

CODE ENFORCEMENT BOARD
Wednesday, December 3, 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, Neil Copeland, Gerry Chagnon, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts**

STAFF MEMBERS PRESENT: **Code Enforcement Supervisor Donovan, Code Enforcement Officers, Ballard, Festa, Hadden, Mendez, MacDonald, Ragazzo, Risch, Romeo, Sagala Sr. Staff Asst. Wry, Bill Reischmann 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 seven (7) members present.

C. Approval of the November 5, 2014 Meeting Minutes.

The minutes were unanimously approved.

D. Disclosure of Ex-Parte Communications.

None to report.

E. Swearing-in of Staff. Code Enforcement Supervisor Donovan, Code Enforcement Officers Ballard, Festa, Hadden, Mendez, Ragazzo, Risch, Romeo, Sagala and Sr. Staff Asst. Wry were sworn in by Bill Reischmann, Counsel.

F. Swearing in of Respondents: The respondents who were present were sworn in by Bill Reischmann, Counsel for the City of Palm Coast.

G. Withdrawn Cases:

AI# 1	CASE NO. 2014082066 - 16 Arrowhead Drive
AI# 8	CASE NO. 2014091201 - 47 Edith Pope Drive
AI# 9	CASE NO. 2014082424 - 59 Westfield Lane
AI# 10	CASE NO. 2014081433 - 111 Wood Haven Drive
AI# 12	CASE NO. 2014082002 - 11 Reidel Lane
AI# 14	CASE NO. 2014070756 - 59 Riverina Drive
AI# 15	CASE NO. 2014070625 - 51 Riviere Lane
AI# 19	CASE NO. 2014090846 - 23 Clinton Court South
AI# 20	CASE NO. 2014070398 - 1 Cole Court
AI# 22	CASE NO. 2014060938 - 1 Fern Court
AI# 23	CASE NO. 2014081976 - 2 Flintstone Court
AI# 25	CASE NO. 2014082007 - 34 Bay Spring Place
AI# 27	CASE NO. 2014080023 - 81 Black Bear Lane

AI# 28	CASE NO. 2014090832 - 64 Blaine Drive
AI# 31B	CASE NO. 2014090970 - 33 Sea Trail
AI# 33	CASE NO. 2014082464 - 86 Secretary Trail
AI# 34	CASE NO. 2014071679 - 8 Sergeant Court
AI# 35A	CASE NO. 2014081147 - 5 Smith Trail
AI# 36	CASE NO. 2014081811 - 64 Smith Trail
AI# 39	CASE NO. 2014050209 - 191 Palmwood Drive
AI# 40	CASE NO. 2014080757 - 36 Perthshire Lane
AI# 41	CASE NO. 2014050106 - 10 Pilgrim Drive
AI# 43	CASE NO. 2014041414 - 31 Plateau Lane
AI# 44	CASE NO. 2014060680 - 4 Prairie Lane
AI# 45	CASE NO. 2014060035 - 83 Princess Ruth Lane
AI# 49	CASE NO. 2014082075 - 156 Belleaire Drive
AI# 55	CASE NO. 2014090083 - 15 Fortune Lane
AI# 62	CASE NO. 2014091637 - 76 Brewster Lane
AI# 63	CASE NO. 2014091381 - 51 Brittany Lane (B)

1. AI# 21

CASE NO. 2014082502 MH
City of Palm Coast vs. Lyudmilla & Larisa Kolmykova
16 Colony Court
(Palm Coast Code Section 24-252 & 254 Abandoned Unattended & Docking of Vessel.)

Code Enforcement Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property remains in violation Staff recommends a Fine – Violation Order for the period of non-compliance and Administrative Costs. Respondent, Alexander Medvedovsky (Property Manager) presented his side.

Mr. Copeland moved to continue this case to the March 2015 Code Board Hearing. Mr. Roberts seconded the motion

Roll was called:

Mr. Branin - Yes	Ms. Medley - No
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - No	

Motion carried 5 to 2.

2. AI# 54

CASE NO. 2014091249 **RECURRING** LM
City of Palm Coast vs. Claudio & Mirna Coppola
44 Felshire Lane
(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. in Residential District)

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

Ms. 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 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. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes**

**Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes**

Motion unanimously carried.

3. AI# 61

CASE NO. 2014080690 LM
City of Palm Coast vs. Paul S. Krawczyk
15 Roller Lane
(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Residential District)

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

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. Mr. Copeland seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes**

**Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes**

Motion unanimously carried.

4. AI# 6

CASE NO. 2014081179

LF

City of Palm Coast vs. John F. Sedlesky, Jr. & Nicole F. Cassaro

79 Florida Park Drive

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

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence on behalf of Officer Fitzgerald. The evidence was shown to the Respondents. Officer Ballard testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Paul Cassaro presented his side.

