

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, May 14, 2008
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, present
Vice Chairman, John Harvey, present
Rick Dwyer present
Gail Prysok present William Brydges present
Robert Rini present Gertrude DeSantis absent - excused
Marcia Becker present

City Staff: Assistant City, Dan Langley
Neighborhood Improvement Officer Dave Hooker
Staff Secretary Shanna Hawkins

AGENDA CHANGES

Addendum to agenda to add Case No. 08-084-H as New Business

DISCLOSURE OF EX-PARTE COMMUNICATIONS

No ex-parte communications.

Witnesses Sworn In:

Staff Secretary Shanna Hawkins swore in all witnesses who intended to testify.

Approval of Minutes

Motion made by Mr. Dwyer to approve April 9, 2008 minutes, seconded by Mr. Harvey motion passes unanimously.

CONSENT AGENDA:

- (1) Case No. 07-196-H Alexander Carbonell
605 Moss Point Cove Court
Order of Compliance – 05/14/08 - Fine amount due \$0.00
- (2) Case No. 07-197-H Heath Naylor
3001 Cat Tail Lane
Order of Compliance – 05/14/08 - Fine amount due \$0.00

- (3) Case No. 07-275-H William Headrick
42 Narcissus Dr.
Order of Compliance – 05/14/08 - Fine amount due \$0.00
- (4) Case No. 08-046-H DeBary-Stafford Assoc.
N. US-HWY 17-92
Order of Compliance – 05/14/08 - Fine amount due \$0.00
- (5) Case No. 07-292-H Todd M. Gavis
232 Sunrise Blvd.
Order of Compliance – 05/14/08 - Fine amount due \$0.00

Motion made by Mr. Harvey to approve consent agenda, seconded by Mr. Dwyer motion passes unanimously.

OLD BUSINESS:

None

NEW BUSINESS

- (1) **Case No. 08-084-H** - **Cacioppo & Son of Florida Inc.**
Vita, Formoso, VSTD
106 Hickory Stick Ct.
Neighborhood Improvement Officer – Dave Hooker
Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the violations sited. No representative of the owner to provide testimony in this case. A lengthy discussion ensued between the board and City Attorney regards to possible condemnation.
First motion made by Mr. Dwyer to find the owner in non-compliance of the cited sections of the code and give the owner 14 days to remove all debris and building material. Failure to do so will result in the City Of DeBary to remove all debris and building material and to place a lien for the cost of removal. Seconded by Mr. Rini. Motion passes unanimously
Testimony was given by Mac McShay to recommend the City of contact the Habitat for Humanity to come remove all the items at the property to possibly use again.
Second motion made by Mr. Dwyer to find the owner in non-compliance and the building to found unsafe as cited in Code of Ordinance chapter 30, section 30-224, § 6, 9, and 4, and to give the owner 60 days to come into compliance. Failure to do so will result in preceding with the process to demolish block structure. Seconded by Mr. Rini. Motion passes 5-1, opposed by Mr. Harvey.
- (2) **Case No. 08-079-H** - **Jacques & Lissa Pierre-Paul**
9 Smyrna Dr.
Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the violations sited. No representative of the owner to provide testimony in this case. Discussion ensued between board members regards to the status of the property.

Motion made by Mr.Rini 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 \$250 per day until compliance is achieved. Seconded by Mr. Dwyer.

Motion passes unanimously.

(3) **Case No. 08-083-H - William W. & Gayle B. Austin**

245 Lucerne Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the violations sited. No representative of the owner to provide testimony in this case. Discussion ensued between board members regards to the status of the property.

Motion made by Mr. Harvey to find the owner in non-compliance of the cited section of code and give the owner 14 days to come into compliance. Failure to do so will result in a fine of \$50 per day until compliance is achieved. Seconded by Mr. Rini. Motion passes unanimously.

(4) **Case No. 08-093-H - JTC Commercial LLC**

75 South U. S. Hwy 17-92

Neighborhood Improvement Officer – Dave Hooker

Upon staff recommendation a continuance was granted till June 11, 2008.

GOOD FOR THE ORGANIZATION

A. As entertained by the Chairman – request was made of staff to provide an updated report on Homestead liens for June 11, 2008 meeting and for Non-Homestead liens for July 9, 2008 meeting.

B. As entertained by the Board – None

C. As entertained by the Staff – None

D. As determined by the City Attorney – update was given on two homestead liens that were going through foreclosure proceedings, Case No. 07-134-H and 07-236-H.

E. Tally Sheets – Accepted, correction needed to be made to remove Case No. 07-152-H from Homestead list.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

**APPROVED June 11, 2008
CITY OF DeBARY
CODE ENFORCEMENT BOARD**

**Don Pulver
Chairman**