

CODE ENFORCEMENT BOARD
Wednesday, September 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, Gerry Chagnon, Neil Copeland, Kenneth Klinkenberg, Tameka McDowell, Norman Mugford

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Officers Arena, Ballard, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, Sagala, Sr. Staff Asst. Wry, Chief Building Official Lee, 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 August 6, 2014 Meeting Minutes.

The minutes were unanimously approved.

D. Disclosure of Ex-Parte Communications.

None to report.

E. Swearing-in of Staff. Code Enforcement Manager Grossman, Code Enforcement Officers Arena, Ballard, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, Sagala, Sr. Staff Asst. Wry and Chief Building Official Lee 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G. Withdrawn Cases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# 2	CASE NO. 2014050734 - 30 Fallon Lane
AI# 3A	CASE NO. 2014050375 - 37 Royal Tern Lane
AI# 3B	CASE NO. 2014050381 - 37 Royal Tern Lane
AI# 12	CASE NO. 2014051807 - 92 Whittington Drive
AI# 13	CASE NO. 2014060207 - 12 Rosepetal Lane
AI# 16	CASE NO. 2014051248 - 20 Ryarbor Drive
AI# 17	CASE NO. 2014030459 - 31 Rycrest Lane
AI# 18	CASE NO. 2014031346 - 3 Columbia Lane
AI# 20	CASE NO. 2014060846 - 5 Wendover Lane
AI# 21A	CASE NO. 2014060280 - 5 Williams Drive
AI# 21B	CASE NO. 2014060285 - 5 Williams Drive

AI# 22	CASE NO. 2014050968 - 8 Willoughby Place
AI# 26	CASE NO. 2014060290 - 18 Frankford Lane
AI# 27	CASE NO. 2014042023 - 21 Palm Leaf Lane
AI# 36	CASE NO. 2014060365 - 9 Clinton Court North
AI# 38	CASE NO. 2014050567 - 54 Columbia Lane
AI# 39	CASE NO. 2014061730 - 23 Columbia Lane (A)
AI# 40	CASE NO. 2014060621 - 24 Coral Reef Court North (A)
AI# 41	CASE NO. 2014061100 - 8 Crompton Place
AI# 43	CASE NO. 2014040503 - 7 Pier Lane
AI# 45	CASE NO. 2014040678 - 36 Pinetree Drive
AI# 46	CASE NO. 2014060853 - 53 Seattle Trail
AI# 48A	CASE NO. 2014061522 - 14 Secretary Trail
AI# 47A	CASE NO. 2014061529 - 13 Second Path
AI# 48C	CASE NO. 2013041396 - 14 Secretary Trail
AI# 50	CASE NO. 2014060226 - 14 Slippery Rock Place

1. AI# 37

CASE NO. 2014041532 MH

City of Palm Coast vs. Jerzy Roik

112 Club House Drive 1102

(Palm Coast Code Section 15-1 No Permit for Renovation of Unit 102)

Code Enforcement Officer 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, Jerzy Roik presented his side.

Mr. Copeland 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 thirty (30) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon - Yes

Mrs. McDowell - Yes

Mr. Klinkenberg - No

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion carried 5 to 1.

2. AI# 8

CASE NO. 2014060836 RECURRING RS

City of Palm Coast vs. William M. Curtis

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

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Officer Sagala testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent Larry Williams (tenant) presented his side.

Mr. Klinkenberg 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. Chagnon – Yes
Mrs. McDowell – Yes**

**Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes**

Motion carried 6 to 1.

3. AI# 34

CASE NO. 2014050760 RECURRING BR
City of Palm Coast vs. Roger Doukas & Lorrie A. Lore
26 Pleasant 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 Roger Doukas presented his side.

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

Roll was called:

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

**Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes**

Motion unanimously carried.

4. **AI# 35**

CASE NO. 2014051347 RECURRING BR
City of Palm Coast vs. Edwin D. & Carmen Nazario
31 Point of Woods 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 Respondents. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondents Edwin & Carmen Nazario presented their side.

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

Roll was called:

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

Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes

Motion unanimously carried.

5. **AI# 32**

CASE NO. 2014051574 BR
City of Palm Coast vs. James C. Fischer
32 Pittwick Lane
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle in Residential Dist.)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs. Respondent, James Fischer 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 \$100.00 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. Chagnon seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

6. AI# 31

CASE NO. 2014041564 RECURRING BR

City of Palm Coast vs. Vyacheslav Chageyev

51 Pine Circle Drive

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

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. Klinkenberg 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. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

7. AI# 4

CASE NO. 2014060209 RECURRING CSR

City of Palm Coast vs. Tracy L. & Michael Wells

94 Brunswick Lane

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

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, Michael Wells 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. Chagnon – Yes
Mrs. McDowell – Yes**

**Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes**

Motion unanimously carried.

8. AI# 6

CASE NO. 2014060518 RECURRING RS
City of Palm Coast vs. Markel C. & Irene Hoffman
24 Blakeshire Place
(Palm Coast Code Section 15-114 (a) Rubbish/Trash/Garbage)

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, Irene Hoffman presented her side.

