

CODE ENFORCEMENT BOARD
Wednesday, April 1, 2015 at 9:00 a.m.
Palm Coast Community Center
City Council Meeting Room
305 Palm Coast Parkway NE, Palm Coast, Florida

MEMBERS PRESENT: 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, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, Sr. Staff Asst. Wry, Bill Reischmann, Counsel

A. Call to Order and Pledge of Allegiance.

The meeting was called to order at 9:00 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 six (6) members present.

C. Approval of the March 11, 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, Mendez, Ragazzo, Risch, Romeo, and Sr. Staff Asst. Wry were sworn in by Bill Reischmann, Counsel

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

G. Withdrawn Cases:

AI# 1	CASE NO. 2014071114 - 7 Belleaire Drive
AI# 2	CASE NO. 2014082285 - 4920 Belle Terre Pkwy
AI# 9	CASE NO. 2014120570 - 16 Sandpiper Court
AI# 12	CASE NO. 2014120596 - 17 Unique Court
AI# 13	CASE NO. 2014120360 - 99 Universal Trail
AI# 19	CASE NO. 2014051320 - 5 Carlson Court
AI# 20	CASE NO. 2015020025 - 24 Carlson Lane
AI# 21	CASE NO. 2015010235 - 8 Colechester Lane
AI# 22	CASE NO. 2014082502 - 16 Colony Court
AI# 26	CASE NO. 2014120069 - 56 Freneau Lane
AI# 29	CASE NO. 2015020053 - 60 Whispering Pine Drive
AI# 33	CASE NO. 2014070756 - 59 Riverina Drive

AI# 35	CASE NO. 2014110793 - 26 Ryder Drive
AI# 40	CASE NO. 2014110042 - 17 Piermount Lane
AI# 41	CASE NO. 2014110224 - 1 Plumtree Place (B)
AI# 42	CASE NO. 2014101227 - 36 Ponce DeLeon Drive
AI# 43	CASE NO. 2014082474 - 4 Praver Lane
AI# 44	CASE NO. 2014101524 - 98 Princess Ruth Lane
AI# 45	CASE NO. 2014101629 - 98 Princess Ruth Lane
AI# 46	CASE NO. 2014080232 - 12 Prosperity Lane
AI# 47	CASE NO. 2015010527 - 54 Bradmore Lane
AI# 48	CASE NO. 2015010154 - 5 Breeze Hill Lane
AI# 49	CASE NO. 2015010790 - 23 Bruning Lane

1. AI# 17

CASE NO. 2015010205 RECURRING LM

City of Palm Coast vs. Isaac Rodrigues & John Soares

40 Emerson Drive

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

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

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

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion carried unanimously.

2. AI# 18

CASE NO. 2015010588 RECURRING LM

City of Palm Coast vs. Isaac Rodrigues & John Soares

40 Emerson Drive

(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. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Isaac Rodrigues 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

- 3. AI# 50**
CASE NO. 2014020097 MASSEY CR
City of Palm Coast vs. Penny A. Gibson
10 Sea Flower Path
(Palm Coast Code Section 15-1 No Permit for Work)

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Ragazzo testified this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs. Respondent, Penny Gibson presented her side.

Mr. Copeland moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from March 3, 2014 to March 31, 2015; totaling \$16,650.00; 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. Chagnon seconded the motion.

Motion unanimously carried.

4. **AI# 24**

CASE NO. 2014040940 REDUCTION MB
City of Palm Coast vs. Cypress Point 160 LLC
160 Cypress Point Parkway
(Palm Coast Code Section 15-108(g) Shed/Fence/Wall Maintenance)

Respondent Greg Lawrowski was sworn in and requested of the Board to rescind the fine.

Mr. Copeland made a motion for the fine in the amount of \$6,100.00 to be rescinded. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Ms. McDowell seconded the motion.

Roll was called:

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

Motion unanimously carried.

5. **AI# 14**

CASE NO. 2015010708 RECURRING LM
City of Palm Coast vs Vito & Barbarann Quadara
4 Birchview Place
(Palm Coast Code Section 44-34(c) Parking Commercial Vehicle in Residential District)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Vito Quadara 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. Ms. McDowell seconded the motion.

Roll was called:

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

Motion unanimously carried.

6. **AI# 15**

CASE NO. 2015010709 RECURRING LM

City of Palm Coast vs Vito & Barbarann Quadara

4 Birchview Place

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

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, Vito Quadara 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. Ms. McDowell seconded the motion.

Roll was called:

Mr. Chagnon - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Motion unanimously carried.

7. **AI# 38**

CASE NO. 2015010572 RECURRING BR

City of Palm Coast vs. Valeriy Romer

11 Russo Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Valeriy Romer 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 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

8. AI# 31

CASE NO. 2014120434 RECURRING JF

City of Palm Coast vs. Frank Zeller & Lara L. Greenert

14 Raeland Lane

(Palm Coast Code Section 44-34(d)(2) Parking of Jet Ski & Trailer in Residential District)

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

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

Roll was called:

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

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

Motion unanimously carried.

