

**CODE ENFORCEMENT BOARD**  
**Wednesday, February 5, 2014 at 9:00 a.m.**  
*Palm Coast Community Center*  
*City Council Meeting Room*  
**305 Palm Coast Parkway NE, Palm Coast, Florida**

**MEMBERS PRESENT:** Kenneth Klinkenberg, Norman Mugford, Dean Roberts, Neil Copeland, Gerry Chagnon, McDowell

**EXCUSED:** Robert Branin, Edd Allen

**STAFF MEMBERS PRESENT:** Code Enforcement Manager Grossman, Supervisor Donovan, Code Enforcement Officers Romeo, MacDonald, Festa, Ballard, Hadden, Mendez, Sagala, Colasanti, Sr. Staff Assistant Wry and 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 six (6) members present.

**C. Approval of the January 8, 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, Supervisor Donovan, Code Enforcement Officers Romeo, MacDonald, Festa, Ballard, Hadden, Mendez, Sagala, Colasanti, Sr. Staff Assistant 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**G. Withdrawn Cases**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# 1** CASE NO. 2013120589 - *19 Kane Place*  
**AI# 5** CASE NO. 2013120596 - *97 Beechwood Lane*  
**AI# 10A** CASE NO. 2013120375 - *41 Fort Caroline Lane*  
**AI# 12** CASE NO. 2013120343 - *22 Foxhall Lane*  
**AI# 15** CASE NO. 2013120429 - *19 Rosepetal Lane*  
**AI# 17** CASE NO. 2013060137 - *38 Pebble Beach Drive*  
**AI# 19** CASE NO. 2013101194 - *34 Persimmon Drive*  
**AI# 26** CASE NO. 2013040566 - *58 Wellstone Drive*  
**AI# 33** CASE NO. 2013110935 - *113 Evans Drive*  
**AI# 18** CASE NO. 2013081636 - *50 Perkins Lane*  
**AI# 16** CASE NO. 2013072247 - *15 Packard Lane*

1. **AI# 13**

**CASE NO. 2013120189      RECURRING      JF**

*City of Palm Coast vs. Bruce A. Carlson*

**64 Rocking Horse Drive**

*(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)*

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

**Mr. Klinkenberg 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 \$61.50. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Mugford - Yes**

**Mr. Chagnon – Yes**

**Mr. Copeland - Yes**

**Mr. Klinkenberg – Yes**

**Mrs. McDowell – Yes**

**Motion unanimously carried.**

2. **AI# 7**

**CASE NO. 2013090053      MASSEY      BMD**

*City of Palm Coast vs. Marcia Demelo Ducharme*

**3 Birdseye Place**

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

Code Enforcement Officer 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 fine for the period of non-compliance and Administrative Costs. Cindy Costa, property manager, presented her side.

**Mr. Klinkenberg 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 January 28, 2014; that a \$50.00 per day fine is imposed for the period of non-compliance from November 19, 2013 to January 27, 2014; totaling \$3,450.00. The Respondent shall pay Administrative Costs to the City in the amount of \$62.00. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**3. AI# 30**

**CASE NO. 2013101001      RECURRING      BR**

*City of Palm Coast vs. Rolando & Xiomara Calderin*

**40 Woodworth 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 – Recurring Violation and Administrative Costs. Xiomara Calderin, Respondent, 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 \$46.00. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**4. AI# 2**

**CASE NO. 2014010134      RS**

*City of Palm Coast vs. S & B Properties Group LLC*

**25 Blairton Court**

*(Palm Coast Code Section 44/34(c ) Parking of a Commercial Veh. In Residential Dist.*

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 – Recurring Violation 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 \$46.00. Mr. Copeland seconded the motion.

Roll was called:

Mr. Roberts – Yes  
Mr. Chagnon – Yes  
Mr. Klinkenberg – Yes

Mr. Mugford - Yes  
Mr. Copeland - Yes  
Mrs. McDowell – Yes

Motion unanimously carried.