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

Roll was called:

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

**Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes**

Motion unanimously carried.

9. **AI# 9**
CASE NO. 2014061195 LM
City of Palm Coast vs. Dwight & Jean B. Newell
63 Beaverdam Lane
(Palm Coast Code Section 44-34 (f) Boat Improperly Parked)

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, Marsha Bentley (Property Manager) presented his side.

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

Motion unanimously carried.

10. **AI# 49A**
CASE NO. 2014061530 CR
City of Palm Coast vs. Ryan C. & Tonya D. Hornung
11 Seoane Place
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Chris Ragazzo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Ragazzo testified the property remains in violation. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs. Respondent, Paul Curry (tenant) presented his side.

Mr. Klinkenberg 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. Mrs. McDowell seconded the motion.

Roll was called:

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

Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes

Motion unanimously carried.

11. AI# 49B

CASE NO. 2014061638

CR

City of Palm Coast vs. Ryan C. & Tonya D. Hornung

11 Seoane Place

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

Code Enforcement Officer Chris Ragazzo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Ragazzo testified the property remains in violation. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs. Respondent, Paul Curry (tenant) presented his side.

Mr. Klinkenberg 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. Mrs. McDowell seconded the motion.

Roll was called:

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

Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes

Motion unanimously carried.

12. AI# 49C

CASE NO. 2014051637

RECURRING

CR

City of Palm Coast vs. Ryan C. & Tonya D. Hornung

11 Seoane Place

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

Code Enforcement Officer Chris Ragazzo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Ragazzo testified the property remains in violation. Staff recommends a Fine - Violation Order for the period of non-compliance and Administrative Costs. Respondent, Paul Curry (tenant) presented his side.

Mr. Klinkenberg 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. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

13. AI# 48B

CASE NO. 2014061521 RECURRING CR

City of Palm Coast vs. Shandra P. Maddox

1 Pacific Drive

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

14. AI# 10

CASE NO. 2014060209 RECURRING LM

City of Palm Coast vs. Joaquim Barbosa

5 Bowman Place

(Palm Coast Code Section 44-34(c) Parking of Trailers 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, Joaquim Barbosa and Jayme Fernandez (tenant) presented their side.

Mr. Chagnon 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. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

15. AI# 1

CASE NO. 2014041729 PA

City of Palm Coast vs. Qin Yi Lin

29 Pope Lane

(Land Development Code Section 11.03.01 (H) General Landscaping Screening)

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

Mr. Copeland 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

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

16.

AI# 7

CASE NO. 2014061930 RECURRING RS

City of Palm Coast vs. PID Group LLC

36 Florida Park Drive

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Klinkenberg - Yes

Mr. Chagnon - Yes

Mr. Mugford - Yes

Mrs. McDowell - Yes

Mr. Copeland - Yes

Motion unanimously carried.

17. AI# 14

CASE NO. 2014020398 MASSEY JF

City of Palm Coast vs. Pedro A. Flores

12 Round Table Lane

(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. Branin 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 July 20, 2014 to September 2, 2014; totaling \$1,100.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay

Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mrs. McDowell seconded the motion.

Roll was called:

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

**Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes**

Motion unanimously carried.

18. AI# 15

CASE NO. 2014051242

JF

City of Palm Coast vs. ABC Affordable Building Contractors Inc.

19 Ryarbor Lane

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

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

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than 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 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. Copeland seconded the motion.

Roll was called:

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

**Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes**

Motion unanimously carried.

19. AI# 19A

CASE NO. 2014031277

MB

City of Palm Coast vs. Angelina DeVito & Gordon Todd Knable

25 Freneau Lane

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

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

Mr. Copeland 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. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

20. AI# 19B

CASE NO. 2014010038 REDUCTION MB

City of Palm Coast vs. Angelina DeVito & Gordon Todd Knable

25 Freneau Lane

(Palm Coast Code Section 35-76 Nuisance – Tarp on Rear of House)

The Respondents were not present. Reduction case not heard. The original Fine - Violation Order was therefore upheld.

21. AI# 24A

CASE NO. 2014070167 REPEAT LF

City of Palm Coast vs. Leslie & Brenda Posner)

41 Fort Caroline Lane

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

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

Mr. Branin moved to find in this case that the Respondents were in repeat violation of the City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents have not brought the property into compliance as of Sept 2, 2014; that a \$100.00 per day fine is imposed for the period of non-compliance from July 2, 2014 to September 2, 2014; totaling \$6,300.00; that a fine of \$100.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$70.50. Mrs. McDowell seconded the motion.

Roll was called:

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

Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes

Motion unanimously carried.

22. AI# 24B
CASE NO. 2014061274 RECURRING LF
City of Palm Coast vs. Leslie & Brenda Posner
41 Fort Caroline Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

Roll was called:

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

Mr. Klinkenberg - Yes
Mr. Mugford - Yes
Mr. Copeland - Yes

Motion unanimously carried.