9. AI# 27

CASE NO. 2015010884 REPEAT MB

City of Palm Coast vs. Peter & Raisa Miroshink

33 Westminster Drive

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

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

Mr. Chagnon 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

January 31, 2015 that a \$25.00 per day fine is imposed for the period of non-compliance from January 29, 2015 to January 30, 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

10. AI# 28

CASE NO. 2015011143 REPEAT MB

City of Palm Coast vs. Peter & Raisa Miroshink

33 Westminster Drive

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

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

Mr. Chagnon 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 January 31, 2015 that a \$25.00 per day fine is imposed for the period of non-compliance from January 29, 2015 to January 30, 2015 totaling \$50.00. Ms. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

11. AI#16

CASE NO. 2015010790 REPEAT LM

City of Palm Coast vs. Heidi M. Mers

25 Breeze Hill 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 the property is in

compliance. Staff recommends a Fine for the period of non-compliance and Administrative Costs. Respondent, Monica Roberge (tenant) presented her side.

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 January 19, 2015 that a \$50.00 per day fine is imposed for the period of non-compliance from January 13, 2015 to January 18, 2015 totaling \$300.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

12. AI#3

CASE NO. 2015010800 RECURRING LF

City of Palm Coast vs. Wayne W. & Mary E. Elliott

14 Kaufman Place

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

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

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

Roll was called:

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

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

Motion unanimously carried.

13. AI#4

CASE NO. 2014080766 MASSEY BMD
City of Palm Coast vs. Valeri Kouzine & Irina Kucherova-Kousine
9 Bill Court
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondents were not present. Officer MacDonald testified 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 January 15, 2015 to March 31, 2015; totaling \$1,900.00; 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. McDowell seconded the motion.

Roll was called:

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

Motion unanimously carried.

- 14. AI#5**
CASE NO. 2015010412 REPEAT CSR
City of Palm Coast vs. Gerald W. Cudney & Nancy Greene
19 Karat Path
(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 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 March 26, 2015 that a \$50.00 per day fine is imposed for the period of non-compliance from January 12, 2015 to March 25, 2015 totaling \$3,600.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

15. AI#6

CASE NO. 2014120833 RECURRING CSR
City of Palm Coast vs. Brian J. Shpak & Joanne Christie-Shpak
25 Kashmir 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 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

16. AI#7

CASE NO. 2015010578 RECURRING CSR
City of Palm Coast vs. Shane D. & Ashley D. Stover
49 Laguna Forest 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 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

17. AI#8

CASE NO. 2014110313

CSR

City of Palm Coast vs. Moshe Rangini & Irina Abramova

3 Pineland Lane

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

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

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

Motion unanimously carried.

18. AI#10

CASE NO. 2014110723

REPEAT

CR

City of Palm Coast vs. Joseph G. Casanova

53 Seattle Trail

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

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

Ms. McDowell moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on November 19, 2014 that a \$150.00 per day fine is imposed for the period of non-compliance on November 18, 2014 totaling \$150.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

- 19. AI#11**
CASE NO. 2014100116 CR
City of Palm Coast vs. Francois & Vierge Derilus
15 Sleeping Beauty Place
(Palm Coast Code Section 15-1 No Permit for Fence)

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

Mr. Branin moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than seven (7) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

- 20. AI#23**
CASE NO. 2015010434 **REPEAT** MH

City of Palm Coast vs. Angelina Devito & Gordon Todd Knaeble
25 Freneau Lane
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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

Mr. Roberts moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on January 16, 2015 that a \$100.00 per day fine is imposed for the period of non-compliance from January 13, 2015 to January 15, 2015 totaling \$300.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

- 21. AI#25**
CASE NO. 2015020061 REPEAT MB
City of Palm Coast vs. Kurt Knechtle
22 Edith Pope Drive
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

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

Ms. McDowell moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on February 4, 2015 that a \$200.00 per day fine is imposed for the period of non-compliance on February 3, 2015 totaling \$200.00 The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. 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.

22. **AI#30**
CASE NO. 201410051 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 Respondents were not present. Officer Ballard testified the property remains in violation Staff recommends a Fine Violation Order and Administrative Costs.

Ms. McDowell moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$100.00 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. Copeland seconded the motion.

Roll was called:

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

Motion unanimously carried.

23. **AI#32**
CASE NO. 201100306 JF
City of Palm Coast vs. Vilaine Senat
13 Richmond Drive
(Palm Coast Code Section 17-39(a) Residential Rental Registration)

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

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

Roll was called:

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

AI#34
CASE NO. 2014100318 JF
City of Palm Coast vs. Gengsheng Zhang
20 Rolling Sands Drive
(Palm Coast Code Section 15-1 No Permit for Fence)

Mr. Roberts moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$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. Copeland seconded the motion.

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

25. **AI#36**
CASE NO. 2014120868 JF
City of Palm Coast vs. Flagler Select Properties LLC
26 Rykill Way
(Palm Coast Code Section 44-34(c) Parking Commercial Vehicle in Residential District)

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

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

Motion unanimously carried.

25.

AI#37

CASE NO. 2014072152

JF

City of Palm Coast vs. Dmitriy & Tatyana Lushchik

18 Rymshaw Place

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Festa 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. Chagnon 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 December 15, 2014 to March 31, 2015; totaling \$2,650.00; 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes

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

Motion unanimously carried.

27.

AI#39

CASE NO. 2014120538

RECURRING

BR

City of Palm Coast vs. Umida A Mukhitdnova

3 Piermount Lane

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

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

Mr. Roberts moved to find in this case that the Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that 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. Chagnon - Yes
Mr. Copeland - Yes
Ms. McDowell - Yes**

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

Motion unanimously carried.

NEW BUSINESS

Mr. Mugford welcomed Councilwoman Shipley, who was in attendance at the Board meeting. In addition, he introduced her to the Board members.

ANNOUNCEMENT OF NEXT MEETING:

Next Code Board Meeting – May 6, 2015.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:00 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.