

CODE ENFORCEMENT BOARD
Wednesday, December 2, 2015 at 9:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, 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 Supervisor Donovan, Code Enforcement Officers Ballard, Fitzgerald, Festa, Hadden, MacDonald, Mendez, Risch, Romeo, Sagala, Sr. Staff Asst. Wry, City Counsel, Bill Reischmann

- 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 November 4, 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 Ballard, Festa, Fitzgerald, Hadden, MacDonald, Mendez, Risch, Romeo, Sagala, 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- G. Withdrawn Cases:**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# 2 | CASE NO. 2015091067 - 51 Black Bear Lane |
| AI# 4 | CASE NO. 2015090644 - 20 Laguna Forest Trail |
| AI# 6 | CASE NO. 2015070423 - 40 Sea Trail |
| AI# 10 | CASE NO. 2015050504 - 51 Farragut Drive |
| AI# 15 | CASE NO. 2015060979 - 42 Wellhaven Lane |
| AI# 17 | CASE NO. 2015060982 - 42 Wellhaven Lane |
| AI# 18 | CASE NO. 2015081354 - 104 Wellstone Drive |
| AI# 20 | CASE NO. 2015090445 - 3 Cole Place |
| AI# 22 | CASE NO. 2015090101 - 1 Cooper Lane |

AI# 23	CASE NO. 2015070894 - 28 Coral Reef Court South
AI# 30	CASE NO. 2015090263 - 25 Lytton Lane
AI# 31	CASE NO. 2015081214 - 34 Raeland Lane
AI# 32	CASE NO. 2015081216 - 34 Raeland Lane
AI# 36	CASE NO. 2015071402 - 16 Richardson Drive
AI# 38	CASE NO. 2015071045 - 33 Sea Trail
AI# 39	CASE NO. 2015090548 - 315 Cypress Edge Drive
AI# 40	CASE NO. 2015090513 - 315 Cypress Edge Drive
AI# 43	CASE NO. 2015070262 - 16 Pennypacker Lane
AI# 46	CASE NO. 2015071015 - 20 Plateau Lane (B)
AI# 50	CASE NO. 2015071119 - 82 Ulysses Trail
AI# 54	CASE NO. 2015080012 - 134 Beechwood Lane
AI# 71	CASE NO. 2015080367 - 2 Bowman Place
AI# 72	CASE NO. 2015090317 - 82 Bridgehaven Drive
AI# 73	CASE NO. 2015070685 - 142 Bridgehaven Drive
AI# 74	CASE NO. 2015061058 - 36 Brigadoon Lane
AI# 75	CASE NO. 2015081121 - 59 Brooklyn Lane

H. Continued Cases:

AI# 1 CASE NO. 2015090573 – 1 Palm Harbor Parkway

1. AI# 68

CASE NO. 2015061130 REDUCTION LM

City of Palm Coast vs. John Francis & Leonora McMorro

21 Ponce DeLeon Drive

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

Code Enforcement Officer Mendez presented case history for a fine reduction case. Officer Mendez testified the property is in compliance. John McMorro presented his case and requested a fine reduction.

Mr. Carruth moved in this case to reduce the fine from \$3,350.00 to \$1,350.00. 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.

2. AI# 63

CASE NO. 2015071820 RECURRING LM

City of Palm Coast vs. Corey J. Udell & Michelle V. Cortina

16 Piedmont Drive

(Palm Coast Code Section 44-34(c) Parking of a Trailer in a 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, Corey Udell presented his side.

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

- 3. AI# 64**
CASE NO. 2015071821 LM
City of Palm Coast vs. Corey J. Udell & Michelle V. Cortina
16 Piedmont Drive
(Palm Coast Code Section 44-34(b) Parking in Swale between 1am -6 am)

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, Corey Udell 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 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.

4. AI# 29

CASE NO. 2015091026 RECURRING

BMD

City of Palm Coast vs. J. Gibson Smith

6 Lewisdale Place

(Palm Coast Code Section 35-76(d-1) Nuisance – Dock Elements Broken)

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, J. Gibson Smith 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.

5. AI# 41

CASE NO. 2015091286

BR

City of Palm Coast vs. Charles E. & Shirley A. Smith – Life Estate

164 Parkview Drive

(Palm Coast Code Section 35-103(3) Selling at Incorrect Location)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Francesca Harvey (tenant) 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 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 - No**

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

Motion unanimously carried.