Ms. 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 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 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. Copeland – Yes

Mr. Chagnon – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

5. AI# 60

CASE NO. 2014080261

LM

City of Palm Coast vs John & Dorola Collingwood

19 Riviera Estates Court

(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 evidence was shown to the Respondent. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Jeremy Nichols (Tenant) 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 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Mr. Chagnon – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 58

CASE NO. 2014090581 RECURRING LM

City of Palm Coast vs. Dmitiriy Zalesskiy

135 Red Mill 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 evidence was shown to the Respondent. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Curtis Corbett (Tenant) presented his side.

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. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Mr. Chagnon – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

7. AI# 57

CASE NO. 2014081928 RECURRING LM

City of Palm Coast vs. Jackson Reves & Ozlem Deniz

116 Red Mill 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 evidence was shown to the Respondent. Officer Mendez testified the property is in

compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Jackson Reves 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	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

8. AI# 38

CASE NO. 2014080603 RECURRING BR
City of Palm Coast vs. Mary Kathryn Hicks
26 Frenora Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

9. AI# 29

CASE NO. 2014090712 RECURRING RS

City of Palm Coast vs. Richard & Gail Dake

55 Blakeport Lane

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

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Sagala testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Richard Dake 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. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Mr. Chagnon – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

10. AI# 2A

CASE NO. 2014090903 REPEAT CSR

City of Palm Coast vs. Ryan J. & Barbara W. Bradshaw

172 Westhampton Drive

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

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 Fine for the period of non-compliance and Administrative Costs. Respondent, Ryan Bradshaw presented his side.

Mr. Roberts moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on September 15, 2014 that a \$100.00 per day fine is imposed for the period of non-compliance from September 13, 2014 to September 14, 2014 totaling \$200.00 The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Branin seconded the motion

Roll was called:

Mr. Branin - Yes
Mr. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

11. AI# 2B

CASE NO. 2014090905 RECURRING CSR

City of Palm Coast vs. Ryan J. & Barbara W. Bradshaw

172 Westhampton Drive

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

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, Ryan Bradshaw presented his side.

Ms. 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 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - No
Mr. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion carried 6 to 1.

12. AI# 11

CASE NO. 2014091383 RECURRING MB

City of Palm Coast vs. Thang Le & Lieu Le

54 Woodlawn Drive

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

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Ballard testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Thang Le 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	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

13. **AI# 56**
CASE NO. 2014090579 LM
City of Palm Coast vs. Gladys C. Munoz Pacheco
6 Pebble Stone Lane
(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 evidence was shown to the Respondent. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Paul Pacheco (Nephew) presented his side.

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 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. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

14. **AI# 42A**
CASE NO. 2014081222 BR

City of Palm Coast vs. Kathryn R. Southworth
30 Pine Circle Drive
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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 and Administrative Costs. Respondent, Kathryn Southworth presented her side.

Mr. Roberts 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 three (3) 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

15. AI# 42B

CASE NO. 2014081221 RECURRING BR
City of Palm Coast vs. Kathryn R. Southworth
30 Pine Circle Drive

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

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

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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

16.

AI# 4

CASE NO. 2014091824 RECURRING BMD

City of Palm Coast vs. Cesare & Lydia T. Spagnuolo

23 Leidel Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Cesare Spagnuolo presented his side.

Ms. 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 one (1) day 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. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

17. AI# 53

CASE NO. 2014082063 RECURRING LM

City of Palm Coast vs. Thomas & Maureen Russo

124 Colechester Lane

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Mendez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Tom russo presented his side.

Mr. Roberts 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 one (1) day 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. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Mr. Chagnon – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

18. AI# 7A

CASE NO. 2014081180 RECURRING LF

City of Palm Coast vs. Brittany A Bubnis & Alexander G. Schaefer II)

3 Foxhall Court

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

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence on behalf of Officer Fitzgerald. The evidence was shown to the Respondent. Officer Ballard testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Alex Schaefer presented his side.

Mr. Roberts 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 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 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. No one seconded the motion.

Motion failed.

Mr. Copeland moved to dismiss this case. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Mr. Chagnon – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

19. **AI# 7B**
CASE NO. 2014081181 LF
City of Palm Coast vs. Brittany A. Bubnis & Alexander G. Schaefer II)
3 Foxhall Court
(Palm Coast Code Section 15-1 No Permit for Shed)

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence on behalf of Officer Fitzgerald. The evidence was shown to the Respondent. Officer Ballard testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Alex Schaefer presented his side.

Mr. Chagnon 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 fifteen(15) 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – No	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion carried 6 to 1.

