

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, JANUARY 13, 2010
6:00 P.M., City Hall
16 Colomba Road, DeBary, Florida

MINUTES

CALL TO ORDER

Chairman Don Pulver called the meeting to order at 6:04 p.m.

ROLL CALL

Chairman, Don Pulver – present
Vice Chairman John Harvey - present
Rick Dwyer – present
Nicholas Koval - present
Robert Rini - present
Gail Prysok - present
Marcia Becker – present

City Staff:

Assistant City Attorney, Dan Langley
Neighborhood Improvement Officer, Dave Hooker
Staff Secretary, Annette Hatch

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Motion made by Mr. Dwyer to nominate Mr. Pulver as chairman of the Code Enforcement Board. Seconded by Ms. Becker. Motion passed unanimously.

Motion made by Mr. Rini to nominate Mr. Harvey as vice-chairman of the Code Enforcement Board. Seconded by Mr. Koval. Motion passed unanimously.

AGENDA CHANGES

None

DISCLOSURE OF EX-PARTE COMMUNICATIONS

None

Witnesses Sworn In:

Staff Secretary, Annette Hatch, swore in all witnesses who intended to testify.

Approval of Minutes

Motion made by Mr. Dwyer to approve the amended November 11, 2009, minutes; seconded by Mr. Harvey. Motion passed 7-0.

CONSENT AGENDA:

- (1) Case No. 09-067 Doris Ann Siklos
467 N. Pine Meadow Dr.
Order of Compliance – total amount due (\$0.00)

- (2) Case No. 09-010 Andrew P. Gaffney
4 Sunset Dr.
Order of Compliance – total amount due (\$0.00)

- (3) Case No. 09-273 Nationstar Mortgage LLC
336 Alemander Avenue
Order of Compliance – total amount due (\$0.00)

- (4) Case No. 09-284 Beverly Perry
268 Luis Lane
Order of Compliance – total amount due (\$0.00)

- (5) Case No. 09-313 Keng Liu Yong
103 Florence Blvd.
Order of Compliance – total amount due (\$0.00)

- (6) Case No. 08-308 Guerrieri & Malba
263 DeBary Dr.
Order of Compliance – total amount due (\$24,000.00)

- (7) Case No. 09-250 Richard Gray
26 Lilac Dr.
Order of Compliance – total amount due (\$0.00)

- (8) Case No. 09-197 Valentina Garcia
8 Valencia Rd.
Order of Compliance – total amount due (\$500.00)

- (9) Case No. 09-343 HSBC Mortgage Services, Inc.
102 Cardinal Dr.
Order of Compliance – total amount due (\$0.00)

- (10) Case No. 09-346-H Brian Kempen
263 Valencia Rd.
Order of Compliance – total amount due (\$0.00)

Motion made by Mr. Dwyer to approve the consent agenda; seconded by Mr. Harvey. Motion passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS

- (1) Case No. 09-240-H William Jr. & Laura Gardner
1 Pine Glen Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violation. Mr. & Mrs. Gardner were present to represent the property and gave testimony to their circumstances. Discussion ensued between board members, Mr. & Mrs. Gardner, and staff.

Motion made by Mr. Dwyer to dismiss this case. Seconded by Ms. Prysok. Motion passed unanimously

- (2) Case No. 09-301-H David Poirier TR
103 Alano Rd.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violation. Mr. Poirier was present to represent the property and gave testimony to his circumstances. Discussion ensued between board members, Mr. Poirier, and staff.

Motion made by Mr. Dwyer to find the property in noncompliance of the cited code. In addition, the owner has 20 days to come into compliance. Failure to do so will result in a fine of \$200 per cut to be imposed. Seconded by Mr. Rini. Motion passed unanimously.

- (3) Case No. 09-327-H William & Mayumi Vega
120 DeBary Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violation. No one was present to represent the property. Discussion ensued between board members and staff.

Motion by Mr. Rini to find the property in noncompliance of the cited code. In addition, the owner has 14 days to come into compliance. Failure to do so will result in a fine of \$50 per day to be imposed. Seconded by Mr. Dwyer. Motion passed unanimously.

- (4) Case No. 09-332-H Diane M. Stolfi
31 Bass Lake Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violation. Ms. Stolfi was present to represent the property and gave testimony to her circumstances. Discussion ensued between board members, Ms. Stolfi, and staff.

