

CODE ENFORCEMENT BOARD
Wednesday, November 4, 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: Mary Sneed

STAFF MEMBERS PRESENT Code Enforcement Manager Grossman, Code Enforcement Code Enforcement Officers Ballard, Esposito, Fitzgerald, Festa, Hadden, MacDonald, Mendez, Risch, Romeo, Sagala, Landscape Specialist John Beaudet, Sr. Staff Asst. Wry, City Counsel, Bill Reischmann

- 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 seven (7) members present.
- C. Approval of the October 7, 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 Officers Ballard, Esposito, Festa, Fitzgerald, Hadden, MacDonald, Mendez, Risch, Romeo, Sagala, Landscape Specialist Beaudet and Sr. Staff Asst. Wry were sworn in by Mary Sneed, Board Counsel
- F. Swearing in of Respondents:** The respondents who were present were sworn in by Mary Sneed, Counsel for the Code Board.
- G. Withdrawn Cases:**

AI# 4	CASE NO. 2015080944 - 135 Cypress Point Pkwy
AI# 8	CASE NO. 2015081376 - 19 Bay Spring Place
AI# 11	CASE NO. 2015071024 - 40 Westmore Lane
AI# 13	CASE NO. 2015071596 - 3 White Fox Place
AI# 14	CASE NO. 2015042089 - 20 Sea Flower Path
AI# 19	CASE NO. 2015081349 - 9 Cedar Court
AI# 22	CASE NO. 2015071210 - 94 Covington Lane
AI# 24	CASE NO. 2015071744 - 43 Farraday Lane

AI# 25	CASE NO. 2015071654 - 16 Ferguson Court.
AI# 30	CASE NO. 2015050671 - 48 Fernwood Lane
AI# 32	CASE NO. 2015080896 - 6 Freemont Court
AI# 36	CASE NO. 2015071250 - 8 Renworth Lane
AI# 38	CASE NO. 2015040308 - 8 Sea Ship Place
AI# 39	CASE NO. 2014050315 - 130 Sea Trail
AI# 40	CASE NO. 2015042038 - 51 Slowdrift Turn
AI# 41	CASE NO. 2015040999 - 40 Slumber Path
AI# 43	CASE NO. 2015042176 - 1 Plumtree Place
AI# 46	CASE NO. 2015041632 - 5 Pope Lane
AI# 51	CASE NO. 2015042033 - 8 Promenade Place
AI# 57	CASE NO. 2015080224 - 4 Birchshire Lane
AI# 61	CASE NO. 2015061024 - 63 Forest Hill Drive

H. Continued Cases:

AI# 3	CASE NO. 2015071656 - 398 Lakeview Blvd.
AI# 5	CASE NO. 2015071662 - 400 Pine Lakes Parkway North
AI# 12	CASE NO. 2015060013 - 5 Whirlaway Drive

1. AI# 44

CASE NO. 2015061249 RECURRING BR
City of Palm Coast vs. Alberto M. & Ruth E. Fernandez
107 Point Pleasant Drive
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

Code Enforcement Officer Romeo presented paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Alberto Fernandez presented his side.

Mr. Roberts moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondent correct the violation no later than two (2) days after this Order is entered in writing; that, in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

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

Motion unanimously carried.

2. AI# 58

CASE NO. 2015071621 RECURRING LM

City of Palm Coast vs. Alan Flaitz
9 Bracken Lane
(Palm Coast Code Section 35-76 (d-2) Nuisance – Overgrown Lawn)

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, Alan Flaitz presented his side.

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 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.

3. AI# 59

CASE NO. 2015080648 RECURRING LM

City of Palm Coast vs. Alan Flaitz

9 Bracken Lane

(Palm Coast Code Section 44-34(f) Vehicles 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 – Recurring Violation and Administrative Costs. Respondent, Alan Flaitz 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 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

Ms. Medley - Yes

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

Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

4. **AI# 20**
CASE NO. 2015042042 MH
City of Palm Coast vs. Alfred W. Leonhardt
80 Comanche Court
(Palm Coast Code Section 35-76(d-1) Nuisance – Dock Elements Broken)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Alfred Leonhardt presented his side.

