

**CITY OF DeBARY**  
**REGULAR CODE ENFORCEMENT BOARD MEETING**  
**WEDNESDAY, November 14, 2007**  
**6:00 P.M., Florence K. Little Town Hall**  
**12 Colomba Road, DeBary, Florida**

**MINUTES**

**CALL TO ORDER**

Chairman Don Pulver called the meeting to order at 6:00 P.M.

**ROLL CALL**

Present: Chairman Don Pulver, Gail Pryosk,  
William Brydges, (alternate) Vice Chairman John Harvey  
Marcia Becker, Robert Rini  
Gertrude DeSantis Rick Dwyer

City Staff: Assistant City Attorney Dan Langley,  
Neighborhood Improvement Officer Dave Hooker  
Staff Secretary Patricia Martin

**AGENDA CHANGES**

No changes to the agenda.

**DISCLOSURE OF EX-PARTE COMMUNICATIONS**

No ex-parte communications.

**Witnesses Sworn In:**

Staff Secretary Patricia Martin swore in all witnesses who intended to testify.

**Approval of Minutes**

Motion made by Ms. Becker to approve October 10, 2007, Seconded by Mr. Harvey motion passes, 6 - 0 Abstain – Rick Dwyer and Robert Rini.

**CONSENT AGENDA:**

*Motion made by Mr. Dwyer to approve the consent agenda for case numbers:  
07-071-H (TJ O'Neil), 07-055-H (Nelson & Donna Goodreau), 07-114-H,( Mitchell Green &  
Yvette Scheibel) 3 Angeles Road, 07-164-H (Barbie Heneghan) 251 Grand Vista Street*

*Seconded by Mr. Pulver, motion passed 7-0*

.

**OLD BUSINESS:**

**NEW BUSINESS**

- (1) **Case No. 07-161-H** John Stauffer

619 S US Hwy 17-92

**(Neighborhood Improvement Officer-Dave Hooker)**

Mr. Hooker testified property is still in violation of outdoor storage of personal property as well as a storage container. Mr. Hooker provided, as evidence, photographs and other excerpts pertaining to alleged violations.

Mr. Stauffer testified he needs additional time for removal of storage unit. Lengthy discussion ensued.

*Motion made by Mr. Dwyer to find the owner in non-compliance of the cited sections of code and gives the owner 30 days to come into compliance. Failure to do so will result in a fine of \$100 per day to begin and continue until property is in full compliance. Seconded by Mr. Harvey. Motion passed 7-0*

- (2) **Case No. 07-167-H** Kathryn Miller

225 DeBary Drive

**(Neighborhood Improvement Officer-Dave Hooker)**

Mr. Hooker testified of outdoor storage of personal property and automobiles with no current tags. Mr. Hooker provided, as evidence, photographs and other excerpts pertaining to alleged violation. Property owner testified that he would need additional time to bring the property into full compliance. Property owner was not present.

*Motion made by Mr. Dwyer to find the owner in violation and give 30 days to come into compliance. Failure to do so will result in a fine of \$100.00 per day to begin on day 31 and to continue until property is in full compliance. Motion seconded Mr. Rini. Motion passed unanimously.*

- (3) **07-196-H** Alexander Carbonell

605 Moss Point Cove Court

*Recommendation made by Mr. Pulver to continue case until the next Code Enforcement Meeting in December 2007. Recommendation approved by full board*

- (4) **07-197-H** Heath Naylor

301 Cat Tail Lane

*Recommendation made by Mr. Pulver to continue case until the next Code Enforcement Meeting in December 2007. Recommendation approved by full board.*

(5) **07-201-H Mary F Remelius (Life Estate)**

126 Eldorado Drive

**(Neighborhood Improvement Officer-Dave Hooker)**

Mr. Hooker testified the property owner is still in violation of the cited ordinances and withdrew citing of the Volusia County zoning ordinances. Mr. Hooker provided, as evidence, photographs and other excerpts pertaining to alleged violation. Property owner testified he was aware of the posting of property and did not contest the Notice of Violations. ***Motion made by Mr. Dwyer to find the property in non-compliance and give 30 days to comply. Failure to do so will result in a fine of \$100.00 per day to begin on day 31st and to continue until property is in full compliance. Motion seconded Ms Prysok. Motion passed unanimously.***

(6) **07-213-H David & Wendy Cox**

331 Alemander Avenue

**(Neighborhood Improvement Officer-Dave Hooker)**

Mr. Hooker testified the property owner is still in violation of the cited ordinances and withdrew citing of Florida Building Code 104.1 referencing permits'. Hooker provided, as evidence, photographs and other excerpts pertaining to alleged violation. Property owner was not present. A discussion ensued. ***Motion made by Mr. Dwyer to find the property in non-compliance and give 30 days to comply. Failure to do so will result in a fine of \$100.00 per day to begin on day 31 and to continue until property is in full compliance. Motion seconded Mr. Rini. Motion passed unanimously.***

(7) **07-06-011 Thomas Allen**

167 S US Hwy 17-92

**(Neighborhood Improvement Officer-Dave Hooker)**

Mr. Hooker presented per the request of Mr. Allen a reduction and/ or abatement of lien that has been imposed on his property. Property owner, Thomas Allen, sent his manager to speak in his behalf. A lengthy discussion ensued. ***Motion was made by Mr. Dwyer to decline request for lien reduction. Seconded by Mr. Rini. Motion passed 5 to 2. (Ms. Becker and Mr. Pulver opposed.)***

(8) **07-165-H Beatrice Allen (Life Estate)**

609 S US Hwy 17-92

**(Neighborhood Improvement officer – Dave Hooker)**

Mr. Hooker recommended the order the original order imposing fine be amended to give The Department of Transportation time to make a decision regarding the damages to the property. Mr. Hooker recommended that the amended order be 2/14/2008 for a fine to be imposed. ***Motion was made by Mr. Dwyer to accept Mr. Hooker recommendation. Seconded by Mr. Rini. Motion Passed unanimously***

**GOOD FOR THE ORGANIZATION**

**A. As entertained by the Chairman**

**B. As entertained by the Board**

Mr. Dwyer recommended the city be required to send monthly statements to property owners that are being fined to avoid accumulation of large dollar amounts and was unanimously agreed upon by the board.

**C. As entertained by the Staff**

**D. As determined by the City Attorney**

**E. Tally Sheets**

**ADJOURNMENT**

The meeting adjourned at 7:16 p.m.

**APPROVED December 12, 2007  
CITY OF DeBARY  
CODE ENFORCEMENT BOARD**

**W. Don Pulver  
Chairman**