20. **AI# 18**
CASE NO. 2014051320 MH
City of Palm Coast vs. Philip & Sharon M. Canales
5 Carlson Court
(Palm Coast Code Section 15-102.2 Siding in Disrepair)

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

Ms. Medley 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 thirty (30) days after this Order is entered in writing to obtain a permit; then one hundred and eighty one days (181) to make the necessary repairs; that in the event the Respondents do not comply with the Order, a fine in the amount of \$100.00 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

- 21. AI# 3A**
CASE NO. 2014091462 RECURRING BMD
City of Palm Coast vs. Yakov Belkin
1 Bunker View Place
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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 No Fine Standing Order and Administrative Costs.

Ms. 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

- 22. AI# 3B**
CASE NO. 2014091463 RECURRING BMD
City of Palm Coast vs. Yakov Belkin
1 Bunker View Place
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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 No Fine Standing Order and Administrative Costs.

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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

23. **AI# 5**
CASE NO. 20140791757 REPEAT LF
City of Palm Coast vs. PID Group LLC
34 Florida Park Drive
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence on behalf of Code Enforcement Officer Fitzgerald. The Respondents were not present Officer Ballard 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 the Respondents were in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on September 27, 2014 that a \$100.00 per day fine is imposed for the period of non-compliance on September 26, 2014 totaling \$100.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Branin seconded the motion

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

24. **AI# 13**
CASE NO. 2014080394 JF
City of Palm Coast vs. Frances Palmer, Trustee
9 Reine Place
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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

Ms. 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 Respondent does 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 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. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

25. **AI# 16**
CASE NO. 2014051242 **MASSEY** JF
City of Palm Coast vs. ABC Affordable Building Contractors Inc.
19 Ryarbor Drive
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa 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 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 has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from September 16, 2014 to December 2, 2014; totaling \$1,950.00; 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. Ms. McDowell seconded the motion. Roll was called:

**Mr. Branin - Yes
Mr. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes**

**Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes**

Motion unanimously carried.

26.

AI# 17

CASE NO. 2014072152

JF

City of Palm Coast vs. Dmitriy & Tatyana Lushchik

18 Rymshaw Place

(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa 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 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents 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. Copeland – Yes
Mr. Chagnon – Yes
Ms. McDowell - Yes**

**Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes**

Motion unanimously carried.

27.

AI# 24

CASE NO. 2014091635

RECURRING

RS

City of Palm Coast vs. Scott Wittwer

19 Bay Spring Place

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

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The Respondent was not present Officer Sagala 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 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

- 28. AI# 26**
CASE NO. 2014082005 RECURRING RS
City of Palm Coast vs. Catherine Darby
35 Black Bear Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondent was 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 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Mr. Chagnon – Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

At 11:45am Mr. Chagnon was excused from the meeting.

- 29. AI# 30**

CASE NO. 2014081144 RECURRING RS
City of Palm Coast vs. Robert P. & Dorothy L. Reed & Donna Vae Reed
113 Blare Castle Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Ms. 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes
Ms. McDowell - Yes	Mr. Roberts - Yes

Motion unanimously carried.

30. AI# 31A
CASE NO. 2014090969 RECURRING CR
City of Palm Coast vs. Rodney F. Foalima
33 Sea 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 and Administrative Costs.

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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley - Yes
Mr. Copeland – Yes	Mr. Mugford – Yes

Ms. McDowell - Yes

Mr. Roberts - Yes

Motion unanimously carried.

- 31. **AI# 32**
CASE NO. 2014080317 CR
City of Palm Coast vs. John Clark
25 Seaman Trail East
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ragazzo testified the property the property remains in violation. Staff recommends a No Fine Standing Order 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 correct the violation no later than five (5) 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Ms. Medley - Yes

Mr. Copeland – Yes

Mr. Mugford – Yes

Ms. McDowell - Yes

Mr. Roberts - Yes

Motion unanimously carried.

- 32. **AI# 37A**
CASE NO. 2014080174 BR
City of Palm Coast vs. Billie J. Richardson
198 Parkview Drive
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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

Ms. 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 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

33.

AI# 37B

CASE NO. 2014080758 RECURRING BR

City of Palm Coast vs. Billie J. Richardson

198 Parkview Drive

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

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 and Administrative Costs.

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. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

34.

AI# 46

CASE NO. 2014051457 BR

City of Palm Coast vs. William Barksdale, Jr.

5 Promenade Place

(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was 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 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 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. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

35.

AI# 48

CASE NO. 2014082310 LM

City of Palm Coast vs. Leonard Michael Cavaluzzi III

18 Becket Lane

(Palm Coast Code Section 44-34 (c) Parking of Commercial Vehicle in Residential District)

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 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

36.