Mr. Branin moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

5. **AI# 21**
CASE NO. 2015021233 **MASSEY** MH
City of Palm Coast vs. Alfred W. Leonhardt
80 Comanche Court
(Palm Coast Code Section 35-76(d-1) Nuisance – Roof in Disrepair)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. 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. Respondent, Alfred Leonhardt presented his side.

Mr. Copeland moved to continue this case for 60 days. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - No

Ms. Medley - No
Mr. Mugford - No
Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 45

CASE NO. 2015061214 RECURRING BR

City of Palm Coast vs. Delia B. Ibasco

190 Point Pleasant Drive

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

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, Delia Ibasco and Chelsea Boyer (tenant) presented their 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 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.

7. AI# 47

CASE NO. 2015031258 RECURRING BR

City of Palm Coast vs. Jesus Manuel & Amanda Pinzon

13 Porpoise 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 – Recurring Violation and Administrative Costs. Respondent, Amanda Pinzon presented her 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. 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# 53

CASE NO. 2015071047 RECURRING LM

City of Palm Coast vs. Kurt Sjostedt

22 Beaverdam Lane

(Palm Coast Code Section 44-33(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 – Recurring Violation and Administrative Costs. Respondent, James Webb (tenant) presented his side.

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

9. **AI# 9**

CASE NO. 2015071688 RECURRING RS

City of Palm Coast vs. Juan A. Melendez

68 Patric Drive

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

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Sagala testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Juan Melendez presented his side.

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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. 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# 54**

CASE NO. 2015080288 RECURRING LM

City of Palm Coast vs. James E. Erickson

116 Berkshire Lane

(Palm Coast Code Section 35-76(d-2) Nuisance – Accumulations)

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, Steve Thompson (tenant) presented his 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 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.

11. AI# 55

CASE NO. 2015080530 RECURRING LM

City of Palm Coast vs. James E. Erickson

116 Berkshire Lane

(Palm Coast Code Section 44-34(f) Trailer 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 – Recurring Violation and Administrative Costs. Respondent, Steve Thompson (tenant) 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 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.

12. AI# 34

CASE NO. 2015070034 JF

City of Palm Coast vs. Rosaline Williams Jeanthy

37 Raintree Place

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Rosaline Williams Jeanthy presented her side.

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than fifteen (15) 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 aforestated 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. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

13. AI# 35

CASE NO. 2015070050

JF

City of Palm Coast vs. Rosaline Williams Jeanthy

37 Raintree Place

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Rosaline Williams Jeanthy presented her side.

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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 \$25.00 will be imposed for each and every day the violation continues past the aforestated 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.

14. AI# 26

CASE NO. 2015030741 MASSEY CSR
City of Palm Coast vs. Edward R. Collins
15 Farmbrook Lane
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch 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, Edward Collins presented his side.

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 brought the property into compliance on November 4, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from August 19, 2015 to November 3, 2015 totaling \$3,800.00 The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. No one seconded the motion.

Mr. Carruth made a motion to continue this case for thirty (30) days. Mr. Copeland seconded the motion.

Roll was called:

**Mr. Branin - No
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - No**

**Ms. Medley - No
Mr. Mugford -No
Mr. Roberts - No**

Motion failed.

Ms. Medley 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 November 4, 2015; that a reduced fine in the amount of \$12.50 per day is imposed for the period of non-compliance from August 19, 2015 to November 3, 2015 totaling \$950.00 The Respondent 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. Carruth - No
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion carried 6 to 1.

15. **AI# 27**

CASE NO. 2015030743 MASSEY CSR

City of Palm Coast vs. Edward R. Collins

15 Farmbrook Lane

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch 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, Edward Collins 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 September 21, 2015; that a reduced fine in the amount of \$1.00 per day is imposed for the period of non-compliance from August 19, 2015 to September 20, 2015 totaling \$62.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - No

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion carried 6 to 1.

16. **AI# 66**

CASE NO. 2015071442 RECURRING LM

City of Palm Coast vs. Misty Delong

131 Whispering Pine Drive

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The 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, Misty Delong presented her 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 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.

