

**CODE ENFORCEMENT BOARD**  
**Wednesday, May 6, 2015 at 9:00 a.m.**  
*Palm Coast Community Center*  
*City Council Meeting Room*  
**305 Palm Coast Parkway NE, Palm Coast, Florida**

**MEMBERS PRESENT:** Neil Copeland, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts

**MEMBERS EXCUSED:** Gerry Chagnon, Robert Branin

**STAFF MEMBERS PRESENT** Code Enforcement Supervisor Donovan, Code Enforcement Officers Ballard, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, MacDonald, Sagala, Landscape Specialist Beaudet, 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 four (4) members present. At 9:15 am, Mrs. McDowell presented to the hearing. Therefore a quorum was met with five (5) members present.

**C. Approval of the April 1, 2015 Meeting Minutes.**

The minutes were unanimously approved.

**D. Disclosure of Ex-Parte Communications.**

None to report.

**E. Swearing-in of Staff.** Code Enforcement Supervisor Donovan, Code Enforcement Officers Ballard, Festa, Fitzgerald, Hadden, Mendez, Ragazzo, Risch, Romeo, MacDonald, Sagala, Landscape Specialist Beaudet, 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**G. Withdrawn Cases**

<b>AI# 2</b>	<b>CASE NO. 2015010798 - 80 Burroughs Drive</b>
<b>AI# 3</b>	<b>CASE NO. 2015010799 - 80 Burroughs Drive</b>
<b>AI# 5</b>	<b>CASE NO. 2015010783 - 26 Bay Spring Place</b>
<b>AI# 7</b>	<b>CASE NO. 2015030033 - 96 Black Bear Lane</b>
<b>AI# 9</b>	<b>CASE NO. 2015010753 - 8 Colechester Lane</b>
<b>AI# 11</b>	<b>CASE NO. 2015010755 - 9 Curtis Court</b>
<b>AI# 14</b>	<b>CASE NO. 2015030179 - 9 Karas Trail</b>
<b>AI# 15</b>	<b>CASE NO. 2015020180 - 36 Laguna Forest Trail</b>
<b>AI# 16</b>	<b>CASE NO. 2015020181 - 36 Laguna Forest Trail</b>
<b>AI# 17</b>	<b>CASE NO. 2015020221 - 89 Laguna Forest Trail</b>

<b>AI# 19</b>	<b>CASE NO. 2015020957 - 2 Folsom Lane</b>
<b>AI# 20</b>	<b>CASE NO. 2015020517 - 111 Fort Caroline Lane</b>
<b>AI# 23</b>	<b>CASE NO. 2015020107 - 22 Freeland Lane</b>
<b>AI# 26</b>	<b>CASE NO. 2015020279 - 33 Wellwater Drive</b>
<b>AI# 27</b>	<b>CASE NO. 2014120371 - 60 Westover Lane</b>
<b>AI# 33</b>	<b>CASE NO. 2015010480 - 22 September Place</b>
<b>AI# 34</b>	<b>CASE NO. 2015021247 - 1 Serene Court</b>
<b>AI# 35</b>	<b>CASE NO. 2015010236 - 2 Sled Court</b>
<b>AI# 36</b>	<b>CASE NO. 2015010306 - 7 Sleigh Bell Place</b>
<b>AI# 37</b>	<b>CASE NO. 2015011016 - 10 Smith Trail</b>
<b>AI# 38</b>	<b>CASE NO. 2015011079 - 319 Underwood Trail</b>
<b>AI# 46</b>	<b>CASE NO. 2015020478 - 12 Philox Lane</b>
<b>AI# 53</b>	<b>CASE NO. 2014071646 - 28 Port Echo Lane</b>
<b>AI# 59</b>	<b>CASE NO. 2014120534 - 71 Reidsville Drive</b>
<b>AI# 61</b>	<b>CASE NO. 2015010083 - 55 Richmond Drive</b>
<b>AI# 62</b>	<b>CASE NO. 2014120550 - 5 Roseann Place</b>
<b>AI# 63</b>	<b>CASE NO. 2014081286 - 23 Ryall Lane</b>
<b>AI# 64</b>	<b>CASE NO. 2014101213 - 44 Ryapple Lane</b>
<b>AI# 65</b>	<b>CASE NO. 2015020526 - 26 Ryder Drive</b>
<b>AI# 67</b>	<b>CASE NO. 2014120715 - 80 Ryecliffe Drive</b>

1. **AI# 42**  
**CASE NO. 2015020424      RECURRING** (1) LM  
*City of Palm Coast vs. Marina & Boris Kagan*  
**146 Bridgehaven Drive**  
*(Palm Coast Code Section 44-34(c ) Parking of Commercial Vehicle in Residential Dist.)*