5. AI# 4

CASE NO. 2013061436      **MASSEY**      JC  
*City of Palm Coast vs. Shaban & Bibi S. Ally*  
**98 Universal Trail**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

Code Enforcement Officer Colasanti presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Colasanti 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 December 27, 2013; that a \$50.00 per day fine is imposed for the period of non-compliance from November 18, 2013 to December 26, 2013; totaling \$1,900.00. The Respondent shall pay Administrative Costs to the City in the amount of \$62.00. Mrs. McDowell seconded the motion.**

Roll was called:

Mr. Roberts – Yes  
Mr. Chagnon – Yes  
Mr. Klinkenberg – Yes

Mr. Mugford - Yes  
Mr. Copeland - Yes  
Mrs. McDowell – Yes

Motion unanimously carried.

6. AI# 6

CASE NO. 2013010935      **MASSEY**      LM  
*City of Palm Coast vs. Hammock Holdings LLC*  
**145 Cypress Point Pkwy 105**  
*(Palm Coast Code Section 15-1 No Permit for Wall Construction)*

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.

**Mrs. McDowell 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 \$50.00 per day fine is imposed for the period of non-compliance from December 17, 2013 to February 4, 2014; totaling \$2,500.00; and that a fine of \$50.00 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 \$62.00, and when the property comes into compliance an Affidavit of Compliance will be issued. If the Respondent does not pay the fine or request a hearing within 20 days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Chagnon – Yes  
Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes  
Mr. Copeland - Yes  
Mrs. McDowell – Yes**

**Motion unanimously carried.**

**7. AI# 8**

**CASE NO. 2013100730 MASSEY BMD**

*City of Palm Coast vs. David L. Strand*

*34 Biscayne Drive*

*(Palm Coast Code Section 15-108(g) Fence in Disrepair)*

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald 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 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 \$50.00 per day fine is imposed for the period of non-compliance from December 13, 2013 to February 4, 2014; totaling \$2,700.00; and that a fine of \$50.00 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 \$62.00, and when the property comes into compliance an Affidavit of Compliance will be issued. If the Respondent does not pay the fine or request a hearing within 20 days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**8. AI# 9A**

**CASE NO. 2013120241      RECURRING      BMD**

*City of Palm Coast vs. Anthony J. Gardiner*

**23 Butternut Drive**

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

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 – Recurring Violation 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 \$46.00. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**9. AI# 9B**

**CASE NO. 2013120242      RECURRING      BMD**

*City of Palm Coast vs. Anthony J. Gardiner*

**23 Butternut Drive**

*(Palm Coast Code Section 44-34(f) Trailer 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 – Recurring Violation 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 \$46.00. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Chagnon – Yes**

**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**

**Mr. Copeland - Yes**

**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**10. AI# 10B**

**CASE NO. 2013120371 REPEAT MB**

*City of Palm Coast vs. Leslie & Brenda E. Posner*

**41 Fort Caroline Lane**

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

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ballard 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 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 February 4, 2014; that a \$150.00 per day fine is imposed for the period of non-compliance from December 1, 2013 to February 4, 2014; totaling \$8,550.00; 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 \$62.00. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Chagnon – Yes**

**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**

**Mr. Copeland - Yes**

**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**11. AI# 11**

**CASE NO. 2013120387 REPEAT MB**

*City of Palm Coast vs. Raymond L. Jr. & Juanita S. Trivett Gray*

**43 Fort Caroline Lane**

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

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ballard 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 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 December 11, 2013; that a \$200.00 per day fine is imposed for the period of non-compliance on December 10, 2013; totaling \$200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$63.00. Mr. Copeland seconded the motion.**

**Roll was called:**

<b>Mr. Roberts – Yes</b>	<b>Mr. Mugford - Yes</b>
<b>Mr. Chagnon – Yes</b>	<b>Mr. Copeland - Yes</b>
<b>Mr. Klinkenberg – Yes</b>	<b>Mrs. McDowell – Yes</b>

