

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, April 9, 2008
6:00 P.M., Florence K. Little Town Hall
12 Colomba Road, DeBary, Florida

MINUTES

CALL TO ORDER

Vice Chairman John Harvey called the meeting to order at 6:00 P.M.

ROLL CALL

Present: Vice Chairman, John Harvey, present
Rick Dwyer present William Brydges absent - excused
Gail Prysok present Chairman Don Pulver absent – excused
Robert Rini present Gertrude DeSantis absent - unexcused
Marcia Becker present

City Staff: Assistant City, 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 Mr. Dwyer to approve March 12, 2008 minutes, seconded by Mr. Rini motion passes, 3-0, 2 abstain Ms. Prysok, Ms Becker.

CONSENT AGENDA:

OLD BUSINESS:

NEW BUSINESS

- (1) **Case No. 08-036-H - Bob Gormans Alignment & Brake Center**
90 S US Highway 17-92
Neighborhood Improvement Officer – Dave Hooker
Upon staff recommendation the case was withdrawn from the agenda.

(2) **Case No. 08-037-H - Mitchell Green**

12 S US Hwy 17-92

(Neighborhood Improvement Officer – Dave Hooker)

Mr. Hooker testified about a commercial container located on the property that is not properly enclosed per the city code. Mr. Green was there to testify and a length discussion ensued. Staff recommends the property be found in non compliance and be given 45 day to come into compliance. Failure to do so will result in a fine of \$100 per day until compliance is achieved.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited sections of code and give the owner 45 days to come into compliance . Failure to do so will result in a fine of \$100 per day until compliance is achieved. Seconded by Ms. Prysok.

Motion passed 4-1, opposed by Mr. Rini.

(3) **Case No. 08-043-H - NCNB of DeBary**

150 S US Hwy 17-92

(Neighborhood Improvement Officer – Dave Hooker)

Upon staff recommendation the case was withdrawn from the agenda.

Motion passed unanimously

(4) **Case No. 08-044-H - Judy R Schuler Trustee**

2 S US Hwy 17-92

(Neighborhood Improvement Officer – Dave Hooker)

Mr. Hooker testified about a commercial container located on the property that is not properly enclosed per the city code. Ms. Schuler not there to testify.

Staff recommends the property be found in non compliance and be given 45 day to come into compliance. Failure to do so will result in a fine of \$100 per day until compliance is achieved.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited sections of code and give the owner 14 days to come into compliance. Failure to do so will result in a fine of \$100 per day until compliance is achieved. Seconded by Ms. Prysok.

Motion passed 4-1, opposed by Mr. Rini.

(5) **Case No. 08-046-H - DeBary Stafford Associates**

N US Hwy 17-92

(Neighborhood Improvement Officer – Dave Hooker)

Upon staff recommendation the case was withdrawn from the agenda.

(6) **Case No. 08-081-H - John T. Cumberledge**

16 River Bluff Trail

(Neighborhood Improvement Officer – Dave Hooker)

Mr. Hooker testified about a building constructed on a lot without a principal structure. and that Mr. Cumberledge has obtained and submitted an application for a lot combination and submitted it to the planning and zoning department for approval, additionally a building permit will be obtained upon approval of the lot combo. Staff recommends Mr. Cumberledge be given 180 days to complete the permit process and the lot combination or find the property in non compliance and bring the case back before he Code Board for further adjudication

Motion made by Mr. Dwyer find the owner in non compliance-grant the owners 180 days to complete the permit process for the lot combination and final inspection approval for the building or be brought back to this board for further adjudication. Seconded by Ms. Prosok. Motion passed unanimously.

- (7) **Case No. 08-082-H - Duncan W. Rabey II**
474 River Drive
(Neighborhood Improvement Officer – Dave Hooker)
Upon staff recommendation the case was withdrawn from the agenda

GOOD FOR THE ORGANIZATION

- A. As entertained by the Chairman – None**
- B. As entertained by the Board – None**
- C. As entertained by the Staff – None**
- D. As determined by the City Attorney - None**
- E. Tally Sheets - Accepted**

ADJOURNMENT

The meeting adjourned at 6:45 p.m.

APPROVED May 14, 2008
CITY OF DeBARY
CODE ENFORCEMENT BOARD

John Harvey
Vice Chairman