

CODE ENFORCEMENT BOARD
Wednesday, January 7, 2015 at 9:00 a.m.
Palm Coast Community Center
City Council Meeting Room
305 Palm Coast Parkway NE, Palm Coast, Florida

MEMBERS PRESENT: Neil Copeland, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Donovan, Code Enforcement Officers, Ballard, Mendez, MacDonald, Ragazzo, Risch, Romeo, Sr. Staff Asst. Wry, Bill Reischmann Counsel

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 9:05 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.
- B. Roll Call and Determination of Quorum.**
Roll was called. A quorum was met with five (5) members present.
- C. Approval of the December 3, 2014 Meeting Minutes.**
The minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None to report.
- E. Swearing-in of Staff.** Code Enforcement Manager Grossman, Code Enforcement Supervisor Donovan, Code Enforcement Officers Ballard, MacDonald, Mendez, Ragazzo, Risch, Romeo 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- G. Withdrawn Cases:**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. 2014090174 - 1 Pheasant Drive |
| AI# 4 | CASE NO. 2014101041 - 31 Fairview Lane |
| AI# 7 | CASE NO. 2014090570 - 54 Wellesley Lane |
| AI# 10 | CASE NO. 2014081663 - 18 Cherokee Court East |
| AI# 11 | CASE NO. 2014070768 - 37 Cimmaron Drive |
| AI# 12 | CASE NO. 2014070963 - 4 Claymont Court South |
| AI# 13 | CASE NO. 2014081981 - 14 Fawn Lane |
| AI# 14 | CASE NO. 2014082309 - 18 Becket Lane |
| AI# 16 | CASE NO. 2014091100 - 23 Boston Lane |
| AI# 18 | CASE NO. 2014091442 - 77 Radcliffe Drive |
| AI# 19 | CASE NO. 2014091469 - 7 Ramrock Lane |
| AI# 20 | CASE NO. 2014091180 - 17 Reindeer Lane |
| AI# 21 | CASE NO. 2014090470 - 12 Renfro Lane |

AI# 23A	CASE NO. 2014080092 - 7 Ryecorn Place
AI#23B	CASE NO. 2014100154 - 7 Ryecorn Place
AI# 29	CASE NO. 2014081516 - 51 Pine Circle Drive
AI# 30	CASE NO. 2014061369 - 7 Pine Grove Drive
AI# 31A	CASE NO. 2014090900 - 58 Pine Haven Drive (B)
AI# 31B	CASE NO. 2014090901 - 58 Pine Haven Drive (B)
AI# 32	CASE NO. 2014051123 - 28 Pittwick Lane
AI# 33	CASE NO. 2014071013 - 4 Porcupine Drive
AI# 34	CASE NO. 2014070410 - 42 Providence Lane
AI# 35	CASE NO. 2014071900 - 25 Sea Trail
AI# 37B	CASE NO. 2014091534 - 20 Squash Blossom Trail
AI# 39A	CASE NO. 2014072011 - 15 Squirrel Place
AI# 39B	CASE NO. 2014072013 - 15 Squirrel Place
AI# 41	CASE NO. 2014091134 - 79 Underwood Trail
AI# 42A	CASE NO. 2014090837 - 13 Union Run Court (B)
AI# 43B	CASE NO. 2014091127 - 9 Universe Court (B)
AI# 45	CASE NO. 2014100576 - 77 Bruce Lane

H. UNFINISHED BUSINESS

The meeting commenced with the five Board members present making a selection to appoint either Mr. Copeland or Ms. McDowell for Vice Chairperson. In the December 3, 2014 meeting, they were tied with 3 votes each. The selection was made by a show of hands and Mr. Copeland won the election with 3 votes to 2.

1. AI# 28

CASE NO. 2014081703 RECURRING BR

City of Palm Coast vs. Peggy G. Lowery

13 Patchogue Place

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

Code Enforcement 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 for the period of non-compliance and Administrative Costs. Respondent, Peggy Lowery 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. Mr. Copeland seconded the motion

Roll was called:

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

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

Motion carried unanimously.

2. AI# 15

CASE NO. 2014091525 RECURRING LM

City of Palm Coast vs. Igor Kokorine, Trustee

19 Birchtree Way

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Officer Mendez testified the property is in compliance. Staff recommends a No Fine – Standing Order for the period of non-compliance and Administrative Costs. Respondents, Darren Delgado (Property Manager) and Donna Garvey (Tenant) presented their side.