6. AI# 69

CASE NO. 2015081476 RECURRING LM

City of Palm Coast vs. Marc Montunat & Marie Montana

62 Rolling Sands Drive

(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 evidence was shown to the Respondents. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondents, Marc Montunat and Mr. Didier Joseph (nephew) 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. 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.

7. AI# 25

CASE NO. 2015091032 RECURRING BMD

City of Palm Coast vs. Angel S. & Kali M. Gonzalez

35 Biscayne Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent, Angel & Kali Gonzalez 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. 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.

- 8. AI# 62**
CASE NO. 2015081475 RECURRING LM
City of Palm Coast vs. Raymond C. Presley, Jr.
57 Perkins Lane
(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Residential Area)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondents, Stephanie and Raymond Presley, Jr. presented their side.

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

9. AI# 52

CASE NO. 2015080812 RECURRING LM

City of Palm Coast vs. Azaad Ally

36 Barrington Drive

(Palm Coast Code Section 44-34(c) Parking of a Trailer in a 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, Azad Ally 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

Ms. Medley - Yes

Mr. Carruth - Yes

Mr. Mugford -Yes

Mr. Copeland - Yes

Mr. Roberts - Yes

Ms. McDowell - Yes

Motion unanimously carried.

10. AI# 53

CASE NO. 2015080949 RECURRING LM

City of Palm Coast vs. Azaad Ally

36 Barrington Drive

(Palm Coast Code Section 44-34(f) Vehicle & 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, Azad Ally 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# 61

CASE NO. 2015081474 RECURRING LM

City of Palm Coast vs. Robert Clark

82 Fleetwood Drive

(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 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, Robert Clark 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# 24

CASE NO. 2015011078 MH

City of Palm Coast vs. John D. Sibiski & Jennifer M. Vanderfrit

1 Floral Court

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

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, John Sibiski presented his side.

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

Roll was called:

**Mr. 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# 44**
CASE NO. 2015090896 RECURRING BR
City of Palm Coast vs. Mark A. Turner
57 Piedmont Drive
(Palm Coast Code Section 44-34(c) Truck & Trailer 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, Mark Turner 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.

14. AI# 56

CASE NO. 2015080694 REPEAT LM

City of Palm Coast vs. Alice M. Fredrickson & Willim J. Defreis III

61 Brunswick Lane

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. 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. Respondent, William Defreis III presented his side.

Mr. Copeland moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on August 18, 2015; that a reduced fine in the amount of \$25.00 per day is imposed for the period of non-compliance from August 11, 2015 to August 17, 2015, totaling \$175.00. 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

Ms. Medley - Yes

Mr. Carruth - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Mr. Roberts - Yes

Ms. McDowell - Yes

Motion unanimously carried.

15. AI# 58

CASE NO. 2015091129 REPEAT LM

City of Palm Coast vs. Thomas & Maureen Russo

124 Colechester Lane

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. 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. Respondent, Thomas Russo presented his side.

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 September 25, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from September 23, 2015 to September 24, 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.

16. AI# 51

CASE NO. 2015080364 RECURRING BR

City of Palm Coast vs. Jeffrey Warren Nelson

35 Utica Path

(Palm Coast Code Section 44-34(c) Parking of 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 still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Jeffrey Nelson presented his side.

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

17. AI# 3

CASE NO. 2015090878 REPEAT RS

City of Palm Coast vs. Richard & Gail Dake

55 Blakeport Lane

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

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

Mr. Branin moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on September 23, 2015; that a \$500.00 per day fine is imposed for the period of non-compliance from September 21, 2015 to September 22, 2015, totaling \$1,000.00. The Respondents shall pay Administrative Costs to the City in the amount of \$70.00. No one seconded the motion.

Mr. Copeland moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on September 23, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from September 21, 2015 to September 22, 2015, totaling \$200.00. The Respondents shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion carried 5 to 2.

- 18. AI# 59**
CASE NO. 2015090912 LM
City of Palm Coast vs. Sylvia Styles
28 Coleridge Court
(Palm Coast Code Section 44-34(c) Parking of a Trailer in a 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 Violation and Administrative Costs. Respondent, Sylvia Styles presented her side.

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

19. AI# 76

CASE NO. 2015070676

MD

City of Palm Coast vs. Dawn & Patricia Martinez

96 Brookside Lane

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

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Donovan testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Dawn Martinez presented her side.