17. AI# 18

CASE NO. 2015071037 RECURRING LF

City of Palm Coast vs. Alicia Lynette & Tanika Fennell

10 Zolinger Place

(Palm Coast Code Section 44-34 (d-2) Parking Trailer w/Jet Skis)

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Fitzgerald testified property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent, Alicia Fennell presented her 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. 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# 1

CASE NO. 2015040025 MASSEY JB

City of Palm Coast vs. Keith & Jane S. Wassmuth & Brooke Juanita Holycross

90 Florida Park Drive

(Land Development Code 11.02.05(a-1) Removal of Trees w/o Permit Authorization)

Landscape Specialist Beaudet presented case history, paperwork and photos into evidence. The Respondents were not present. Landscape Specialist Beaudet 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.

Ms. McDowell 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 \$100.00 per day fine is imposed for the period of non-compliance from August 20, 2015 to November 3, 2015; totaling \$7,500.00 and 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 \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. 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# 2

CASE NO. 2015040331 MASSEY ME
City of Palm Coast vs. The Golf Group of Palm Coast, LLC
398 Lakeview Blvd.
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Esposito presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Esposito Beaudet 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 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 Respondents have not brought the property into compliance; that a \$500.00 per day fine is imposed for the period of non-compliance from August 27, 2015 to November 3, 2015; totaling \$34,500.00 and that a fine of \$500.00 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

Ms. Medley - Yes
Mr. Mugford - Yes

Mr. Copeland - Yes
Ms. McDowell - Yes

Mr. Roberts - Yes

Motion unanimously carried.

20. AI# 6

CASE NO. 2015090045 RECURRING BMD

City of Palm Coast vs. Frances Palmer

36 Burroughs 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 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. 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.

21. AI# 7

CASE NO. 2015060408 BMD

City of Palm Coast vs. Anthony J. Gardner

23 Butternut Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property is still 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 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. 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.

22. AI# 10

CASE NO. 2015071557 REPEAT MB

City of Palm Coast vs. Jason Hambrick

18 Emmons Lane

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

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ballard 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 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 13, 2015; that a \$1,000.00 per day fine is imposed for the period of non-compliance from July 31, 2015 to August 12, 2015, totaling \$13,000.00. The Respondent shall pay Administrative Costs to the City in the amount of \$74.00. 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.

23. AI# 15

CASE NO. 2015071044 REPEAT LF

City of Palm Coast vs. Rodney F. Foalima

33 Sea Trail

(Palm Coast Code Section 15-1089(d) Weeds/Overgrowth)

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 25, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from July 16, 2015 to July 24, 2015 totaling \$450.00. 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. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

24. AI# 16

CASE NO. 2015081259 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. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on August 26, 2015; that a \$1,000.00 per day fine is imposed for the period of non-compliance from August 24, 2015 to August 25, 2015 totaling \$2,000.00. The Respondent shall pay Administrative Costs to the City in the amount of \$72.00. 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.

25. AI# 17

CASE NO. 2015071048 LF

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

111 Seattle Trail

(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle 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 18, 2015; that a \$150.00 per day fine is imposed for the period of non-compliance on July 17, 2015 totaling \$150.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. 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# 23

CASE NO. 2015071127

MH

City of Palm Coast vs. Sim J. & Keang Taing

7 Crossgate Court West

(Palm Coast Code Section 35-76 Nuisance – Trees on Seawall)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Hadden testified the property is still 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 Respondent 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 \$50.00 will be imposed for each and every day the violation continues past the aforestated 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.

27. **AI# 28**
CASE NO. 2015081378 RECURRING CSR
City of Palm Coast vs. Theresa M. Carey
18 Farmbrook Lane
(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. Medley seconded the motion.

Roll was called:

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

Motion unanimously carried.

28. **AI# 29**
CASE NO. 2015080375 RECURRING CSR
City of Palm Coast vs. Donovan A. Sammuels
134 Ferndale Lane
(Palm Coast Code Section 44-34 (d-2) Parking of a Camper)

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

Roll was called:

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

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

Motion unanimously carried.

29. AI# 31

CASE NO. 2015080595 RECURRING CSR

City of Palm Coast vs. Kevin R. Evans

6 Frank Place

(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. 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.

