

CODE ENFORCEMENT BOARD
Wednesday, October 1, 2014 at 9:00 a.m.
Palm Coast Community Center
City Council Meeting Room
305 Palm Coast Parkway NE, Palm Coast, Florida

MEMBERS PRESENT: Robert Branin, Gerry Chagnon, Tameka McDowell, Norman Mugford, Dean Roberts

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Donovan, Code Enforcement Officers Arena, Ballard, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, Sr. Staff Asst. Wry, Debra Babb-Nutcher, Counsel

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 9:00 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.
- B. Roll Call and Determination of Quorum.**
Roll was called. A quorum was met with five (5) members present.
- C. Approval of the September 3, 2014 Meeting Minutes.**
The minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None to report.
- E. Swearing-in of Staff.** Code Enforcement Manager Grossman, Code Enforcement Supervisor Donovan, Code Enforcement Officers Arena, Ballard, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, and Sr. Staff Asst. Wry were sworn in by Debra Babb-Nutcher, Counsel.
- F. Swearing in of Respondents:** The respondents who were present were sworn in by Debra Babb-Nutcher, Counsel for City of Palm Coast.
- G. Withdrawn Cases**

AI# 7	CASE NO. 2014061873 - 81 Wynnfield Drive
AI# 8	CASE NO. 2014051448 - 10 Belvedere Lane
AI# 14	CASE NO. 2014070874 - 57 Renshaw Drive
AI# 16	CASE NO. 2014070910 - 75 Rolling Sands Drive
AI# 19	CASE NO. 2014051320 - 5 Carlson Court
AI# 20	CASE NO. 2014070181 - 18 Cloverdale Court South
AI# 21	CASE NO. 2014070052 - 94 Covington Lane
AI# 23	CASE NO. 2014061664 - 91 Florida Park Drive
AI# 25	CASE NO. 2014070528 - 75 Florida Park Drive
AI# 28A	CASE NO. 2014051158 - 14 Foxhall Lane
AI# 28B	CASE NO. 2014061948 - 14 Foxhall Lane

AI# 30	CASE NO. 2014061465 4851 Belle Terre Parkway
AI# 33B	CASE NO. 2014071405 - 44 Secretary Trail
AI# 34	CASE NO. 2014070428 - 3 Seward Trail East
AI# 38	CASE NO. 2014051567 - 23 Patchogue Lane
AI# 39	CASE NO. 2014051276 - 68 Pheasant Drive
AI# 44	CASE NO. 2014051781 - 1 Rylin Lane
AI# 46	CASE NO. 2014020480 - 91 Wood Haven Drive
AI# 50	CASE NO. 2014071800 - 80 Bronson Lane
AI# 51	CASE NO. 2014051243 - 129 Brunswick Lane

1. AI# 48A

CASE NO. 2014070633 RECURRING MD

City of Palm Coast vs. Mollie J. & Casimir D. Adams

1 Brelyn Place

(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Donovan testified the property is in compliance. Staff recommends a No Fine – Standing Order for the period of non-compliance and Administrative Costs. Respondent, Casimir Adams presented his side.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mrs. McDowell seconded the motion

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

2. AI# 48B

CASE NO. 2014070634 RECURRING MD

City of Palm Coast vs. Mollie J. & Casimir D. Adams

1 Brelyn Place

(Palm Coast Code Section 44-34(f) Trailer Improperly Parked)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Donovan testified the property is in compliance. Staff recommends a No Fine – Standing Order for the period of non-compliance and Administrative Costs. Respondent, Casimir Adams presented his side.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mrs. McDowell seconded the motion

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

3. AI# 6

CASE NO. 2014070531 RECURRING CSR
City of Palm Coast vs. Wen-Chung & Hong Yuan Huang
104 Westlee Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent Kim Williams, Property Manager presented her side.

Mr. Branin moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

4. AI# 31

CASE NO. 2014070023 REPEAT MB
City of Palm Coast vs. Elizabeth A. Martin

7 Whittle Place
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Officer Ballard testified the property is in compliance. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs. Respondent, Elizabeth Martin & John Jones presented their side.