Ms. McDowell moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than thirty (30) 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.

20. AI# 21

CASE NO. 2015051317

RECURRING

MH

City of Palm Coast vs. Dominic & Janice A. DeZego

5 Contee Court

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

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, Dominic DeZego presented his side.

Ms. Medley 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 thirty (30) 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. Carruth 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# 5

CASE NO. 2015081246 REPEAT LF

City of Palm Coast vs. Rodney F. Foalima

33 Sea Trail

(Palm Coast Code Section 15-108(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 October 17, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from August 24, 2015 to October 16, 2015, totaling \$5,400.00. 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.

22. AI# 7

CASE NO. 2015071267

REPEAT

LF

*City of Palm Coast vs. Andrey & Liya Kravchuk & Olesya Kozlova
111 Seattle Trail*

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

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.

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 21, 2015; that a \$150.00 per day fine is imposed for the period of non-compliance on June 20, 2015 totaling \$150.00. The Respondents shall pay Administrative Costs to the City in the amount of \$71.00. 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.

23. AI# 8

CASE NO. 2015061442

LF

*City of Palm Coast vs. Grigoriy Krakhmalnikov
64 Smith Trail*

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

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

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesaid 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

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes
Ms. McDowell - Yes

Mr. Roberts - Yes

Motion unanimously carried.

24. AI# 9

CASE NO. 2015071188

CSR

City of Palm Coast vs. Yolanda Pfleger

53 Seattle Trail

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified the property is still 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 thirty (30) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$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.

25. AI# 11

CASE NO. 2015070851

RECURRING

CSR

City of Palm Coast vs. Gabriel P. & Genevieve M. Scarnato)

23 Fort Caroline Lane

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

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. Branin moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation 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.

26. AI# 12

CASE NO. 2015090008

CSR

City of Palm Coast vs. Angelina Devito & Gordon Todd Knaeble

25 Freneau Lane

(Palm Coast Code Section 15-1 No Permit for Construction on House)

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

Mr. Roberts moved to find in this case that the Respondents were in repeat violation of the City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents have not brought the property into compliance as of December 1, 2015 that a \$150.00 per day fine is imposed for the period of non-compliance September 6, 2015 to December 1, 2015 totaling \$13,050.00; that a fine of \$150.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. 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.

27. AI# 13

CASE NO. 2015090012

CSR

City of Palm Coast vs. Angelina Devito & Gordon Todd Knaeble

25 Freneau Lane

(Land Development Code 4.01.08 No Pool/Hot Tub Fencing)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch testified the property is still 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 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 \$250.00 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.

- 28. AI# 14**
CASE NO. 2015060978 MB
City of Palm Coast vs. Philip A. Rotunno
42 Wellhaven Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$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.

29. **AI# 16**
CASE NO. 2015060980 MB
City of Palm Coast vs. Philip A. Rotunno
42 Wellhaven Lane
(Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage)

Code Enforcement Officer Ballard presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ballard testified the property is still 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 \$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. 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# 19**
CASE NO. 2014100051 **MASSEY** MB
City of Palm Coast vs. Wells Fargo Bank
19 Woodglen Place
(Palm Coast Code Section 15-108(c) Driveway in Disrepair)

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

Mr. Roberts moved to find in this case that the 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 April 17, 2015 to December 1, 2015; totaling \$11,400.00 and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code

Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$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# 26

CASE NO. 2015091003 RECURRING BMD

City of Palm Coast vs. Diane M. Swain

25 Bud Hollow Drive

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

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. Respondent, Robert Clark 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.

32. AI# 27

CASE NO. 2015080255 BMD

City of Palm Coast vs. Lance Thate, Trustee

33 Bunker View Drive

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

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 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. 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.

33. AI# 28

CASE NO. 2015091001 RECURRING BMD

City of Palm Coast vs. Elizabeth S. Citro

7 Burrel Place

(Palm Coast Code Section 44-34(f) Boat & Trailer Improperly Parked)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent, Robert Clark 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
Mr. Carruth - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

34. **AI# 33**
CASE NO. 2015030235 REDUCTION JF
City of Palm Coast vs. Walter O'Connor
23 Ranshire Lane
(Palm Coast Code Section 15-1 No Permit for Shed)

Code Enforcement Officer Festa requested to continue this Reduction case.

Ms. McDowell moved to continue this case. 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.