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. Mr. Roberts seconded the motion

Roll was called:

Mr. Copeland – Yes

Mr. Mugford – Yes

Ms. McDowell - Yes

Mr. Roberts - Yes

Ms. Medley – Yes

Motion unanimously carried.

3. AI# 24

CASE NO. 2014091138 BR

City of Palm Coast vs. Dollar Tree Stores, Inc.

140 Cypress Edge Drive

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

Code Enforcement Officer Romeo 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 Glen Pike (District Manager) 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. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

4. AI# 2

CASE NO. 2014080766 RECURRING BMD

City of Palm Coast vs. Valerie Kouzine & Irina Kucherova-Kouzine

9 Bill Court

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondents were not present. Officer MacDonald 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 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

5. AI# 3A

CASE NO. 2014091826 RECURRING CSR

City of Palm Coast vs Matthew R. & Nicole R. Carlock

33 Llewellyn Trail

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

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

Mr. 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. Copeland seconded the motion.

Roll was called:

Mr. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

6. **AI# 3B**

CASE NO. 2014091828 RECURRING CSR

City of Palm Coast vs Matthew R. & Nicole R. Carlock

33 Llewellyn Trail

(Palm Coast Code Section 44-34(i) Parking in Median)

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

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. Copeland – Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

7. **AI# 5**

CASE NO. 2014061422 MASSEY LF

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

43 Fort Caroline Lane

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

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

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged; that the Respondents failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondents have not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from September 12, 2014 to January 6, 2015; totaling \$5,850.00; 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. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

8. AI# 6

CASE NO. 2014100013 REPEAT

LF

*City of Palm Coast vs. Angelina Devito & Gordon Todd Knaebel
26 Freneau Lane
(Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage)*

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence on behalf of Code 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 October 8, 2014 that a \$50.00 per day fine is imposed for the period of non-compliance from September 30, 2014 to October 7, 2014 totaling \$400.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion

Roll was called:

Mr. Copeland – Yes

Mr. Mugford – Yes

Ms. McDowell - Yes
Ms. Medley – Yes

Mr. Roberts - Yes

Motion unanimously carried.

9. AI# 8

CASE NO. 2014100050

MB

City of Palm Coast vs. Wells Fargo Bank

19 Woodglen Place

(Palm Coast Code Section 24-159(a) Swale Maintenance)

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 – 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 \$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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes

Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

10. AI#9

CASE NO. 2014091113

MB

City of Palm Coast vs. Bruce S. Lorenzana & Ester J. Calderon Lorenzana

19 Woodside Drive

(Land Development Code Section 11.03.01(h) A/C Screening)

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Ballard 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 fourteen (14) 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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes**

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

Motion unanimously carried.

11. AI# 17

CASE NO. 2014090962 RECURRING LM

City of Palm Coast vs. Algirdas Pocius

14 Lydenhurst Lane

(Palm Coast Code Section 44-34(c) Parking of a Trailer 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 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. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

12. AI# 22

CASE NO. 2014100394 REPEAT LM

City of Palm Coast vs. Shannon Melton

26 Ryder Drive

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez testified the property is in compliance. Staff recommends a 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 November 27, 2014 that a \$200.00 per day fine is imposed for the period of non-compliance from October 7, 2014 to November 26, 2014 totaling \$10,200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. No one seconded the motion.

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 November 27, 2014; that a reduced fine in the amount of \$1,000.00 be imposed for the period of non-compliance from October 7, 2014 to November 26, 2014. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. No one seconded the motion.

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 November 27, 2014; that a reduced fine in the amount of \$5,000.00 be imposed for the period of non-compliance from October 7, 2014 to November 26, 2014. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Copeland – Yes
Ms. McDowell - No
Ms. Medley – Yes

Mr. Mugford – Yes
Mr. Roberts - Yes

Motion carried 4 to 1.

13. **AI# 25A**

CASE NO. 2014082096 REPEAT BR

City of Palm Coast vs. William P. & Janet N. Stoughton

1 Pacific Drive

(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 Respondents were 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 23, 2014; that a reduced fine in the amount of \$5,000.00 be imposed for the period of non-compliance from August 25, 2014 to December 22, 2014. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. No one seconded the motion.

After Board discussion with Counsel Reischmann, Mr. Copeland amended his motion.

Mr. Copeland 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 December 23, 2014 that a \$100.00 per day fine is imposed for the period of non-compliance from August 25, 2014 to December 22, 2014 totaling \$12,000.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion

Roll was called:

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

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

Motion unanimously carried.

14. AI# 25B

CASE NO. 2014061475

BR

City of Palm Coast vs. William P. & Janet N. Stoughton

1 Pacific 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.

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 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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes**

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

Motion unanimously carried.