Mr. Roberts moved to find in this case that the Respondent was in repeat violation of the City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on August 11, 2014; that a \$100.00 per day fine is imposed for the period of non-compliance from June 30, 2014 to August 8, 2014; totaling \$4,000.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. No one seconded the motion.

Motion failed.

Mr. Chagnon made a motion to reduce the fine to \$1,000 and to pay Administrative Costs in the amount of \$69.50. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon - Yes	Mr. Roberts - Yes
Mrs. McDowell - Yes	

Motion unanimously carried.

NEW BUSINESS

Chairman, Mr. Mugford temporarily discontinued the meeting, in order for the Board members to appoint a new Vice Chairperson. Tameka McDowell, who was nominated by Mr. Mugford, agreed to accept the position.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon - Yes	Mr. Roberts - Yes
Mrs. McDowell - Yes	

Motion unanimously carried.

5. **AI# 45**
CASE NO. 2014020186 BR
City of Palm Coast vs Albert A. & Ilse E. McDougal
21 Waterford Place
(Palm Coast Code Section 15-108(c) Sidewalks and Driveways)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs. Respondents Mr. and Mrs. McDougal presented their side.

Mr. Chagnon moved to continue this case to December's Code Board Hearing.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

6. AI# 37

CASE NO. 2014072126 CR

City of Palm Coast vs. Scott Dominic & Robbie Dominic Throne

31 Uthorne Place

(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential Dist.)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Ragazzo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Robbie Throne presented his side.

Mr. Branin moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

7. AI# 1

CASE NO. 2014061105 PA

City of Palm Coast vs. John Clark

25 Seaman Trail East

(Palm Coast Code Section 15-1 No Permit for Beautification of R.O.W.)

Code Enforcement Officer Arena presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Arena testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mrs. McDowell moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesaid date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

8. AI# 2

CASE NO. 20140236

MASSEY

BMD

City of Palm Coast vs. Cynthia A. Dubuc

14 Butternut Drive

(Land Development Code 4.01.08 Pool Screening Required)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property is in compliance. Staff recommends a Fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on September 4, 2014 that a \$100.00 per day fine imposed for the period of non-compliance from July 14, 2014 to September 3, 2014; totaling \$5,200.00. The Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

9. **AI# 3A**
CASE NO. 2014031628 MASSEY BMD
City of Palm Coast vs. Stuart & Carol Citron
22 Long Place
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondents were not present Officer MacDonald testified this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged; that the Respondents failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondents have not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from July 14, 2014 to September 30, 2014; totaling \$2,000.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon - Yes	Mr. Roberts - Yes
Mrs. McDowell - Yes	

Motion unanimously carried.

10. **AI# 3B**
CASE NO. 2014061691 RECURRING BMD
City of Palm Coast vs. Stuart & Carol Citron
22 Long Place
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Bruce MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine - Standing Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to

\$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

11. AI# 4

CASE NO. 2014070152 REPEAT CSR

City of Palm Coast vs. Bradley A. Weagley

31 Pillory Lane

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified the property is in compliance. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs.

Mrs. McDowell moved to find in this case that the Respondent was in repeat violation of the City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on July 3, 2014; that a \$50.00 per day fine is imposed for the period of non-compliance on July 2, 2014; totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

12. AI# 5

CASE NO. 2014070468 RECURRING CR

City of Palm Coast vs. Candelario & Glorida Gonzalez

10 Powder Horn Drive

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch testified the property is in compliance. Staff recommends a No Fine - Standing Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Mrs. McDowell – Yes	

Motion unanimously carried.

13. **AI# 9**
CASE NO. 2014070606 RECURRING LM
City of Palm Coast vs. Thomas E. & Isabella Doris Ball
41 Belvedere Lane
(Palm Coast Code Section 35-76 (d)(2) Nuisance-Overgrown Lawn)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Mrs. McDowell – Yes	

Motion unanimously carried.

