

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, March 8, 2006
6:00 P.M., Florence K. Little Town Hall
12 COLOMBA ROAD, DeBARY, FLORIDA

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. ADOPTION OF MINUTES

1. Regular Code Enforcement Board hearing of January 11, 2006

IV. UNFINISHED BUSINESS:

1. **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)

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

*1st Amended Order of Non-Compliance issued at the September 14, 2005, hearing;

*2nd Amended Order of Non-Compliance issued at the November 9, 2005, hearing;

Hearing to Impose Fine/Lien

2. **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 illegal access over landscape buffer and parking on landscape buffer at 5 Sanctuary Avenue in DeBary.

(Zoning Compliance – Debbie Waggoner)

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

*1st Amended Order of Non-Compliance issued at the September 14, 2005;

*2nd Amended Order of Non-Compliance issued at the November 9, 2005, hearing;

Hearing to Impose Fine/Lien

3. **DEB-05-036 – LYON, Robert S.** **[Served]**

Complaint No. 040618039

Violation of City of DeBary 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 238 Columba Road in DeBary.

(Building Division – Dave Hooker)

*Order of Non-Compliance issued at the November 9, 2005, hearing;

Hearing to Impose Fine/Lien

4. **DEB-05-051 – BAUERLE, Donald C.** **[Served]**

Complaint No. 051026014

Violation of City of DeBary 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 488 West Highbanks Road in DeBary.

(Zoning Compliance – Debbie Waggoner)

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

*Order of Non-Compliance issued at the January 11, 2006, hearing;

Hearing to Impose Fine/Lien

5. **DEB-05-052 – BAUERLE, Donald C.** [Served]

Complaint No. 051026095

Violation of City of DeBary 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 488 West Highbanks Road in DeBary.

(Zoning Compliance – Debbie Waggoner)

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

*Order of Non-Compliance issued at the January 11, 2006, hearing;

Hearing to Impose Fine/Lien

6. **DEB-05-056 – VARNEY, Larry A.** [Sheriff Served]

Complaint No. 050923012

Violation of City of DeBary Code of Ordinances, Chapter 13, Article III, Section 30-103 and 30-104, for junked, wrecked or abandoned vehicle(s) that is inoperative and/or without current license tag at 215 Clara Vista Street in DeBary.

(Zoning Compliance – Tammy Proulx)

*Order of Non-Compliance and Order Imposing Fine/Lien issued at the January 11, 2006, hearing;

*Report & Affidavit of Compliance was issued with a compliance date of February 22, 2006;

Order of Compliance

7. **DEB-05-058 – JECKOVICH, David J.** [Served]

Complaint No. 050805002

Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section R4 for a business where not allowed at 247 Toms Road in DeBary.

(Zoning Compliance – Debbie Waggoner)

*Order of Non-Compliance and Order Imposing Fine/Lien issued at the January 11, 2006, hearing;

*Report & Affidavit of Compliance was issued with a compliance date of January 25, 2006;

Order of Compliance

Order Dismissing & Releasing Fine/Lien

8. **DEB-05-059 – JECKOVICH, David J.** [Served]

Complaint No. 050805026

Violation of City of DeBary Ordinance 80-8, as amended, Article VIII, Section 811.02 and 811.021 for a trailer improperly parked at 247 Toms Road in DeBary.

(Zoning Compliance – Debbie Waggoner)

*Order of Non-Compliance and Order Imposing Fine/Lien issued at the January 11, 2006, hearing;

*Report & Affidavit of Compliance was issued with a compliance date of January 25, 2006;

Order of Compliance

Order Dismissing & Releasing Fine/Lien

9. **DEB-05-060 – JECKOVICH, David J.** [Served]
Complaint No. 050805027

Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section R4 for heavy equipment stored/parked where not permitted at 247 Toms Road in DeBary.

(Zoning Compliance – Debbie Waggoner)

*Order of Non-Compliance and Order Imposing Fine/Lien issued at the January 11, 2006, hearing;

*Report & Affidavit of Compliance was issued with a compliance date of January 25, 2006;

Order of Compliance

Order Dismissing & Releasing Fine/Lien

10. **DEB-05-061 – JECKOVICH, David J.** [Served]
Complaint No. 050716014

Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section R4 for having a junkyard where not permitted at 247 Toms Road in DeBary.

(Zoning Compliance – Debbie Waggoner)

*Order of Non-Compliance and Order Imposing Fine/Lien issued at the January 11, 2006, hearing;

*Report & Affidavit of Compliance was issued with a compliance date of January 25, 2006;

Order of Compliance

Order Dismissing & Releasing Fine/Lien

V. HEARINGS AND PRESENTATION OF FILED NOTICES OF VIOLATIONS:

1. **DEB-05-004 – DYESS, JR., Donald W.** [Served]
Complaint No. 040511003

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 161 Oak Tree Drive in DeBary.

(Building Division – Dave Hooker)

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

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

2. **DEB-05-050 – OLVER, Debby G. & Benjamin** [Served]
Complaint No. 050728048

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 293 Colomba Road in DeBary.

(Building Division – Dave Hooker)

*The Enforcement Official continued this case from the January 11, 2006, hearing;

3. **DEB-05-065 – MADDEN, James G. & MADDEN, Graham P.** [Served]
Complaint No. 050901048

Violation of City of DeBary 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 at 113 Bonita Road in DeBary.

(Building Division – Dave Hooker)

*The Enforcement Official continued this case from the January 11, 2006, hearing;

4. **DEB-05-066 – OGLE, Kevin L.** [Posted]
Complaint No. 050629001

Violation of City of DeBary Code of Ordinances, Volusia County Land Development Code Ordinance 88-3, Article XI, Section 1104 for altering a Volusia County Jurisdictional Wetland without a permit at 123 Bonita Road in DeBary.

(Environmental Management – Brant Kruger)

*The Enforcement Official continued this case from the January 11, 2006, hearing;

5. **DEB-05-067 – HESS, Linda A. & BRANDENBURG, David A. JTWRS** [Served]
Complaint No. 050728045

Violation of City of DeBary 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 at 11 Colomba Road in DeBary.

(Building Division – Dave Hooker)

6. **DEB-06-002 – HOPE LAND INVESTMENTS LLC** [Posted]
Mark A. Gabriel, Registered Agent []

Complaint No. 051017030

Violation of City of DeBary Ordinance, Volusia Land Development Code No. 88-3, Article X for not obtaining a tree removal permit as required at 217 Clara Vista Street in DeBary.

(Environmental Management – Brant Kruger)

7. **DEB-06-003 – ALLEN, Larry** [Served]
Complaint No. 051103012

Violation of City of DeBary Ordinance 80-8, as amended, Article VII, Section A-1 for having a landfill without the required permits, exemptions and/or special exception at 10 Buckley Drive in DeBary.

(Zoning Compliance – Debbie Waggoner)

VI. 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.