

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

BOARD MEMBERS PRESENT: Robert Branin, Kenneth Carruth, Neil Copeland, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts

BOARD COUNSEL PRESENT: Marsha Segal-George

STAFF MEMBERS PRESENT Code Enforcement Manager Grossman, Code Enforcement Supervisor Donovan, Code Enforcement Officers Fitzgerald, Hadden, MacDonald, Mendez, Risch, Romeo, Sagala, Sr. Staff Asst. Wry, City Counsel, Debra Babb-Nutcher

A. Call to Order and Pledge of Allegiance.

The meeting was called to order at 9:00 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.

B. Roll Call and Determination of Quorum.

Roll was called. A quorum was met with seven (7) members present.

C. Approval of the September 2, 2015 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 Fitzgerald, Hadden, MacDonald, Mendez, Risch, Romeo, Sagala and Sr. Staff Asst. Wry were sworn in by Marsha Segal-George, Board Counsel

F. Swearing in of Respondents: The respondents who were present were sworn in by Marsha Segal-George, Counsel for the Code Board.

G. Withdrawn Cases:

AI# 1	CASE NO. 2015061502 - 223 Parkview Drive
AI# 3	CASE NO. 2015070966 - 31 Blaine Drive
AI# 8	CASE NO. 2015010805 - 24 Crossbow Court
AI# 9	CASE NO. 2015011078 - 1 Floral Court
AI# 10	CASE NO. 2015070270 - 2 Bick Place
AI# 17	CASE NO. 2015060976 - 51 Radcliffe Drive
AI# 18	CASE NO. 2015051250 - 21 Rainbow Lane
AI# 19	CASE NO. 2015060901 - 79 Raintree Place
AI# 20	CASE NO. 2015051453 - 4 Reindeer Lane
AI# 21	CASE NO. 2015060379 - 5 Rolls Royce Court South

AI# 26	CASE NO. 2015021031 - 29 Pope Lane
AI# 34	CASE NO. 2015031396 - 3 Fernwood Lane
AI# 35	CASE NO. 2015050671 - 48 Fernwood Lane
AI# 39	CASE NO. 2015070778 - 29 Foxhall Lane
AI# 40	CASE NO. 2015070225 - 56 Freneau Lane
AI# 43	CASE NO. 2015060184 - 30 Beth Lane
AI# 44	CASE NO. 2015060187 - 30 Beth Lane
AI# 45	CASE NO. 2015040282 - 16 Edge Lane
AI# 47	CASE NO. 2015051116 - 44 Fleetwood Drive
AI# 49	CASE NO. 2015051044 - 129 Frontier Drive
AI# 56	CASE NO. 2015070108 - 111 Whispering Pine Drive
AI# 58	CASE NO. 2015070685 - 142 Bridgehaven Drive
AI# 59	CASE NO. 2015070686 - 142 Bridgehaven Drive
AI# 60	CASE NO. 2015070672 - 146 Bridgehaven Drive
AI# 61	CASE NO. 2015061058 - 36 Brigadoon Lane

H. Continued Cases:

AI# 13	CASE NO. 2015060978 - 42 Wellhaven Lane
AI# 14	CASE NO. 2015060979 - 42 Wellhaven Lane
AI# 15	CASE NO. 2015060980 - 42 Wellhaven Lane
AI# 16	CASE NO. 2015060982 - 42 Wellhaven Lane
AI# 38	CASE NO. 2015070851 - 23 Fort Caroline Lane

- 1. AI# 37**
CASE NO. 2015071034 RECURRING CSR
City of Palm Coast vs. Yevgeny Funk & Rita Gelman
6 Folsom Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented 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 – Recurring Violation and Administrative Costs. Respondent, Shyrod Williams (tenant) presented her side and photos into evidence.

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

Roll was called:

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

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

Motion unanimously carried.

2. AI# 53

CASE NO. 2015070846 RECURRING LM

City of Palm Coast vs. Agram G. & Seetha G. Suryaprasad

15 Ridley Lane

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

Code Enforcement Officer Mendez presented paperwork and photos into evidence. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent, Jay Estes (tenant) presented his side.

