

MINUTES OF THE CITIZENS CODE ENFORCEMENT BOARD
HEARING
HELD AT 4:30 P.M. – SEPTEMBER 15, 2009
UTILITIES COMMISSION, DEBERRY ROOM, 3RD FLOOR, 200 CANAL STREET,
NEW SMYRNA BEACH, FLORIDA

The Hearing of September 15, 2009, was called to order at 4:30 p.m. Answering to roll call:

John Shelby (Chair)
Michael Slayton (Vice Chair)
Pat Arvidson
Keith Gerhartz
Ken Taylor
Katharine Cooley

Also present were Code Enforcement Supervisor Lynne Kunkle, Code Enforcement Officer Barbara Bobelak, Assistant City Attorney Greg McDole and Administrative Specialist Claudia Soulie.

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Members of the Citizens Code Enforcement Board were asked to please disclose, for the record, the substance of any ex parte communications that occurred prior to this public hearing.

Mr. Shelby stated that there were none.

APPROVAL OF MINUTES

08/18/09

Mr. Taylor made a motion to approve the minutes of the August 18, 2009, hearing as written; seconded by Mr. Slayton. Motion carried unanimously on roll call vote 6-0.

SWEARING OF CITY STAFF

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

CASES IN COMPLIANCE WITH THE BOARD'S ORDER:

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

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.

August 18, 2009: The Board continued the case until the 15th day of September.

Mr. Gerhartz made a motion to find case C2009-0059 in compliance; seconded by Mr. Taylor. Motion carried unanimously on roll call vote 6-0.

**C2009-0193: E & S Enterprises of Volusia County, Inc.
1523 S. Dixie Freeway**

- (A) Permitting or causing to be permitted a business operation (American Auto Tire Service) 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 a violation of the temporary certificate of occupancy by failing to meet the landscape requirements as submitted on the landscape plan in violation of §604.05 D. Landscape Plan, of the Land Development Regulations.
- (C) Permitting or causing to be permitted the installation of signs over the bay doors without the required sign permit in violation of §604.14. of the Land Development Regulations.

July 21, 2009: Item A and C were in compliance. The Board continued the case for item B until the 15th day of September.

Mr. Shelby asked staff if all the requirements had been meet, staff concurred.

Mr. Slayton made a motion to find case C2009-0193 in compliance; seconded by Ms. Arvidson. Motion carried unanimously on roll call vote 6-0.

ADJOURNMENT:

Mr. Taylor made the motion to adjourn. All agreed and the hearing adjourned at 4:40 pm.