23. AI# 24C
CASE NO. 2014070564 REPEAT LF
City of Palm Coast vs. Leslie & Brenda Posner
41 Fort Caroline Lane
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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

Mr. Chagnon moved to find in this case that the Respondents were in repeat violation of the City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents have not brought the property

into compliance as of Sept 2, 2014; that a \$50.00 per day fine is imposed for the period of non-compliance from July 9, 2014 to September 2, 2014; totaling \$2,800.00; 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

24.

AI# 25A

CASE NO. 2014060996 REPEAT LF

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

43 Fort Caroline Lane

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

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Fitzgerald testified 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 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 June 24, 2014; that a \$250.00 per day fine is imposed for the period of non-compliance on June 13, 2014 and June 23, 2014 totaling \$500.00. The Respondents shall pay Administrative Costs to the City in the amount of \$71.50. Mr. Copeland seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

25.

AI# 25B

CASE NO. 2014061422 LF

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

43 Fort Caroline Lane

(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

26.

AI# 25C

CASE NO. 2014061289 REPEAT LF

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

43 Fort Caroline Lane

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

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

Mr. Branin moved to find in this case that the Respondents were in repeat violation of the City Code as charged based on the Board’s prior Order entered against the same Respondents for the same violation; that the Respondents have not brought the property into compliance as of Sept 2, 2014; that a \$50.00 per day fine is imposed for the period of non-compliance from June 23, 2014 to September 2, 2014; totaling \$3,600.00; 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Copeland seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

27. **AI# 25D**
CASE NO. 2014082153 MASSEY LF
City of Palm Coast vs. Raymond L. Jr. & Juanita Trivett Gray)
43 Fort Caroline Lane
(Palm Coast Code Section 35-76 Nuisance - Accumulations)

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

Mr. Copeland moved to find in this case that the Respondents were in violation of the City Code as charged; that the Respondents failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondents have not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from November 15, 2013 to September 2, 2014; totaling \$14,600.00; 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Klinkenberg seconded the motion.

Roll was called:

Mr. Branin - Yes	Mr. Klinkenberg - Yes
Mr. Chagnon - Yes	Mr. Mugford - Yes
Mrs. McDowell - Yes	Mr. Copeland - Yes

Motion unanimously carried.

28. **AI# 28**
CASE NO. 2014051993 RECURRING BR
City of Palm Coast vs. Zinnia Divinagracia
1 Perkins Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

29.

AI# 29

CASE NO. 2014050097 REPEAT BR

City of Palm Coast vs. Daniel Enriquez & Suria Hernandez)

60 Pheasant Drive

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

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

Mr. Branin 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 May 4, 2014; that a \$100.00 per day fine is imposed for the period of non-compliance from May 1, 2014 to May 3, 2014 totaling \$300.00 The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Copeland seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

30.

AI# 30

CASE NO. 2014060671 REPEAT BR

City of Palm Coast vs. William J. Holmes

22 Piermount Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the property is in compliance. Staff recommends a Fine for the period on 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 July 26, 2014; that a \$100.00 per day fine is imposed for the period of non-compliance from June 10, 2014 to July 25, 2014 totaling \$4,600.00 The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

31.

AI# 33

CASE NO. 2014042015

REPEAT

BR

*City of Palm Coast vs. Irina & Arkadiy Vosobonik & Yuriy Skorokhod
106 Plain View Drive*

(Palm Coast Code Section 44-34(d) Weeds/Overgrowth)

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

Mr. Branin 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 May 5, 2014; that a \$100.00 per day fine is imposed for the period of non-compliance from April 29, 2014 to May 4, 2014 totaling \$700.00 The Respondents shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Copeland seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

32.

AI# 44

CASE NO. 2013010988

RECURRING

MH

City of Palm Coast vs. Charles L. Meade

40 Pine Brook Drive

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

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. 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 \$69.00. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

33.

AI# 42

CASE NO. 2014061711 RECURRING MH

City of Palm Coast vs. Vyacheslav Khaimov

22 Farraday Lane (A)

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

33.

AI# 47B

CASE NO. 2014061526 RECURRING CR

City of Palm Coast vs. Judith Sorrentino

13 Second Path

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

33.

AI# 51

CASE NO. 2014070356 RECURRING CR

City of Palm Coast vs. Lyudmila Yusfova & Fazil Michiev

13 Squirrel Place

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mrs. McDowell – Yes

Mr. Klinkenberg - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Motion unanimously carried.

UNFINISHED BUSINESS

Sr. Staff Assistant Wry advised the Board that the City Council members still have not voted on who the Board members are going to be for the new term, which commences in October. This is due to one of the Council Members not being present, due to illness, for a number of Meetings. Mr. Klinkenberg stated without a vote from City Council, next month's Code Board meeting would have to be canceled. Mr. Mugford asked Board Counsel Babb-Nutcher to check with the City Attorney on what will happen next month, if a decision is not made.

NEW BUSINESS

Alternate Board Member Woody Douge was present as a spectator at the Hearing.

Mr. Mugford advised the Board members he appreciated their input and questions they asked Counsel at last month's workshop.

ANNOUNCEMENT OF NEXT MEETING:

Next Code Board Meeting – October 1, 2014.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:25 a.m.

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson

Secretary to the Board

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

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