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

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

3. AI# 28

CASE NO. 2015010911 MASSEY BR

City of Palm Coast vs. Brent Smith

27 Port Royal Drive

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

Code Enforcement Officer Romeo presented paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified this is a Massey case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Respondent, Brent Smith presented his side.

Mr. Copeland 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 brought the property into compliance on October 3, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from June 9, 2015 to October 2, 2015, totaling \$5,750.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

4. AI# 25

CASE NO. 2015060683 RECURRING BR

City of Palm Coast vs. John & Doreen Lazzano

241 Pine Grove 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 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. Respondent, John Lazzano 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 is now 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. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

5. AI# 55

CASE NO. 2015061264 LM

City of Palm Coast vs. Robert W. Jr., Marial Venable, Davi H. Landis & Conrado Cardoso

43 Sederholm Path

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The 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, Marial Venable presented her side and a storage receipt into evidence.

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 is now 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. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 41

CASE NO. 2015070638 RECURRING LM

City of Palm Coast vs. Simon & Dina Ustoyev

86 Barrington Drive

(Palm Coast Code Section 35-76(d-2) Nuisance - Rubbish/Trash)

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 – Recurring Violation and Administrative Costs. Respondent, Gina Harding (Property Manager – Realty Exchange) presented her 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 is now 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. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

7. AI# 12

CASE NO. 2015070924 RECURRING BMD

City of Palm Coast vs. Henry C. & Arlene J. O'Buck

84 Lynbrook Drive

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

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 No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent, Dale Foldi (daughter) presented their 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 is now 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. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

8. AI# 51

CASE NO. 2015061124 LM

City of Palm Coast vs. Fred C. Jr. & Lynn A. Schrecengost

58 Raleigh Drive

(Palm Coast Code Section 44-33(b) Parking in Swale)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Officer Mendez testified the remains in violation. Staff recommends a Fine - Violation Order and Administrative Costs. Respondent, Aaron Emerson (son) presented his side.

Ms. McDowell moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondent correct the violation no later than one (1) day after this Order is entered in writing; that, in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

9. AI# 27

CASE NO. 2015051095 RECURRING BR

City of Palm Coast vs. David V. & Yevgeniya O. Fredericksen

30 Poppy Lane

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

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. Respondent, Scott Rosenbloom (tenant) presented his side.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now 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. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

10. AI# 2

CASE NO. 2015070967 RECURRING RS

City of Palm Coast vs. Joe T. & Linda Lodato

31 Blaine Drive

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

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 – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

11. AI# 4

CASE NO. 2015061220 RECURRING LF

City of Palm Coast vs. Joseph G. Casanova

53 Seattle Trail

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

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Fitzgerald testified the 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 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 \$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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

12. AI# 5

CASE NO. 2015071259 REPEAT LF

City of Palm Coast vs. Joseph G. Casanova

53 Seattle Trail

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

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

Mr. Roberts moved to find in this case that 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 23, 2015; that a \$500.00 per day fine is imposed for the period of non-compliance from July 20, 2015, to July 22, 2015 totaling \$1,500.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

13. AI# 6

CASE NO. 2015061448 REPEAT LF

City of Palm Coast vs. Andrey & Liya Kravchuk & Olesya Kozlova

111 Seattle Trail

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

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

Mr. Roberts moved to find in this case that 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 July 25, 2015; that a \$150.00 per day fine is imposed for the period of non-compliance on June 24, 2015, totaling \$150.00. The Respondents shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

14. AI# 7

CASE NO. 2014070598 MASSEY MH

City of Palm Coast vs. Developco Inc.

37 Cimmaron Drive

(Palm Coast Code Section 15-102.2 Structural Damage)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Hadden 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. In addition, Mrs. Grossman advised the Board the property is not homesteaded and staff will request to commence the foreclosure process (ninety) 90 days after the lien is recorded.