15. AI# 26

CASE NO. 2014051933

BR

City of Palm Coast vs. John E. & Geraldine T. Blackwell

230 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 Respondents were 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 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 is 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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes**

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

Motion unanimously carried.

16. AI# 27

CASE NO. 2014081701 REPEAT BR

City of Palm Coast vs. Tamara E. Hartman

13 Patric Drive

(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 of non-compliance and Administrative Costs.

Ms. McDowell 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 24, 2014 that a \$200.00 per day fine is imposed for the period of non-compliance from August 20, 2014 to August 23, 2014 totaling \$800.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Ms. Medley seconded the motion

Roll was called:

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

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

Motion unanimously carried.

17. AI# 36

CASE NO. 2014100700 REPEAT CR

City of Palm Coast vs. Joseph G. Casanova
53 Seattle Trail
(Palm Coast Code Section 44-34(c) Parking of Trailer in Residential District)

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 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 October 11, 2014 that a \$150.00 per day fine is imposed for the period of non-compliance on October 10, 2014 totaling \$150.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion

Roll was called:

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

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

Motion unanimously carried.

18. AI# 37A

CASE NO. 2014091533 RECURRING CR

City of Palm Coast vs. Michelle Whalen

20 Squash Blossom 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.

Ms. 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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes**

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

Motion unanimously carried.

19. AI# 38

CASE NO. 2014081716 RECURRING CR
City of Palm Coast vs. Lyudmila Yusufova & Fasil Michiev
11 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.

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. Copeland seconded the motion.

Roll was called:

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

Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

20. AI# 40A

CASE NO. 2014091684 CR
City of Palm Coast vs. Serghei & Zinaida Potorac
92 Ulysses Trail
(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. 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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes

Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

- 21. AI# 40B**
CASE NO. 2014091685 CR
City of Palm Coast vs. Serghei & Zinaida Potorac
92 Ulysses Trail
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondents were not present Officer Ragazzo testified 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 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. Medley seconded the motion.

Roll was called:

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

Mr. Mugford – Yes
Mr. Roberts - Yes

Motion unanimously carried.

- 22. AI# 42A**
CASE NO. 2014090837 RECURRING CR
City of Palm Coast vs. Lowl W. Lewis & Laverne Turner
13 Union Run Court (B)
(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. 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. Ms. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

- 23. AI# 43A**
CASE NO. 2014091126 CR
City of Palm Coast vs. Yelena Vergazova
9 Universe Court (B)
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondents were 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 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. Copeland – Yes
Ms. McDowell - Yes
Ms. Medley – Yes**

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

Motion unanimously carried.

- 24. AI# 44A**
CASE NO. 20140100254 MD
City of Palm Coast vs. Richard & Perry Brandon
37 Banner Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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

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

Roll was called:

Mr. Copeland – Yes

Mr. Mugford – Yes

Ms. McDowell - Yes

Mr. Roberts - Yes

Ms. Medley – Yes

Motion unanimously carried.

- 25. AI# 44B**
CASE NO. 2014100255 MD
City of Palm Coast vs. Richard & Perri Brandon
37 Banner Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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

Roll was called:

Mr. Copeland – Yes

Mr. Mugford – Yes

Ms. McDowell - Yes

Mr. Roberts - Yes

Ms. Medley – Yes

Motion unanimously carried.

NEW BUSINESS

Mr. Copeland suggested Mr. Mugford request a work session with City Council to discuss issues on behalf of the Board with regard to Code Enforcement's violation notification procedures. Mr. Copeland asked for this session, as he would like for the Board to be able to express concerns they have about enforcement practices of Code. Mr. Copeland is of the impression that in order implement procedural changes and recommendations made by the Board, it will necessitate City Council instructing Code staff to do so. Counsel Reishmann advised Mr. Copeland his concerns are not initially addressed by City Council, then went on to explain City protocol. Counsel Reischmann also provided the Board with an explanation of the procedural process in relationship to Florida State Statute 162. In addition, Supervisor Donovan advised that Code staff does discuss procedural recommendations made by the Board, some of which have already been implemented. Mr. Copeland then requested for clarification purposes that Manager Grossman prepare a small presentation to inform the Board about current enforcement practices. Counsel Reischmann stated he would conduct a workshop with the Board at the February 4th meeting.

Supervisor Donovan offered his congratulations to Mr. Copeland for his appointment to the Vice Chair position.

ANNOUNCEMENT OF NEXT MEETING:

Next Code Board Meeting – February 4, 2015.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:35 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.