AI# 50A

CASE NO. 2014080440 REPEAT LM

City of Palm Coast vs. Sean L. Bishop

3 Birchwood Place

(Palm Coast Code Section 44-34(d)(2) Parking of Recreational Vehicle)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez 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 Respondent has not brought the property into compliance as of August 6, 2014; that a \$250.00 per day fine is imposed for the period of non-compliance from August 6, 2014 to December 2, 2014; totaling \$29,750.00; that a fine of \$250.00 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 \$71.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Ms. Medley - Yes

Mr. Copeland – Yes

Mr. Mugford – Yes

Ms. McDowell - Yes

Mr. Roberts - Yes

Motion unanimously carried.

37.

AI# 50B

CASE NO. 2014080441 REPEAT LM

City of Palm Coast vs. Sean L. Bishop

3 Birchwood Place

(Palm Coast Code Section 44-34(d)(2) Parking of a Trailer in a Residential District)

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

Ms. Medley 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 has not brought the property into compliance as of August 6, 2014; that a \$250.00 per day fine is imposed for the period of non-compliance from August 6, 2014 to December 2, 2014; totaling \$29,750.00; that a fine of \$250.00 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 \$71.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Copeland – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

38. AI# 51A

CASE NO. 2014080467 REPEAT LM

*City of Palm Coast vs Holly J. & Robert D. Douglas
7 Birchwood Place*

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

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 Fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on September 23, 2014 that a \$50.00 per day fine is imposed for the period of non-compliance from August 6, 2014 to September 22, 2014 totaling \$3,900.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Copeland – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

39. AI# 51B

CASE NO. 2014080466 RECURRING LM

*City of Palm Coast vs Holly J. & Robert D. Douglas
7 Birchwood Place*

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

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. Copeland – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

- 40. AI# 52A**
CASE NO. 2014080435 REPEAT LM
City of Palm Coast vs Jonathan Douglas
13 Birchwood Place
(Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez 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 the Respondent was in repeat violation of 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 29, 2014 that a \$50.00 per day fine is imposed for the period of non-compliance from August 6, 2014 to August 28, 2014 totaling \$1,150.00. 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. Copeland – Yes
Ms. McDowell - Yes

Ms. Medley - Yes
Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

- 41. AI# 52B**
CASE NO. 2014082303 REPEAT LM
City of Palm Coast vs Jonathan Douglas
13 Birchwood Place
(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Residential District)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez 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 the Respondent was in repeat violation of 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 29,

2014 that a \$100.00 per day fine is imposed for the period of non-compliance from August 26, 2014 to August 28, 2014 totaling \$300.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

42. AI# 59

CASE NO. 2014091389 REPEAT LM

City of Palm Coast vs Dennis J. Hahn

22 Richmond Drive

(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle in Residential District)

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

Ms. 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 has not brought the property into compliance as of December 3, 2014; that a \$250.00 per day fine is imposed for the period of non-compliance from September 23, 2014 to December 3, 2014; totaling \$17,750.00; that a fine of \$250.00 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 \$70.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford – Yes

Mr. Roberts – Yes

Motion unanimously carried.

UNFINISHED BUSINESS

None to report.

NEW BUSINESS

The elections for Chair and Vice Chairperson commenced by the members of the Board. A tally of the votes revealed Mr. Mugford was re-elected with four nominations. (Mr. Chagnon submitted his selection for Chairperson prior to leaving the meeting). Mr. Mugford was asked by Supervisor

Donovan if he was willing to accept the position, to which he replied yes. The remaining votes were for three other Board members. Therefore, no one received the second most votes, to be selected as Vice Chair. Mr. Copeland stated there was confusion with the voting process, which he believed resulted in a secondary person not being nominated for Vice Chair. Board Counsel Reischmann suggested that the Board make a motion to nominate someone for the position. Ms. Medley nominated Ms. McDowell and Mr. Copeland nominated himself. The votes were then written down by each of the members, to select one of the two nominees. The results were tied between Ms. McDowell and Mr. Copeland, with three votes each. (Mr. Chagnon had not cast a vote for Vice Chairperson, prior to his departure from the meeting). It was therefore determined by Counsel Reischmann and agreed upon by the Board that the nomination for Vice Chair would be postponed, until the first Code Board meeting, where an odd number of Board members are present.

During the voting process, Mr. Branin expressed he feels many of the Board members are concerned about Code Enforcement giving zero time to correct violations, because it gives an unfriendly impression of the City. In addition, he advised he read newspaper articles relating to citizens who do not like Palm Coast, because they feel the City is being unreasonable in its approach, with regard to how Code Enforcement issues are handled.

ANNOUNCEMENT OF NEXT MEETING:

Next Code Board Meeting – January 7, 2015.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:10 p.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.