Permitting or causing to be permitted discarded and abandoned waste material upon the subject property in violation of §38-113 of the City Code of Ordinances.

Chairperson Hawk noted for the record no one was present to speak on behalf of this case.

Ms. Bobelak testified she spoke with Joel Cray, the resident of the property, who is working diligently to clean the property. Ms. Bobelak is asking the Board for a continuance until the 18th day of October 2005.

Michael Slayton made a motion to continue this case until the 18th day of October 2005 hearing; seconded by Jay Crocker. Motion passed unanimously on roll call vote 6-0.

CASE NO: C2005-0574 Julian C. Lopez, Jr.
P O Box 731687
Ormond Beach, FL 32173

IN COMPLIANCE

Violation Location: Vacant Lot on N Duss

- 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.

CASE NO: C2005-0576 J & B Property Group, Inc.
3351 N. 40th Street
Hollywood, FL 33021

IN COMPLIANCE

Violation Location: 615 N. Duss

- 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.

CASE NO: C2005-0578

Essie Mae Jackson
605 N. Duss Street
New Smyrna Beach, FL 32168

Violation Location: 605 N. Duss Street

- A. Permitting or causing to be permitted inoperable vehicles upon the subject property in violation of §307.4 of the Standard Housing Code, 1997 Edition.
B. Permitting or causing to be permitted discarded and abandoned waste material upon the subject property in violation of §38-113. of the City Code of Ordinances.

Chairperson Hawk noted for the record no one was present to speak on behalf of this case.

Ms. Kunkle testified two of the three vehicles have been removed and the third has in it a "For Sale" sign. Ms. Kunkle stated the fines would not begin to accrue until the 21st of September 2005.

Jay Crocker made a motion to continue this case until the 18th day of October 2005 hearing for review at that time; seconded by Susan Ellis. Motion passed unanimously on roll call vote 6-0.

NEW BUSINESS:

CASE NO: C2005-0579

Howard & Delphine Williams, Jr.
441 Carla Drive
Huntingtown, MD 20639

IN COMPLIANCE

Violation Location: 514 N. Duss Street

- 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.

DISCUSSION:

ADJOURNMENT:

There being no further business Jay Crocker made a motion to adjourn the meeting; seconded by Susan Ellis. All agreed and the board adjourned at 4:39 pm.

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:

Inga Campbell
Administrative Specialist
% City Hall
210 Sams Avenue
New Smyrna Beach, FL 32168-9985
Telephone: 386.424.2265
Fax: 386.424.2143