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

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

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

2. **AI#43**  
**CASE NO. 2015010631 RECURRING** (3) LM  
*City of Palm Coast vs. Lisa Hamel*  
**27 Burning Ember Lane**  
*(Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage)*

Code Enforcement Officer Mendez presented paperwork and photos into evidence. The evidence was shown to the Respondent. Office Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation, and Administrative Costs. Lisa Hamel MacIver, Respondent, 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 was corrected; that the violation recurred; that any violation of the 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. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

3. **AI# 44**  
**CASE NO. 2015010715** LM  
*City of Palm Coast vs. Lisa Hamel*  
**27 Burning Ember Lane**  
*(Palm Coast Code Section 41-11(a) Trash Containers)*

Code Enforcement Officer Mendez presented paperwork and photos into evidence. The evidence was shown to the Respondent. Office Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Lisa Hamel MacIver, Respondent, 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.**

**There was no second to this motion and the motion failed.**

**Mr. Copeland moved to dismiss this case. Mrs. Medley seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**4. AI# 18**

**CASE NO. 2015021181 REPEAT (2) CSR**

*City of Palm Coast vs. Alise M. McKinney*

**17 Flaxton Lane**

*(Palm Coast Code Section 44-34(d)(2) Boat Parked on Driveway)*

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. Staff recommends a fine for the period of non-compliance and Administrative Costs. Erin Quinn, tenant, and Alise McKinney, Respondent, presented their side.

**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 March 8, 2015; that a \$150.00 per day fine is imposed for the period from March 5, 2015 to March 7, 2015 totaling \$450.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50.**

**There was no second on the motion and the motion failed.**

**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 March 8, 2015; that a fine is imposed for the period from March 5, 2015 to March 7, 2015 totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**5. AI# 41**

**CASE NO. 2015020169 LM**

*City of Palm Coast vs. Deahdra E. Shertzer*

**68 Bennett Lane**

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

Code Enforcement Officer Mendez presented paperwork and photos into evidence. The evidence was shown to the Respondent. Office Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Deahdra Shertzer, Respondent, 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. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

**6. AI# 48**

**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)*

Code Enforcement Officer Romeo presented the case for a request for reduction of fine. Officer Romeo testified the property is in compliance. Bill Stoughton, Respondent, presented his case for request for reduction of fine.

**Mr. Copeland moved in this case to reduce the fine to \$1,200.00. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

**7. AI# 8**

**CASE NO. 2014070598      MH**

*City of Palm Coast vs. Developco Inc.*

***37 Cimmaron Drive***

*(Palm Coast Code Section 15-102.2 Structural Damage)*

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property remains in violation. Staff

recommends a Fine – Violation Order and Administrative Costs. Rick Waheeb, representative for Respondent, 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 ten (10) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

**8. AI# 4**

**CASE NO. 2015010970      RECURRING** (1) BMD  
*City of Palm Coast vs. Steven T. Sampson & Robin L. Wilt*  
**21 Luther Drive**  
*(Palm Coast Code Section 44-34(d)(2) Parking of Jet Skis/Trailer)*

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Steven & Robin Sampson, Respondent, presented their 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 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. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

9. **AI# 47**

**CASE NO. 2015020675 REPEAT (1) LM**

*City of Palm Coast vs. Sergiy & Tetyana Nikolayev*

**29 Philox Lane**

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

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. Sergiy Nikolayev, Respondent, and his son serving as interpreter, presented their 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 against the same Respondent for the same violation; that the Respondent brought the property into compliance on April 21, 2015, that a \$25.00 per day fine is imposed for the period of no-compliance from February 12, 2015 to April 20, 2015, totaling \$1,700.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Mugford - Yes**

**Mr. Copeland – Yes**

**Mrs. Medley –Yes**

**Mrs. McDowell – Yes**

**Motion unanimously approved.**

10. **AI# 12**

**CASE NO. 2015020461 LF**

*City of Palm Coast vs. Angelique Hayes*

**2 Kaiser Place**

*(Palm Coast Code Section 15-108(h) Inoperable Vehicle)*

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Fitzgerald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Angelique Hayes, Respondent, presented her side.

**Mr. Copeland moved to find in this case that the Respondent is in violation of the City Code s charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of 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. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

- 11. AI# 13**  
**CASE NO. 2015020463** LF  
*City of Palm Coast vs. Angelique Hayes*  
**2 Kaiser Place**  
*(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)*

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Fitzgerald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Angelique Hayes, Respondent, presented her side.

**After discussion, the City requested this case be withdrawn.**

- 12. AI# 66**  
**CASE NO. 2014120473** **RECURRING** (2) JF  
*City of Palm Coast vs. Yelena Simashova*  
**76 Ryeclyffe Drive**  
*(Palm Coast Code Section 15-108(h) Inoperable Vehicle)*

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Curtis Hawkins, husband of deceased property owner, presented his side.

