

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, September 14, 2005
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 July 13, 2005.

UNFINISHED BUSINESS:

1. **DEB-05-006** – **RUSSO, Melane & RUSSO, Elio** **JTWROS 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 – Tammy Proulx)

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

*Order of Non-Compliance issued at the July 13, 2005, hearing;

Hearing to Impose Fine/Lien

2. **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;

*Order of Non-Compliance issued at the July 13, 2005, hearing;

Hearing to Impose Fine/Lien

3. **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 – Tammy Proulx)

*Order of Non-Compliance issued at the July 13, 2005, hearing;

Hearing to Impose Fine/Lien

4. **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 – Tammy Proulx)

*Order of Non-Compliance issued at the July 13, 2005, hearing;

Hearing to Impose Fine/Lien

5. **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 – Tammy Proulx)

*Order of Non-Compliance issued at the July 13, 2005, hearing;

Hearing to Impose Fine/Lien

HEARINGS AND PRESENTATION OF FILED NOTICES OF VIOLATIONS:

1. **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 – Tammy Proulx)

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

*The Enforcement Official continued this case from the July 13, 2005, hearing;

2. **DEB-05-031 – KERR, James** [Sheriff Served]

Complaint No. 050503026

Violation of City of DeBary Ordinance 80-8, as amended, Article VIII, Section 807.01 and 807.05 for violating the Home Occupation Regulations at 72 Alano Road in DeBary.

(Zoning Compliance – Tammy Proulx)

3. **DEB-05-033 – WHEATLEY, Gregory A.** [Served]
Complaint No. 040908004
Violation of City of DeBary Code of Ordinance, 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 16 Columbine Trail in DeBary.
(Building Division – Dave Hooker)
4. **DEB-05-034 – BAUERLE, SR., Donald C. TR** [Served]
Complaint No. 050609082
Violation of City of DeBary Code of Ordinance, 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 Highbanks Road in DeBary.
(Zoning Compliance – Tammy Proulx)

REQUESTS FOR DISCUSSION OF ACCUMULATED FINES

1. **DEB-04-009 – SMITH, Sheldon L. & Bonny F.** [Posted]
Complaint No. 040325005
Violation of City of DeBary Code of Ordinance 58-84, Florida Building Code Section 3401.6 for an unsafe and dilapidated building at 792 Fort Florida Road in DeBary.
(Building Division – Dave Hooker)
*Order of Non-Compliance issued at the May 12, 2004, hearing;
*Order Imposing Fine/Lien issued at the July 14, 2004, hearing;
*Report & Affidavit of Compliance was issued with a compliance date of August 2, 2004;
*Order of Compliance issued at the November 10, 2004, hearing;
Request for Recommendation to City of DeBary Council to Waive Fine - \$1,800.00

NEW BUSINESS:

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

1. **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 – Tammy Proulx)
*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;
*Order Imposing Fine/Lien issued at the July 13, 2005, hearing;
Request by Code Enforcement Board Attorney for Amended Order Imposing Fine/Lien

2. **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 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/Order Imposing Fine/Lien issued at the July 13, 2005, hearing;
Request by Code Enforcement Board Attorney for Amended Order of Non-Compliance and Order Imposing Fine/Lien

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.