30. AI# 33

CASE NO. 2015040402 MASSEY CSR

City of Palm Coast vs. Jeffrey Charles & Kary Bernice Adams

96 Frontier Drive

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch 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 August 17, 2015 to November 3, 2015; totaling \$3,900.00 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.

31. AI# 37

CASE NO. 2015060719

JF

City of Palm Coast vs. Lisa M. Annaheim

24 Ryland Drive

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

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

Mr. Branin moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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 \$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. 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.

32. AI# 42

CASE NO. 2015070335 RECURRING BR

City of Palm Coast vs. Dong & Ling Ma Zhang

15 Peninsula Lane

(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 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.

33. AI# 48

CASE NO. 2015061252 REPEAT BR

City of Palm Coast vs. John & Sherry Blevins

17 Porwyn 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 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.

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 Respondent for the same violation; that the Respondents brought the property into compliance on July 20, 2015; that a \$150.00 per day fine is imposed for the period of non-compliance on June 22, 2015, June 26, 2015, July 5, 2015, July 11 to July 12 and July 17, 2015 totaling \$900.00. The Respondents shall pay Administrative Costs to the City in the amount of \$70.50. 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.

34. AI# 48

CASE NO. 2015061252 REPEAT BR

City of Palm Coast vs. Gerardo A. Aguilar

58 Post View Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified 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 July 1, 2015; that a \$150.00 per day fine is imposed for the period of non-compliance from June 27, 2015 to June 29, 2015 totaling \$450.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. 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.

35. AI# 50

CASE NO. 2015080898 REPEAT BR

City of Palm Coast vs. Carl Laundrie III

87 Princeton Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified 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 August 26, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance on August 17,

2015, August 22, 2015 and August 24, 2015 totaling \$300.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

36. AI# 52

CASE NO. 2015080365 REPEAT BR

City of Palm Coast vs. Scott Dominic & Robbie Dominic Throne

31 Uthorne Place

(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 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.

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 13, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance on August 6, 2015, August 7, 2015 and October 12, 2015 totaling \$300.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

37. AI# 56

CASE NO. 2015040615 LM

City of Palm Coast vs. John D. Murphy & Barbara L. Hall

10 Beverly Place

(Palm Coast Code Section 35-76(d-2) Nuisance – Tarp on Roof)

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

38. AI# 60

CASE NO. 2015070553 RECURRING LM

City of Palm Coast vs. Inna & Gary Rose

3 Butternut Drive

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The 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.

39. **AI# 62**
CASE NO. 2015061513 LM
City of Palm Coast vs. Gino G. & Carmelina Impellizzeri
8 Piedmont Drive
(Palm Coast Code Section 44-34(b) Parking in Swale 1 am – 6 am)

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.

40. **AI# 63**
CASE NO. 2015071443 **RECURRING** LM
City of Palm Coast vs. Rodney F. Foalima
33 Sea Trail
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle in Residential District)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez testified the property 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.

41. AI# 64

CASE NO. 2015080077 RECURRING LM

City of Palm Coast vs. Peter Ruiz & Jessica Bacon

52 Sea Trail

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

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

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the 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 \$100.00 will be imposed for each and every day the violation continues past the aforestated 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.

42. AI# 65

CASE NO. 2015071454 LM

City of Palm Coast vs. Phyllis Fields

29 Selbourne Path

(Palm Coast Code Section 44-34(b) Parking in Swale 1am – 6 am)

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 – Recurring Violation 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 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. 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.

43. AI# 67

CASE NO. 2015070016 RECURRING LM

City of Palm Coast vs. Gregory Dentler

134 Whispering Pine 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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation 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 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.

NEW BUSINESS:

Mr. Copeland stated due to a potential time conflict with Board Attorney, Ms. Sneed, he asked the Board members if they would be willing change the start time of the Code Board Meetings to 10:00 am, instead of 9:00 am. Mr. Copeland also advised he conferred with Manager Grossman regarding the time change. All were in agreement and the new start time will commence with the January 2016 Code Board Hearing.

Mr. Mugford reminded the Board, the election for Chairperson will be conducted at the December 2, 2015 meeting. In addition, he advised the December meeting will be held at City Hall.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, December 2, 2015.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:45 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 Lake Avenue, 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.