**Mrs. Medley moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of 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 \$69.50. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**



13. AI# 1

**CASE NO. 2015020437**

JB

*City of Palm Coast vs. PCM Homes*

**19 Ballard Lane**

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

Landscape Specialist Beaudet presented case history, paperwork and photos into evidence. The Respondent was not present. Specialist Beaudet testified the property remains in violation. Gary Lalima, Project Specialist for the City of Palm Coast, testified for the City. Staff recommends a Fine – Violation Order and Administrative Costs.

**Mrs. Medley 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. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**

**Mr. Mugford - Yes**

**Mr. Copeland – Yes**

**Mrs. Medley –Yes**

**Mrs. McDowell – Yes**

**Motion unanimously approved.**

14. AI# 6

**CASE NO. 2014101224**

**MASSEY**

RS

*City of Palm Coast vs. Catherine Darby*

**35 Black Bear Lane**

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

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

**Mrs. McDowell moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on April 13, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from February 16, 2015 and April 12, 2015 totaling \$2,800.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**15. AI# 10**

**CASE NO. 2015021233      RECURRING (2) MH**

*City of Palm Coast vs. Alfred W. Leonhardt*

**80 Comanche Court**

*(Palm Coast Code Section 35-76(d)(1) Nuisance-Roof in Dis-Repair)*

Code Enforcement Officer Hadden presented case history, paperwork, and photos into evidence. The Respondent was not present. Officer Hadden 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 sixty (60) 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. It was emphasized to the Respondent that compliance will be considered acceptable once the work on the roof is complete and the permit is finalized and closed. Mrs. Medley seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**16. AI# 21**

**CASE NO. 2015021182      RECURRING (3) CSR**

*City of Palm Coast vs. James F. O'Brien*

**94 Foxhall Lane**

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

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

**Mrs. 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 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. Mrs. Medley seconded the motion.

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

**17. AI# 22**

**CASE NO. 2015021244 REPEAT (1) CSR**

*City of Palm Coast vs. James F. O'Brien*

**94 Foxhall Lane**

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

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

**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 March 5, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from February 26, 2015 to March 4, 2015 totaling \$350.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.**

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

**18. AI# 24**

**CASE NO. 2015021097 REPEAT (3) 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 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.

**Mrs. 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 25, 2015; that a \$200.00 per day fine is imposed for the period of non-compliance from February 23, 2015 to February 24, 2015 totaling \$200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mrs. Medley seconded the motion.

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**19. AI# 25**

**CASE NO. 2014091556**

**MB**

*City of Palm Coast vs. Jean A. Holzhrueter*

**41 Farragut Drive**

*(Land Development Code 11.03.01(H) HVAC Screening)*

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

**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 fourteen (14) 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. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**20. AI# 28**

**CASE NO. 2014100050**

**MASSEY**

**MB**

*City of Palm Coast vs. Wells Fargo Bank*

**19 Woodglen Place**

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

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

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 January 23, 2015 to May 5, 2015 totaling \$5,150.00; 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. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

21. **AI# 29**

**CASE NO. 2014091113      MASSEY** MB  
*City of Palm Coast vs. Bruce S. & Ester J. Calderon Lorenzana*  
**19 Woodside Drive**  
*(Land Development Code 11.03.01H A/C Screening)*

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

Mrs. McDowell moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from January 28, 2015 to May 5, 2015 totaling \$4,900.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The 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. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mr. Roberts seconded the motion.

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**22. AI# 30**

**CASE NO. 2014080317 MASSEY CR**

*City of Palm Coast vs. John Clark*

**25 Seaman Trail East**

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

Code Enforcement Officer Ragazzo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Ballard 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 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 \$25.00 per day fine is imposed for the period of non-compliance from December 16, 2014 to May 5, 2015 totaling \$3,600.00; 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 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. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

**23. AI# 31**

**CASE NO. 2015021041 REPEAT (3) CR**

*City of Palm Coast vs. Joseph G. Casanova*

**53 Seattle Trail**

*(Palm Coast Code Section 44-34(f) Parking of a 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.

**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 February 23, 2015, that a \$150.00 per day fine is imposed for the period of non-compliance from February 19, 2015 to February 22, 2015 totaling \$600.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mrs. Medley seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – No**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion approved 4/1.**

- 24. AI# 32**  
**CASE NO. 2015020918      RECURRING** (1) CR  
*City of Palm Coast vs. Joseph G. Casanova*  
**53 Seattle Trail**  
*(Palm Coast Code Section 41-11(a) Trash Containers)*

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 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. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

25. **AI# 39**  
**CASE NO. 2014120166** LM  
*City of Palm Coast vs. Strikas, Saulius*  
**91 Beacon Mill Lane**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez 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 \$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. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

26. **AI# 40**  
**CASE NO. 2015020525** LM  
*City of Palm Coast vs. Regina R. Hansen*  
**32 Beaverdam Lane**  
*(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle in Residential Dist.)*

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.

