

CITIZENS CODE ENFORCEMENT BOARD

NOTICE OF HEARING

August 18, 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, August 18, 2009 at 4:30 P.M. in the **DEBERRY ROOM, 3<sup>RD</sup> FLOOR, UTILITIES COMMISSION, 2 00 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

July 21, 2009

IV. SWEARING OF CITY STAFF

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

VI. OLD BUSINESS:

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

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 appearing before this Board at his request.

July 15, 2008: The Board found Gilbert L. Dannehower in violation and gave Mr. Dannehower 30 days to bring the property into compliance. Mr. Dannehower failed to comply with the Board's Order and the fine of \$250.00 per day started on the 18<sup>th</sup> day of August, 2008.

August 19, 2008: The Code Enforcement Board's Hearing was cancelled due to Tropical Storm Fay.

September 16, 2008: Gilbert L. Dannehower requested a modification to the Board' Order dated July 15, 2008. The Board modified the Order giving Mr. Dannehower until September 15, 2009 to come into compliance. Mr. Dannehower is to provide the Board with quarterly reports with the first report due on December 16, 2008.

January 20, 2009: Review of the first quarterly report per the Board's Order dated the 16<sup>th</sup> day of September 2008.

March 17, 2009: Review of the second quarterly report per the Board's Order dated the 16<sup>th</sup> day of September 2008.

July 21, 2009: Review of the third quarterly report per the Board's Order dated the 16<sup>th</sup> day of September 2008.

**C2008-0655: Robert & Arla Fiorenzi  
206 Douglas St/ 207 Douglas St./ 1050 Wayne Ave.**

Permitting or causing to be permitted a business operation (rental properties) without having paid the business license tax in violation of §74-146. of the City Code of Ordinances.

July 21, 2009: The Board continued the case until the hearing on August 18, 2009.

**C2008-1156: Jocic Dusan & Robert Lasic 2512 N. Dixie Freeway (SERVED)**

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.

July 21, 2009: The Board continued the case until the hearing on August 18, 2009.

**VII. NEW BUSINESS:**

**C2009-0113: GDC Investors, LLC 47 Jacaranda Cay  
In compliance  
8.04.09  
Db: Dolphin Cove Apartments**

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

**C2009-0171: Eugene & Juliette Theron 4316 Gull Cove  
In compliance  
8.05.09**

Permitting or causing to be permitted short-term rentals in the R-3A zoning district in violation of §504.01 M. of the Land Development Regulations.

**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