14. **AI# 10**
CASE NO. 2014071181 RECURRING LM
City of Palm Coast vs. Tamara Krasnonosova
37 Birchshire Lane

(Palm Coast Code Section 35-76 (d)(2) Nuisance-Overgrown Lawn)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

15. AI# 11

CASE NO. 2013070571

RECURRING

LM

City of Palm Coast vs. Sean M. & Tamara A Meyer

132 Birchwood Drive

(Palm Coast Code Section 15-1 No Permit for Window Replacement)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

16. AI# 12
CASE NO. 2014060921 RECURRING LM
City of Palm Coast vs. Cindy J. Wilson
77 Florida Park Drive
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle in Residential Dist.)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mrs. McDowell moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon - Yes	Mr. Roberts - Yes
Mrs. McDowell - Yes	

Motion unanimously carried.

17. AI# 15
CASE NO. 2014072030 REPEAT JF
City of Palm Coast vs. Natasha Taylor
72 Rolling Sands Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondents were not present Officer Festa testified the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondent was in repeat violation of the City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondents have not brought the property into compliance as of September 30, 2014; that a \$150.00 per day fine is imposed for the period of non-compliance from July 29, 2014 to September 30, 2014; totaling \$9,600.00; that a fine of \$150.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Chagnon – Yes
Mrs. McDowell – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

18. AI# 18

CASE NO. 2014061368 MH
City of Palm Coast vs. Samuel Cortes & Mildred Ocasio
1 Campbell Court
(Palm Coast Code Section 35-76 Nuisance – Exterior Storage)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Hadden testified the property is in compliance. Staff recommends a No Fine Standing Order.

Mrs. McDowell moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Chagnon – Yes
Mrs. McDowell – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

19. AI# 22

CASE NO. 2014070050 MH
City of Palm Coast vs. Marie A DiBianco-Eik, Kitty P., Edmund J. DiBianco
& Paul R. Eik
53 Farraday Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Hadden testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that

any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

20. AI# 24

CASE NO. 2014040940 MASSEY LF

City of Palm Coast vs. Cypress Point 160 LLC

160 Cypress Point Parkway

(Palm Coast Code Section 15-108(g) Shed/Wall/Fence Maintenance)

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Fitzgerald testified this is a Massey case and the property is in compliance. Staff recommends a Fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on September 19, 2014; that a \$50.00 per day fine imposed for the period of non-compliance from July 21, 2014 to September 18, 2014 totaling \$6,100.00. The Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

21. AI# 27

CASE NO. 2014071337 RECURRING LF

City of Palm Coast vs. Lisa Riccardi

57 Forrester Place

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondent was not present Officer Fitzgerald testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mrs. McDowell moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

22. AI# 29

CASE NO. 2014061870

LF

City of Palm Coast vs. Rebecca Schaff

54 Freeland Lane

(Palm Coast Code Section 35-76(d) Nuisance – Fence in Disrepair)

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Fitzgerald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than seven (7) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

23. AI# 32
CASE NO. 2014071864 RECURRING CR
City of Palm Coast vs. Joseph G. Casanova
53 Seattle Trail
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District.

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ragazzo testified the property is in compliance. Staff recommends a No Fine Standing Order.

Mrs. McDowell moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon - Yes	Mr. Roberts - Yes
Mrs. McDowell - Yes	

Motion unanimously carried.

24. AI# 33A
CASE NO. 2014071297 RECURRING CR
City of Palm Coast vs. Gudrun Kastritis
44 Secretary Trail
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ragazzo testified the property is in compliance. Staff recommends a No Fine Standing Order.

Mr. Branin moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
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Mr. Chagnon – Yes
Mrs. McDowell – Yes

Mr. Roberts - Yes

Motion unanimously carried.

25. AI# 35
CASE NO. 2014030363 MASSEY CR
City of Palm Coast vs. Kristy Thorne.
26 Sleigh Bell Place
(Palm Coast Code Section 15-1 No Permit for Fence)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ragazzo testified this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from July 23, 2014 to September 30, 2014; totaling \$1,750.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Chagnon – Yes
Mrs. McDowell – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

26. AI# 36
CASE NO. 2014031629 MASSEY CR
City of Palm Coast vs. Kevin C. & Tina Marie Archambault
2 Slingshot Court
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondents were not present Officer Ragazzo testified this is a Massey case and the property is in compliance. Staff recommends a Fine for the period of non-compliance and Administrative Costs.