**Motion unanimously carried.**

**12. AI# 14A**

**CASE NO. 2013060363 FORECLOSURE** JF  
*City of Palm Coast vs. Natasha Taylor*  
**72 Rolling Sands Drive**  
*(LDC & PCC 602.1, 602.2 & 49.62(I) No Water in Residence)*

**AI# 14B**

**CASE NO. 2013060364 FORECLOSURE** JF  
*City of Palm Coast vs. Natasha Taylor*  
**72 Rolling Sands Drive**  
*(Palm Coast Code Section 35-76(A)(1) Stagnant Pool Water)*

**AI# 14C**

**CASE NO. 2013060958 FORECLOSURE** JF  
*City of Palm Coast vs. Natasha Taylor*  
**72 Rolling Sands Drive**  
*(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)*

Code Enforcement Officer Festa gave case history for the address, with detail of the fines that have accrued on the various cases for this property. The total amount due for the violations at this time is \$251,325, with fines continuing to run for non-compliance of violations. At the last Code Enforcement Board meeting, the Board signed an Order of Non-Compliance and Request to Foreclose. At this time, the case is being presented to request the Board authorize the City to pursue foreclosure, and to request City attorney to initiate proceedings for foreclosure.

**Mr. Klinkenberg moved to approve the authorization for the City to pursue an Order Directing Foreclosure of Code Enforcement Lien. Mr. Roberts seconded the motion.**

**Roll was called:**

<b>Mr. Roberts – Yes</b>	<b>Mr. Mugford - Yes</b>
<b>Mr. Chagnon – Yes</b>	<b>Mr. Copeland - Yes</b>
<b>Mr. Klinkenberg – Yes</b>	<b>Mrs. McDowell – Yes</b>

**Motion unanimously carried.**

**13. AI# 20**

**CASE NO. 2013070582** MH  
*City of Palm Coast vs. Rudolf Wohlfarth*  
**22 Pillory Lane**  
*(Palm Coast Code Section 15-1 No Permit for Fence)*

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.

**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 \$61.50. Mrs. McDowell seconded the motion.**

**Roll was called:**

<b>Mr. Roberts – Yes</b>	<b>Mr. Mugford - Yes</b>
<b>Mr. Chagnon – Yes</b>	<b>Mr. Copeland - Yes</b>
<b>Mr. Klinkenberg – Yes</b>	<b>Mrs. McDowell – Yes</b>

**Motion unanimously carried.**

**14. AI# 21**

**CASE NO. 2013081822** MH  
*City of Palm Coast vs. Roseline Arthur Jean*  
**10 Pineland Lane**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

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.

**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 \$61.50. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**15. AI# 22**

**CASE NO. 2013051539** MH  
*City of Palm Coast vs. Roger Doukas & Lorrie A. Lore*  
**26 Pleasant Lane**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

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.

**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 \$61.50. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**16. AI# 23**

**CASE NO. 2013101430 REPEAT** BR  
*City of Palm Coast vs. Gerardo A. Aguilar*  
**58 Post View Drive**  
*(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 Respondent was not present. Officer Romeo testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

**Mr. Copeland 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 January 12, 2014; that a \$100.00 fine is imposed for the period of non-compliance on October 25,**

2013, December 10, December 31, 2013, January 2, January 3, January 4, January 5, January 7, January 8, January 9, January 10, and January 11, 2014; totaling \$1,200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$62.00. Mrs. McDowell seconded the motion.

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**17. AI# 24**

**CASE NO. 2013091068**

BR

*City of Palm Coast vs. Edward R. & Rachel B. Wright*

**25 Weidner 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. 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 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 \$61.50. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Chagnon – Yes**  
**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**  
**Mr. Copeland - Yes**  
**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**18. AI# 25**

**CASE NO. 2013110258**

**REPEAT**

BR

*City of Palm Coast vs. Estella Brizinova*

**7 Wells Place**

*(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 fine for the period of non-compliance and Administrative Costs.

