

CITIZENS CODE ENFORCEMENT BOARD

NOTICE OF HEARING

May 19, 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, May 19th, 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

IV. SWEARING OF CITY STAFF

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

N/A

VI. OLD BUSINESS:

C2008-0259: Carol Ann Felber, Etal 700 Wayne Avenue [SERVED]

Permitting or causing to be permitted construction (installation of windows and enclosed garage) without the required permits in violation of §26-171. of the City Code of Ordinances.

May 20, 2008: The Board found the respondent in violation and required that the necessary permits be obtained within two (2) weeks of the date of receipt of this order or two (2) weeks from the date the property being posted. Further the respondent shall pay a fine of \$200.00 per day for each and every day the violation continued past the 6th day of June 2008.

Fine Totals:

Sixty-nine thousand four hundred (\$69,400) for a total of 347 days. (June 7, 2008 – May 19, 2009)

C2009-0084: Bud's Automotive 1101 N. Dixie Freeway [SERVED]

Permitting or causing to be permitted the operation of 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.

April 21, 2009: The Board found case C2009-0084 in violation and gave the respondent ten (10) days from the date of the hearing to make contact with Code Enforcement Staff or face a fine of \$50 per day.

Fine Totals:

Eight hundred fifty dollars (\$850.00) for a total of 17 days, May 2 – May 19, 2009

VII. NEW BUSINESS:

C2008-0448: Lena Joseff 7 Lynn Court [SERVED]

Permitting or causing to be permitted the construction of an accessory structure without the required permit(s) in violation of §105.1 of the Florida Building Code.

C2008-1156: Dusan Jovic & Robert Vic Lasic 2512 N. Dixie Freeway

Permitting or causing to be permitted the construction of an addition without the required permits in violation of §105.1 of the Florida Building Code.

C2009-0039: Steve's Automotive 539 N. Dixie Freeway [SERVED]

- A. Permitting or causing to be permitted the operation of a business (Steve's Automotive) without having paid the business license tax in violation of Article V. Occupational Licenses §74-146. of the City Code of Ordinances.
- B. Permitting or causing to be permitted alterations and/or installation of a sign(s) without the required permit in violation of Article VI §604.14 D.

C2009-0059: Dodge, Stephen C. & Marjorie A. 379 Wild Orange Dr [SERVED]

Permitting or causing to be permitted the construction of a garage without the required permits in violation of §105.1 of the Florida Building Code.

C2009-0083: Richard & June A. Gentile 785 Pine Shores Blvd. [SERVED]

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

C2009-0098: Patricia Davies Gochis 2301 Saxon Drive [SERVED]

- 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 an outdoor storage unit upon the subject property that is not a customary accessory use to the primary use in the R-1 Single Family zoning district of the Land Development Regulations.

C. Section 303 titled Swimming Pools, Spas and Hot Tubs of the International Property Maintenance Code, 2006 Edition.

§303.1 Swimming pools. Permitting or causing to be permitted a swimming pool to exist that has not been maintained in a clean and sanitary condition, and in good repair.

§303.2 Enclosures. Permitting or causing to be permitted a pool enclosure that has not been properly maintained in good repair.

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