

CODE ENFORCEMENT BOARD
Wednesday, March 11, 2015 at 9:00 a.m.
Palm Coast Community Center
City Council Meeting Room
305 Palm Coast Parkway NE, Palm Coast, Florida

MEMBERS PRESENT: Robert Branin, Gerard Chagnon, Neil Copeland, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts

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

A. Call to Order and Pledge of Allegiance.

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

B. Roll Call and Determination of Quorum.

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

C. Approval of the February 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, MacDonald, Mendez, Risch, Romeo, Urban Forester Bennett-Mini and Sr. Staff Asst. Wry were sworn in by Bill Reischmann, Counsel

F. Swearing in of Respondents: The respondents who were present were sworn in by Bill Reischmann, Counsel for the City of Palm Coast.

G. Continued Cases:

AI#11 **CASE NO. 2014091556 – 41 Farragut Drive**

H. Withdrawn Cases:

AI#1 **CASE NO. 2014090965 - 10 Cormorant Court**
AI# 3 **CASE NO. 2014091727 - 41 Blare Castle Drive**
AI# 4 **CASE NO. 2014100628 - 109 Blare Castle Drive**
AI# 5 **CASE NO. 2014100717 - 109 Blare Castle Drive**
AI# 9 **CASE NO. 2014080996 - 33 Ebb Tide Drive**
AI# 12 **CASE NO. 2014101661 - 94 Foxhall Lane**
AI# 13 **CASE NO. 2014091448 - 5 Woodston Lane**
AI# 16 **CASE NO. 2014071787 - 12 Plain View Drive (A)**

AI# 18	CASE NO. 2014071326 - 6 Portland Place
AI# 22	CASE NO. 2014120089 - 29 Louisville Drive
AI# 23	CASE NO. 2014110990 - 29 Louisville Drive
AI# 27	CASE NO. 2014100581 - 12 Kasbah Place
AI# 28	CASE NO. 2014081752 - 66 Kathleen Trail

1. AI# 2

CASE NO. 2013100184

CM

City of Palm Coast vs. First Coast Energy, LLP

5 Old Kings Road

(Land Development Code Section 11.04.02(a) Effective Removal by Raising Canopy)

Urban Forester Bennett-Mini presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Mrs. Bennett-Mini testified the property is still in violation. Attorney Dennis Bayer presented his side on behalf of First Coast Energy, LLP. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Copeland moved to dismiss this case. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Ms. Medley – Yes

Mr. Chagnon – Yes

Mr. Mugford – Yes

Mr. Copeland - Yes

Mr. Roberts - Yes

Ms. McDowell - Yes

Motion carried unanimously.

2. AI# 24

CASE NO. 2015010286

RECURRING

BMD

City of Palm Coast vs. Guilhermino S. & Anna C. Medeiros

5 Lyndenhurst Lane

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

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 and Administrative Costs. Respondent, Mr. Medeiros (son) presented his side.

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

Roll was called:

Mr. Branin - Yes
Mr. Chagnon – Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

3. AI# 25

CASE NO. 2015010287

BMD

City of Palm Coast vs. Guilhermino S. & Anna C. Medeiros
5 Lydenhurst Lane
(Palm Coast Code Section 24-159(a) Swale Maintenance)

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. Respondent Guilhermino Medeiros signed a Stipulated Agreement for a No Fine Standing Order and Administrative Costs.

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

Roll was called:

Mr. Branin - Yes
Mr. Chagnon – Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

4. AI# 15

CASE NO. 2014082096

REDUCTION

BR

City of Palm Coast vs. William P. & Janet N. Stoughton
1 Pacific Drive
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

Respondent Bill Stoughton was sworn in and requested of the Board to rescind the fine.

Ms. McDowell made a motion for this case to be continued to the May 6, 2015 Code Board hearing. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

5. AI# 26

CASE NO. 2014110245 RECURRING CSR

City of Palm Coast vs Arnulfo S. & Clarita Jimenez

17 Evansville Lane

(Palm Coast Code Section 44-11(a) Trash Containers)

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

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 30

CASE NO. 2014110349 RECURRING CSR

City of Palm Coast vs Daniel & Shandra Laird

12 Zonal Court

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

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

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

Roll was called:

**Mr. Branin - Yes
Mr. Chagnon – Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

7. AI# 31

CASE NO. 2014110350 RECURRING CSR

City of Palm Coast vs. Daniel & Shandra Laird

12 Zonal Court

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

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

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

Roll was called:

**Mr. Branin - Yes
Mr. Chagnon – Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

8. AI# 32

CASE NO. 2014110352 RECURRING CSR

City of Palm Coast vs. Daniel & Shandra Laird

12 Zonal Court

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

9. AI# 33

CASE NO. 2014110353 RECURRING CSR

City of Palm Coast vs. Daniel & Shandra Laird

12 Zonal Court

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

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

Ms. Medley moved to find in this case that the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to

\$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

10. AI#19

CASE NO. 2014110766 REPEAT BR

City of Palm Coast vs. Gerardo A. Aguilar

58 Postview Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Respondent Gerardo Aguilar presented his side. 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 22, 2014 that a \$50.00 per day fine is imposed for the period of non-compliance from November 20, 2014 to November 21, 2014 totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

11. AI#17

CASE NO. 2014101365 RECURRING BR

City of Palm Coast vs. James & Wilma White

32 Pleasant Lane (A)

(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. Respondent Gustine Mercius (tenant) presented his side. Staff recommends a No Fine Standing Order and Administrative Costs.