Motion by Mr. Rini to find the property in noncompliance of the cited section of code. In addition, the owner has 30 days to post assigned numerical address. Failure to comply will result in a fine of \$25 per day to be imposed. Seconded by Mr. Dwyer. Motion passed 6-1 (Ms. Prysok opposed). Also in a second motion made by Mr. Koval the owner is to provide certification by a licensed roofing contractor. Failure to comply will result in a fine of \$100 per day to be imposed. Seconded by Ms. Becker. Motion passed 6-1 (Mr. Dwyer opposed).

(5) Case No. 09-412-H Carmela Iannarelli I/L
105 Estrella Rd.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violation. No one was present to represent the property. Discussion ensued between board members and staff. *Motion by Mr. Dwyer to find the property in noncompliance of the cited section of code. In addition, the owner has 14 days to come into compliance. Failure to comply will result in a fine of \$50 per day to be imposed. Seconded by Mr. Harvey. Motion passed unanimously.*

(6) Case No. 09-317-H Phylliss L. Johnson
518 Donaldson Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violations. Ms. Johnson was present to represent the property and gave testimony to her circumstances. Discussion ensued between board members, Ms. Johnson, and staff.

Motion by Mr. Rini to find the property in noncompliance of the cited section of code. In addition, the owner has 90 to come into compliance, at which time the situation will be re-evaluated. Seconded by Mr. Dwyer. Motion passed 6-1 (Mr. Koval opposed).

(7) Case No. 09-350-H Christine N. Bradley et al
201 Ramblewood Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker withdrew this case from the agenda.

(8) Case No. 09-352-H Luis Manso
129 Sanford Ave.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violations. No one was present to represent the property. Discussion ensued between board members and staff.

Motion by Ms. Prysok to find the property in noncompliance of the cited section of code. In addition, the owner has 30 days to come into compliance. Failure to comply will result in a fine of \$100 per day to be imposed. Seconded by Mr. Koval. Motion passed unanimously.

(9) Case No. 09-356-H Gene Holowka, Jr.
34 Sackett Rd.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker withdrew this case from the agenda.

10) Case No. 09-358-H Randal D. Swigart
119 Lake Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker withdrew this case from the agenda.

(11) Case No. 09-359-H Elmer J. & Kathryn S. McGee
125 Lake Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violations. Mr. & Mrs. McGee were present to represent the property and gave testimony to their circumstances. Discussion ensued between board members, Mr. & Mrs. McGee, and staff.

Motion made by Mr. Dwyer to find the property in noncompliance of the cited section of code, In addition, the owner has 30 days to come into compliance. Failure to comply will result in a fine of \$100 per day to be imposed. Seconded by Mr. Koval. Motion passed 6-1 (Mr. Harvey opposed).

(12) Case No. 09-365-H Hamzehlou & Reza
665 S. US HWY 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker withdrew this case from the agenda.

(13) Case No. 08-308-H Joyce R. Guerrieri & Rebecca J. Malba JTRS
263 DeBary Drive

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violations. No one was present to represent the property. Discussion ensued between board members and staff. *Motion by Mr. Dwyer to deny the reduction or waiver of fine request due to lack of information. Seconded by Ms. Prysok. Motion passed unanimously.*

(14) Case No. 08-293-H John & Tracie Meany
331 Hindsdale

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and present photos of the violations. No one was present to represent the property. Discussion ensued between board members and staff. *Motion by Mr. Dwyer to deny the reduction or waiver of fine request. Seconded by Mr. Harvey. Motion passed 5-2 (Mr. Pulver and Ms. Becker opposed).*

GOOD FOR THE ORGANIZATION

A. As entertained by the Chairman – None

B. As entertained by the Board – None

C. As entertained by the Staff – Mr. Hooker introduced Mr. Louis Morales, the new alternate member to the Code Enforcement Board.

D. As determined by the City Attorney – None

E. Tally Sheets – Accepted.

ADJOURNMENT

The meeting adjourned at 8:00 p.m.

**APPROVED February 10, 2010
CITY OF DEBARY
CODE ENFORCEMENT BOARD**

Don Pulver, Chairman