35. **AI# 34**
CASE NO. 2015071829 JF
City of Palm Coast vs. Nationstar Mortgage LLC
11 Reidel Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa 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.

36. **AI# 35**
CASE NO. 2015071832 JF
City of Palm Coast vs. Nationstar Mortgage LLC
11 Reidel Lane
(Land Development Code 602.1 & 2 No Water Service)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa 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 five (5) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. 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.

37. **AI# 37**
CASE NO. 2015080509 JF
City of Palm Coast vs. Rodnay F. Foalima
33 Sea Trail
(Palm Coast Code Section 41-11(a) Trash Containers)

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. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$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.

38. AI# 42
CASE NO. 2015041629 MASSEY BR
City of Palm Coast vs. Dong Zhang & Ling Ma
15 Peninsula Lane
(Palm Coast Code Section 44-11(a) Trash Containers)

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.

Ms. Medley 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 \$25.00 per day fine is imposed for the period of non-compliance from September 11, 2015 to December 1, 2015; totaling \$2,050.00 and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The 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. 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.

39. AI# 45
CASE NO. 2015070784 RECURRING BR
City of Palm Coast vs. Alex S. Tsu
19 Plain View Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified this is a Recurring case and 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 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.

40. AI# 47

CASE NO. 2015090505 REPEAT BR

City of Palm Coast vs. Edwin D. & Carmen S. Nazario

31 Point of Woods Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The 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. Branin moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on September 11, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance on September 10, 2015 totaling \$50.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

Mr. 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# 48

CASE NO. 2015070480 RECURRING BR

City of Palm Coast vs. Vladimir & Svetlana Gorenburgov

34 Pony Express Drive (B)
(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 this is a Recurring case and 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 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.

- 42. AI# 49**
CASE NO. 2015071230 RECURRING BR
City of Palm Coast vs. Jennifer K. Doyle
39 Uhl Path
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified this is a Recurring case and 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 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.

43. AI# 55

CASE NO. 2015042093 MASSEY LM

City of Palm Coast vs. Frank R. & Sirena Sorrentino

134 Whispering Pine Drive

(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 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.

Ms. McDowell 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 brought the property into compliance on August 18, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from August 14, 2015 to August 17, 2015 totaling \$400.00 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.

44. AI# 57

CASE NO. 2015090152 RECURRING LM

City of Palm Coast vs. Samuel Cortes & Mildred Ocasio Cortes

1 Campbell Court

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

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

45. AI# 60

CASE NO. 2015071812 REPEAT LM

City of Palm Coast vs. Jailson Monteiro

33 Farmsworth Drive

(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 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 November 26, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from July 30, 2015 to November 25, 2015 totaling \$500.00. 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.

46. AI# 65

CASE NO. 2015071090 LM

City of Palm Coast vs. Theresa Atkins

33 Piedmont Drive

(Palm Coast Code Section 44-34(b) Parking in Swale between 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 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.

- 47. AI# 66**
CASE NO. 2015071813 LM
City of Palm Coast vs. Theresa Atkins
33 Piedmont Drive
(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 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. 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.

- 48. AI# 67**
CASE NO. 2015061109 LM

City of Palm Coast vs. Kurt Lawrence
24 Pine Hill Drive
(Palm Coast Code Section 44-34(b) Parking in Swale between 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 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 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.

49. AI# 70

CASE NO. 2015071814

LM

City of Palm Coast vs. Sokhom & Thida Kim Neou

9 Russo Drive

(Palm Coast Code Section 44-34(b) Parking in Swale between 1am – 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. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Ms. McDowell - Yes

Motion unanimously carried.

NEW BUSINESS:

Sr. Staff Assistant Wry reminded the Board, as per their request, the start time of future Code Board meetings will be at 10:00 a.m.

The election for Chairperson of the Code Board took place. After the votes were tallied and given to Mr. Mugford, it was announced that Ms. McDowell won the election with 4 votes and Mr. Mugford came in second place with 3 votes. After the meeting ended, Board Attorney Ms. Sneed indicated the members of the Board wanted a recount to take place, at which point it was discovered the votes were tallied incorrectly. Both Ms. McDowell and Mr. Mugford each received 3 votes and Mr. Branin received 1 vote. The election process is therefore going to be discussed as the first order of business at the January 6, 2016 Code Board meeting. This will be for the Board to determine how they will conduct the election, as a means to select a Chairperson of the Code Board.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, January 6, 2015 at 10:00am

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:05 p.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.