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

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

12. AI#6

CASE NO. 2014110841 REPEAT LM

City of Palm Coast vs. Robert L. McCraney

36 Becker Lane

(Palm Coast Code Section 44-34(c) Parking of Trailer 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. Respondent Robert McCraney presented his side. Staff recommends a Fine for the period of non-compliance and Administrative Costs.

There was no motion made, based on Code Officer Mendez's recommendation.

Mr. Copeland moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on December 2, 2014 that a \$50.00 fine is imposed for the period of non-compliance from November 23, 2014 to December 1, 2014. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Chagnon – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

13. **AI#7**
CASE NO. 2014110843 REPEAT LM

City of Palm Coast vs. Robert L. McCraney
36 Becker 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. Respondent Robert McCraney presented his side. Staff recommends a Fine for the period of non-compliance and Administrative Costs.

There was no motion made, based on Code Officer Mendez's recommendation.

Mr. Copeland moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on December 2, 2014 that a \$50.00 fine is imposed for the period of non-compliance from November 23, 2014 to December 1, 2014. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes	Ms. Medley – Yes
Mr. Chagnon – Yes	Mr. Mugford – Yes
Mr. Copeland - Yes	Mr. Roberts - Yes
Ms. McDowell - Yes	

Motion unanimously carried.

Mr. Chagnon was not present for the remainder of the meeting.

14. **AI#21**
CASE NO. 2014101371 RECURRING BMD

City of Palm Coast vs. Johnnie Williams
86 Lancelot 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 Respondent. Officer MacDonald testified the property is in compliance. Respondent Johnnie Williams presented his side. Staff recommends a No Fine Standing Order and Administrative Costs.

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

Code Enforcement Officer; that the violation was corrected; that the violation occurred; 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. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

15. AI#8

CASE NO. 2014110846

LM

City of Palm Coast vs. Karl L., Pauline F. & Courtney V. Zipf

34 Easterly Place

(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 and Administrative Costs.

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

Roll was called:

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

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

Motion unanimously carried.

16. AI#10

CASE NO. 2014101369

REPEAT

MB

City of Palm Coast vs. Jason Hambrick

18 Emmons Lane

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

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

Mr. Branin moved to find in this case that the 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 7, 2014 that a \$1,000.00 per day fine is imposed for the period of non-compliance from November 2, 2014 to November 6, 2014 totaling \$5,000.00. The Respondent shall pay Administrative Costs to the City in the amount of \$74.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

17. AI#14

CASE NO. 2014071334 MASSEY BR

City of Palm Coast vs. Joseph McCabe

95 Beauford Lane

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

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

Mr. Branin moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from November 17, 2014 to March 10, 2015; totaling \$5,700.00; 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. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

18. AI#20

CASE NO. 2014080043 MASSEY BMD

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

42 Bunker View Drive

(Palm Coast Code Section 15-108 Unlicensed Vehicle)

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

Mr. Roberts moved to find in this case that Respondent was 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 Respondent brought the property into compliance on January 15, 2015 that a \$25.00 per day fine imposed for the period of non-compliance from November 12, 2014 to January 14, 2014; totaling \$1,600.00. The Respondent shall pay Administrative Costs in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

19. AI#29

CASE NO. 2014110476 RECURRING CSR

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

33 Llewellyn Trail

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

20.

AI#34

CASE NO. 2014060731

MASSEY MD

City of Palm Coast vs. Philip J. & Christina Sapienza

37 Braddock Lane

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

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

Mr. Branin moved to find in this case that the 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 October 10, 2014 to March 10, 2015; totaling \$3,745.00; 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. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

21.

AI#35

CASE NO. 2014061797

MASSEY MD

City of Palm Coast vs. Philip J. & Christina Sapienza

37 Braddock Lane

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

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

Mr. Branin moved to find in this case that the 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 October 10, 2014 to March 10, 2015; totaling \$3,745.00; 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. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

22. AI#36

CASE NO. 2014061798 MASSEY MD

City of Palm Coast vs. Philip J. & Christina Sapienza

37 Braddock Lane

(Palm Coast Code Section 11.03.03 General Landscaping Required)

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

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged; that the Respondents failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondents have not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from October 14, 2014 to March 10, 2015; totaling \$3,675.00; 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. Mr. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

23. AI#37

CASE NO. 2014061800 MASSEY MD
City of Palm Coast vs. Philip J. & Christina Sapienza
37 Braddock Lane
(Palm Coast Code Section 15-108(a) Property Maintenance)

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

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged; that the Respondents failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondents have not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from October 14, 2014 to March 10, 2015; totaling \$3,675.00; 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. Mr. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

24. AI#38

CASE NO. 2014061801 MASSEY MD
City of Palm Coast vs. Philip J. & Christina Sapienza
37 Braddock Lane
(Palm Coast Code Section 15-110 (13) Garage Door in Disrepair)

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondents were not present. Supervisor Donovan testified this is a Massey case

and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged; that the Respondents failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondents have not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from October 14, 2014 to March 10, 2015; totaling \$3,675.00; 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. Mr. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

NEW BUSINESS
None to Report

ANNOUNCEMENT OF NEXT MEETING:
Next Code Board Meeting – April 1, 2015.

ADJOURNMENT
There being no further business, the meeting was adjourned at 11:10 a.m.

**Respectfully submitted,
Yvonne Robinson
Yvonne Robinson
Secretary to the Board**

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

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