**Mr. Copeland 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 December 10, 2013; that a \$100.00 per day fine is imposed for the period of non-compliance on November 6, 2013, November 13, 2013, and December 9, 2013; totaling \$300.00. The Respondent shall pay Administrative Costs to the City in the amount of \$62.00. Mr. Roberts seconded the motion.**

**Roll was called:**

<b>Mr. Roberts – Yes</b>	<b>Mr. Mugford - Yes</b>
<b>Mr. Chagnon – Yes</b>	<b>Mr. Copeland - Yes</b>
<b>Mr. Klinkenberg – Yes</b>	<b>Mrs. McDowell – Yes</b>

**Motion unanimously carried.**

**19. AI# 27**

**CASE NO. 2013110279      RECURRING      BR**  
*City of Palm Coast vs. Gregory G. & Edith Marie Victory*  
**92 Wheatfield 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 \$46.00. Mr. Copeland seconded the motion.**

**Roll was called:**

<b>Mr. Roberts – Yes</b>	<b>Mr. Mugford - Yes</b>
<b>Mr. Chagnon – Yes</b>	<b>Mr. Copeland - Yes</b>
<b>Mr. Klinkenberg – Yes</b>	<b>Mrs. McDowell – Yes</b>

**Motion unanimously carried.**

**20. AI# 28A**

**CASE NO. 2013101556      BR**  
*City of Palm Coast vs. Ron & Julia Malinin*  
**4 Wheeldon Lane**  
*(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)*

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. 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 \$61.50. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Chagnon – Yes  
Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes  
Mr. Copeland - Yes  
Mrs. McDowell – Yes**

**Motion unanimously carried.**

**21. AI# 28B**

**CASE NO. 2013101419** BR  
*City of Palm Coast vs. Ron & Julia Malinin*  
**4 Wheeldon Lane**  
*(Palm Coast Code Section 41-11(a) Trash Containers)*

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.

**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 one (1) day 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 \$61.50. Mr. Chagnon seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Chagnon – Yes  
Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes  
Mr. Copeland - Yes  
Mrs. McDowell – Yes**

**Motion unanimously carried.**

**22. AI# 29**

**CASE NO. 2013100065**

BR

*City of Palm Coast vs. Joseph A. & Kathleen E. Kelemen*

**45 Woodlyn Lane**

*(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. 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 \$61.50. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Chagnon – Yes**

**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**

**Mr. Copeland - Yes**

**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**23. AI# 31**

**CASE NO. 2013110629**

**REPEAT**

MD

*City of Palm Coast vs. Sandra Savariego*

**21 Empress Lane**

*(Palm Coast Code Section 15-108(g) Fence in Disrepair)*

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Donovan 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 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 January 7, 2014; that a \$25.00 per day fine is imposed for the period of non-compliance from November 26, 2013 to January 6, 2014; totaling \$1,025. The Respondent shall pay Administrative Costs to the City in the amount of \$62.00. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Chagnon – Yes**

**Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes**

**Mr. Copeland - Yes**

**Mrs. McDowell – Yes**

**Motion unanimously carried.**

**24. AI# 32**

**CASE NO. 2013110957      RECURRING      MD**

*City of Palm Coast vs. Bank of Camden*

**19 Essington Lane**

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

Code Enforcement Supervisor Donovan 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. 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 \$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 \$61.50. Mr. Chagnon seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Chagnon – Yes  
Mr. Klinkenberg – Yes**

**Mr. Mugford - Yes  
Mr. Copeland - Yes  
Mrs. McDowell – Yes**

**Motion unanimously carried.**

**UNFINISHED BUSINESS**

None to report.

**NEW BUSINESS**

The Code Enforcement statistics were reviewed by the Board members.

Chairman Mugford thanked the staff for their work. The statistics reveal the compliance rate, judging from the number of cases that are brought to the Board for action.

**OLD BUSINESS**

None to report.

**ANNOUNCEMENT OF NEXT MEETING:**

**Next Code Board Meeting – March 12, 2014.**

**ADJOURNMENT**

**There being no further business, the meeting was adjourned at 10:12 a.m.**

**Respectfully submitted,**

**Carol Hickey**  
**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.*