

**CITY OF DeBARY**  
**REGULAR CODE ENFORCEMENT BOARD MEETING**  
**WEDNESDAY, JULY 13, 2005, 2003**  
**6:00 P.M., Florence K. Little Town Hall**  
**12 COLOMBA ROAD, DeBARY, FLORIDA**

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**ADOPTION OF MINUTES**

1. Regular Code Enforcement Board hearing of March 9, 2005

**UNFINISHED BUSINESS:**

1. **DEB-03-025 – WADLINGTON, Ramona M.** **[Served]**  
Complaint No. 020521027  
Violation of City of DeBary Code of Ordinances, Chapter 14, Buildings and Building Regulations, Article II, Section 22.32 - Sections 104.1.1 and 105.6, for construction for which the required building permit(s) and inspection approvals have not been obtained or maintained at 125 Oak Tree Drive in DeBary.  
**(Building Division – Tom Reynolds)**  
\*The Enforcement Official continued this case from the September 10, 2003, hearing;  
\*Order of Non-Compliance and Order Imposing Fine/Lien issued at the January 14, 2004, hearing;  
\*Report & Affidavit of Compliance was issued with a compliance date of December 8, 2004;  
\*Order of Compliance issued at the January 12, 2005, hearing;  
\*City Council of DeBary issued an Amended Order Imposing Fine/Lien on April 13, 2005;  
\*Fine in the amount of \$1,500.00 paid on June 10, 2005;  
**Order Dismissing, Satisfying & Releasing Fine/Lien**
  
2. **DEB-05-008 – BAUERLE, SR., Donald C. TR** **[Served]**  
Complaint No. 050127072  
Violation of City of DeBary Ordinances, Florida Building Code Sections 104.1.1 and 105.6, for construction for which the required building permit(s) and inspection approvals have not been obtained or maintained at 488 West Highbanks Road in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**  
\*Order of Non-Compliance issued at the March 9, 2005, hearing;  
\*The May 11, 2005, hearing was cancelled due to a lack of quorum for the Board and continued to the July 13, 2005, hearing;  
**Hearing to Impose Fine/Lien**

**HEARINGS AND PRESENTATION OF FILED NOTICES OF VIOLATIONS:**

1. **DEB-04-031 – HALL, Michael J. & Joanne**

[Served]

Complaint No. 040628027

Violation of Volusia County Code of Ordinances, Florida Building Code Sections 104.1.1 and 105.6, for construction for which the required building permit(s) and inspection approvals have not been obtained or maintained at 4 Smyrna Drive in DeBary.

**(Building Division – Dave Hooker)**

\*The Enforcement Official continued this case from the November 10, 2004, hearing;

\*The Enforcement Official continued this case from the March 9, 2005, hearing;

2. **DEB-04-032 – HALL, Michael J. & Joanne**

[Served]

Complaint No. 040630020

Violation of Volusia County Code of Ordinances, Florida Building Code Section 3406.1 for an unsafe and dilapidated building at 4 Smyrna Drive in DeBary.

**(Building Division – Dave Hooker)**

\*The Enforcement Official continued this case from the November 10, 2004, hearing;

\*The Enforcement Official continued this case from the March 9, 2005, hearing;

3. **DEB-05-006 – RUSSO, Melane & ~~RUSSO, Elio~~ JTWR05 RUSSO, Daniel**

[Sheriff Served]

Complaint No. 040330005

Violation of City of DeBary Ordinance 80-8, as amended, Section I-1 for having a business without the required licenses, permits and/or site approval at 558 South US Highway 17-92 in DeBary.

**(Zoning Compliance – Debbie Waggoner)**

\*The May 11, 2005, hearing cancelled due to a lack of quorum for the Board and continued to the July 13, 2005, hearing;

4. **DEB-05-011 – KERR, James**

[Sheriff Served]

Complaint No. 041123019

Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section R-4 for having a junkyard where not permitted at 72 Alano Road in DeBary.

**(Zoning Compliance – Debbie Waggoner)**

\*The Enforcement Official continued this case from the May 11, 2005, hearing;

5. **DEB-05-014 – KERR, James**

[Sheriff Served]

Complaint No. 041115007

Violation of City of DeBary Ordinance, Florida Building Code Section 3401.6 for an improperly maintained structure 72 Alano Road in DeBary.

**(Building Division – Dave Hooker)**

\*The May 11, 2005, hearing cancelled due to a lack of quorum for the Board and continued to the July 13, 2005, hearing;

6. **DEB-05-015 – SCHIRALDI, Michael P. & Deborah** [Served]  
Complaint No. 041123033  
Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section R-4 for having a junkyard where not permitted at 129 Plantation Road in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
  
7. **DEB-05-016 – HERRMANN, Russell B. LF/ESTATE** [Posted]  
Complaint No. 050111002  
Violation of City of DeBary Code of Ordinances, Section 22.32 - Florida Building Code, Sections 104.1.1 and 105.6, for construction of a fence for which the required building permit(s) and inspection approvals have not been obtained or maintained at 230 Lakewood Drive in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
  
8. **DEB-05-019 – BAUERLE, Sr., Donald C.** [Served]  
Complaint No. 050412007  
Violation of City of DeBary Code of Ordinances, Section 22.32 - Florida Building Code, Sections 104.1.1 and 105.6, for construction of a fence for which the required building permit(s) and inspection approvals have not been obtained or maintained at 488 West Highbanks Road in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
  
9. **DEB-05-023 – ALTMAN, Gary D.** [Served]  
Complaint No. 050426125  
Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section B-5 for violating the approved Site Plan at 5 Sanctuary Avenue in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
  
10. **DEB-05-024 – ALTMAN, Gary D.** [Served]  
Complaint No. 050427011  
Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section B-5 for operating a business where not permitted at 5 Sanctuary Avenue in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
  
11. **DEB-05-025 – ALTMAN, Gary D.** [Served]  
Complaint No. 050427033  
Violation of City of DeBary Ordinance 80-8, as amended, Section IX, 900.04 for vehicle storage without the required certificate of occupancy at 5 Sanctuary Avenue in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**

12. **DEB-05-026** – **ALTMAN, Gary D.** [Served]  
 Complaint No. 050303030  
 Violation of City of DeBary Ordinance 80-8, as amended, Article VIII, Section 808.06 for for illegal access over landscape buffer and parking on landscape buffer at 5 Sanctuary Avenue in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
13. **DEB-05-029** – **MEDIATRIX c/o Concepcion S. Anayas TTEE** [ ]  
 Complaint No. 050622002  
 Violation of City of DeBary Ordinance 80-8, as amended, Article VIII, Section 811.02 for a boat without a current validation sticker and/or trailer without a current license tag at 2 Sunset Drive in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**
14. **DEB-05-030** – **MEDIATRIX c/o Concepcion S. Anayas TTEE** [ ]  
 Complaint No. 050622005  
 Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section B-4 for storing a boat and/or trailer where not permitted at 2 Sunset Drive in DeBary.  
**(Zoning Compliance – Debbie Waggoner)**

**NEW BUSINESS:**

1. Tally Sheets
2. As Entertained by Chairman
3. As Entertained by Board Attorney
4. As Entertained by Staff Attorney
5. As Entertained by Staff

**ADJOURNMENT:**

If any person decides to appeal any decision made by the Code Enforcement Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (FS 286.0105).

Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations at this public hearing should contact DeBary City Hall, 137 S. U.S. Highway 17-92, DeBary, Florida, 32713; (407) 668-2040, at least five (5) working days prior to the meeting date and time.