Ms. 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 May 23, 2015 to October 6, 2015; totaling \$6,850.00 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. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

15. AI# 11

CASE NO. 2015070923 RECURRING BMD

City of Palm Coast vs. Lance L. Thate, Trustee

33 Bunker View Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork, and photos into evidence. The Respondent was not present. Officer MacDonald testified the property is in compliance. Staff recommends 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 is now 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. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

16. AI# 22

CASE NO. 2014101119 MASSEY BR

City of Palm Coast vs. Flagler County Land Trust #24-11-30-3020-00000-0910

11 Cedar Point Court

(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 this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from June 12, 2015 to October 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. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

17. AI# 23

CASE NO. 2015041882 RECURRING BR

City of Palm Coast vs. Bruce Vo Thien

37 Pepperdine 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 property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation 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 is now corrected; that the violation recurred; that any violation of the same code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

18. AI# 24

CASE NO. 2015060332 REPEAT BR

City of Palm Coast vs. Marc & Amy Sammelman

30 Philmont Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified this is a Repeat case and 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 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 6, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance on June 4, 2015 to June 5, 2015, totaling \$200.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

19. **AI# 29**

CASE NO. 2015060593 RECURRING BR

City of Palm Coast vs. John & Sherry Blevins

17 Porwyn Lane

(Palm Coast Code Section 44-34(f) Vehicle/Trailer/Boat 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 No Fine Standing Order – Recurring Violation 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 is now 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. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

20. **AI# 30**

CASE NO. 2015060535 RECURRING BR

City of Palm Coast vs. Vladimir & Tatiana Novik

21 Prospect Lane (A)

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation 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 is now corrected; that the violation recurred; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

21. **AI# 31**
CASE NO. 2015070786 RECURRING CSR
City of Palm Coast vs. Rigoberto A Tejada
19 Farragut Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified the property is in compliance. Staff recommends a 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 is now corrected; that the violation recurred; that any violation of the same code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Ms. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

22. **AI# 32**
CASE NO. 2015070788 RECURRING CSR
City of Palm Coast vs. York G. & Phyllis Halyard
19 Fayette Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

23. AI# 33

CASE NO. 2015071316 RECURRING CSR

City of Palm Coast vs. Raul & Andrew Martinez

13 Ferdinand Lane

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

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

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

24. AI# 36

CASE NO. 2015071154 RECURRING CSR

City of Palm Coast vs. PID Group LLC

36 Florida Park Drive

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation 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 is now corrected; that the violation recurred; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

- 25. AI# 42**
CASE NO. 2015070285 LM
City of Palm Coast vs. Reynaldo M. Punsalan, Life Estate
46 Belleaire Drive
(Palm Coast Code Section 35-76 (d-2) Nuisance – Overgrown Lawn)

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.

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

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

26. **AI# 46**
CASE NO. 2015060542 REPEAT LM

City of Palm Coast vs. Kurt Knechtle

22 Edith Pope Drive

(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 this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Branin moved to find in this case that 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 June 26, 2015; that a \$250.00 per day fine is imposed for the period of non-compliance from June 22, 2015 to June 25, 2015, totaling \$1,000.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

27. **AI# 48**
CASE NO. 2015050800 RECURRING LM

City of Palm Coast vs. Gilbert M. & Karline Chaviano

44 Fort Caroline Lane

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Mendez 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 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 is now 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

Ms. Medley - Yes

Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

28. **AI# 50**
CASE NO. 2015061509 LM
City of Palm Coast vs. LFC Holdings Palm Coast
49 Raleigh Drive
(Palm Coast Code Section 44-33(b) Parking in Swale)

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

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now 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. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

29. **AI# 52**
CASE NO. 2015070542 **RECURRING** LM
City of Palm Coast vs. Alfred V. & Caroline M. Johnson
52 Riddle Drive
(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 Respondents were not present. Officer Mendez 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 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 is now 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. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

30. AI# 54

CASE NO. 2015061021 RECURRING LM

City of Palm Coast vs. Sokhom & Thida Kim Neou

9 Russo Drive

(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 Respondents were not present. Officer Mendez 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 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 is now 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. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

31. AI# 57

CASE NO. 2015070075 MD

City of Palm Coast vs. Russell N. Carpenter

82 Bridgehaven Drive

(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. Supervisor Donovan testified the 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 \$69.00. Ms. Medley seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

NEW BUSINESS:

Mr. Roberts asked City staff if the November Code Board meeting will be at the new City Hall. Sr. Staff Assistant Wry advised due to an event, which will be taking place on the same day as our Code Board meeting, we are scheduled for one more time to meet at the Community Center.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, November 4, 2015.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:50 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.