

CITIZENS CODE ENFORCEMENT BOARD

NOTICE OF HEARING

April 21, 2009

Members:

John Shelby (Chair)
Michael Slayton (Vice Chair)
P.J. (Pat) Arvidson
Keith Gerhartz
Ken Taylor
Katharine (Kathy) L. Cooley
Vacant seat

THIS SHALL SERVE AS YOUR OFFICIAL NOTIFICATION of a hearing of the Citizens Code Enforcement Board, to be held on TUESDAY, April 21st, 2009 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:

John Shelby, Chair
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

March 17, 2009

IV. SWEARING OF CITY STAFF

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

C2008-1033: Audio Vision 843 N. Dixie Freeway

VI. OLD BUSINESS:

C2009-0049 Bogumil, Walter A. & Natallie M. 4091 Hill Street

(A) Permitting or causing to be permitted the alteration (concrete) of existing stormwater runoff patterns without first obtaining a permit from the city engineer's office.

The Board continued the case to April 21, 2009.

VII. NEW BUSINESS:

**C2008-0956: (The) Avenue A Salon 102 N. Pine Street
DBA: Christine Littman**

(A) Permitting or causing to be permitted a business operation (The Avenue A Salon/dba: Christine Littman) without having paid the business license tax in violation of §74-146. of the City Code of Ordinances.

(B) Permitting or causing to be permitted prohibited signs upon the subject property in violation of §604.14. of the Land Development Regulations.

C2008-0994:

Sally M. Hicks

1714 N. Indian River Rd.

Permitting or causing to be permitted hedges on an atypical lot on the outer property line to exceed four (4') feet in height in violation of §803.03 B. atypical lots of the Land Development Regulations.

C2009-0022:

NSB Business Solutions

721 Live Oak Street

- (A) Permitting or causing to be permitted an encroachment (sign) upon the City right-of-way in violation of §70-38 of the City Code of Ordinances.
- (B) Permitting or causing to be permitted a business operation (NSB Solutions/Ebay shipping site) without having paid the business license tax in violation of §74-146 of the City Code of Ordinances.

C2009-0080:

ADP Development, LLC

401 Bouchelle Drive

Permitting or causing to be permitted an accessory structure (fence) to exist that has not been maintained structurally sound and in good repair in violation of §302.7 of the International Property Maintenance Code, 2006 Edition.

C2009-0081:

**Bouchelle Island Community Services Association
Bouchelle Island Condominium Common Area**

- (A) Permitting or causing to be permitted construction (accessory structures, electrical, plumbing) without the required permits in violation of §26-172. of the City Code of Ordinances.
- (B) Permitting or causing to be permitted discarded and abandoned waste material (including but not limited to landscaping debris and/or hurricane damaged trees lying in the buffer areas) upon the subject property in violation of §38-113. of the City Code of Ordinances.
- (C) Permitting or causing to be permitted adding fill to low lot areas within the required yard areas without the required Stormwater Management permit in violation of §604.02 B. (1) of the Land Development Regulations
- (D) Permitting or causing to be permitted land clearing without the required permit in violation of §604.02 B. (1) a. of the Land Development Regulations.
- (E) Permitting or causing to be permitted storage of building materials without the required building permit in violation of §802.01 of the Land Development Regulations.

C2009-0083:

Richard & June A. Gentile

785 Pine Shores Blvd.

Permitting or causing to be permitted insect infestation (termites) in violation of §308.1 of the International Property Maintenance Code, 2006 Edition.

C2009-0084:

Bud's Automotive

1101 N. Dixie Freeway

Permitting or causing to be permitted operating a business (Bud's Automotive) without having paid the business license tax in violation of Article V. Occupational Licenses §74-146. of the City Code of Ordinances.

VIII. REPEAT BUSINESS:

IX. ADOPTION OF NEW INTERNAL RULES AND REGULATIONS

X. DISCUSSION:

XI. 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