Mr. Branin moved to find in this case that Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on August 14, 2014; that a \$25.00 per day fine imposed for the period of non-compliance from July 16, 2014 to August 13, 2014 totaling \$725.00. The Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

27. **AI# 40**
CASE NO. 2014051830 RECURRING BR
City of Palm Coast vs. Adam J. Webb
31 Pineapple Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order.

Mr. Roberts moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

28. **AI# 41**
CASE NO. 2014041708 BR
City of Palm Coast vs. Shalom & Deborah Dubov
31 Presidential Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mrs. McDowell moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

29.

AI# 42A

CASE NO. 2014080205

BR

*City of Palm Coast vs. Deutsche Bank c/o Ocwen Loan Servicing
38 Price Lane*

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

30.

AI# 42B

CASE NO. 2014072150

BR

City of Palm Coast vs. Deutsche Bank c/o Ocwen Loan Servicing

38 Price Lane

(Palm Coast Code Section 44-34(f) Trailer Improperly Parked)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

31.

AI# 42C

CASE NO. 2014072144

BR

City of Palm Coast vs. Deutsche Bank c/o Ocwen Loan Servicing

38 Price Lane

(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes
Mrs. McDowell – Yes

Mr. Roberts - Yes

Motion unanimously carried.

32. AI# 42D
CASE NO. 2014080919 BR
City of Palm Coast vs. Deutsche Bank c/o Ocwen Loan Servicing
38 Price Lane
(Palm Coast Code Section 35-76(d)(1) Nuisance- Accumulations)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Chagnon – Yes
Mrs. McDowell – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

33. AI# 43
CASE NO. 2014051936 RECURRING BR
City of Palm Coast vs. Frances Palmer, Trustee
15 Princess Dolores Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order.

Mr. Branin moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per

day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

34.

AI# 47A

CASE NO. 2014060731

MD

City of Palm Coast vs. Kathleen M., Philip J. & Christina A. Sapienza

37 Braddock Lane

(Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesaid date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

35.

AI# 47B

CASE NO. 2014061797

MD

City of Palm Coast vs. Kathleen M., Philip J. & Christina A. Sapienza

37 Braddock Lane

(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

36.

AI# 47C

CASE NO. 2014061798

MD

City of Palm Coast vs. Kathleen M., Philip J. & Christina A. Sapienza

37 Braddock Lane

(Land Development Code 11.03.03 General Landscaping Requirements)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Mugford - Yes

Mr. Chagnon – Yes

Mr. Roberts - Yes

Mrs. McDowell – Yes

Motion unanimously carried.

37.

AI# 47D

CASE NO. 2014061800

MD

City of Palm Coast vs. Kathleen M., Philip J. & Christina A. Sapienza

37 Braddock Lane

(Palm Coast Code Section 15-108(c) Property Condition)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

37.

AI# 47E

CASE NO. 2014061801

MD

City of Palm Coast vs. Kathleen M., Philip J. & Christina A. Sapienza

37 Braddock Lane

(Palm Coast Code Section 15-110(13) Garage Door Condition)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

39. AI# 49
CASE NO. 2014050530 MD
City of Palm Coast vs. Juan & July Aguayo
1 Brice Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Mugford - Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Mrs. McDowell – Yes	

Motion unanimously carried.

UNFINISHED BUSINESS

Mr. Donovan advised the Board members that although Mr. Klinkenberg was selected by Council as an Alternate, he opted to resign from the Code Board and handed in an official letter of resignation. Mr. Mugford acknowledged Mr. Klinkenberg’s many years of service on the Code Board and conveyed his thanks.

Mr. Mugford welcomed newly appointed Board member Kimble Medley.

ANNOUNCEMENT OF NEXT MEETING:
Next Code Board Meeting – November 5, 2014.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:00 a.m.

Respectfully submitted,
Yvonne Robinson
Yvonne Robinson
Secretary to the Board

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact Wendy Cullen, at 386-986-3720 at least 48 hours prior to the meeting or visit Palm Coast City Offices, 160 Cypress Point Parkway, Suite B-106, Palm Coast, FL 32164. If any person decides to appeal a decision made by the Code Enforcement Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made. The City of Palm Coast is not responsible for any mechanical failure of recording equipment.

All pagers and cell phones are to remain OFF while the Code Enforcement Board hearing is in session.