**Mrs. 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. Mr. Roberts seconded the motion.**



**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

- 27. AI# 45**  
**CASE NO. 2015010518** LM  
*City of Palm Coast vs. Gregory W. Southorn*  
**16 Lansdowne Lane**  
*(Palm Coast Code Section 44-34(c ) Parking of Commercial Vehicle in Residential Dist.)*

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez testified the property is in violation. 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. Mrs. Medley seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

- 28. AI# 49**  
**CASE NO. 2014051933 MASSEY** BR  
*City of Palm Coast vs. John E. & Geraldine T. Blackwell*  
**230 Parkview Drive**  
*(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 the property remains in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

**Mrs. McDowell moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from January 23, 2015 to May 5,**

2015 totaling \$5,150.00; 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. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mr. Roberts seconded the motion.

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

**29. AI# 50**

**CASE NO. 2015010839 RECURRING** (2) BR

*City of Palm Coast vs. Peter & Blanca L. Lombardo*

**11 Pilgrim Drive**

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

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

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

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

**30. AI# 51**

**CASE NO. 2014120071** BR

*City of Palm Coast vs. Louis Rumbolo*

**65 Pine Grove Drive**

*(Palm Coast Code Section 15-1 No Permit for HVAC Installation)*

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

**Mrs. 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. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

- 31. AI# 52**  
**CASE NO. 2014120716** BR  
*City of Palm Coast vs. Christopher Mack*  
**85 Pine Haven Drive**  
*(Palm Coast Code Section 44-34(c ) Parking of Commercial Vehicle in Residential Dist.)*

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 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. Mrs. Medley seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

32. **AI# 54**  
**CASE NO. 2015010484      RECURRING** (2) BR  
*City of Palm Coast vs. Terri L. Scinto*  
**3 Prager Place**  
*(Palm Coast Code Section 44-34(f) Improper Parking)*

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 – Recurring Violation and Administrative Costs.

**Mrs. 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 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. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

33. **AI# 55**  
**CASE NO. 2015010483      RECURRING** (1) BR  
*City of Palm Coast vs. Terri L. Scinto*  
**3 Prager Place**  
*(Palm Coast Code Section 44-34(d)(2) Parking of Boat & Trailer)*

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 – Recurring Violation and Administrative Costs.

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

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

- 34. AI# 56**  
**CASE NO. 2014051457 MASSEY** BR  
*City of Palm Coast vs. William Barksdale Jr.*  
**5 Promenade Place**  
*(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 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 December 19, 2014 to May 5, 2015 totaling \$6,900.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The 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. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes**  
**Mr. Copeland – Yes**  
**Mrs. McDowell – Yes**

**Mr. Mugford - Yes**  
**Mrs. Medley –Yes**

**Motion unanimously approved.**

- 35. AI# 57**  
**CASE NO. 2015020195** JF  
*City of Palm Coast vs. Walter O'Connor*  
**23 Ranshire Lane**  
*(Palm Coast Code Section 15-1 No Permit for Fence)*

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 \$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. Mrs. McDowell seconded the motion.

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

36. **AI# 58**  
**CASE NO. 2015030235** 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 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 \$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. Mrs. McDowell seconded the motion.**

Roll was called:

Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes

Mr. Mugford - Yes  
Mrs. Medley –Yes

Motion unanimously approved.

37. **AI# 60**  
**CASE NO. 2015010422** **RECURRING** (3) JF  
*City of Palm Coast vs. James B. Smith & Jeni Kay Gilbert*  
**11 Reine Place**  
*(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)*

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. Mrs. McDowell seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

- 38. AI# 68**  
**CASE NO. 2014100254 MASSEY MD**  
*City of Palm Coast vs. Richard & Perri Brandon*  
**37 Banner Lane**  
*(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)*

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Donovan 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 Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on April 15, 2015; that a \$25.00 per day fine is imposed for the period of non-compliance from January 21, 2015 to April 14, 2015 totaling \$2,100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Copeland seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

- 39. AI# 69**  
**CASE NO. 2014100255 MASSEY MD**  
*City of Palm Coast vs. Richard & Perri Brandon*  
**37 Banner Lane**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

Code Enforcement Supervisor Donovan presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Donovan 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 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 \$25.00 per day fine is imposed for the period of non-compliance from January 21, 2015 to April 14, 2015 totaling \$2,600.00; 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 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. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mrs. Medley seconded the motion.**

**Roll was called:**

**Mr. Roberts – Yes  
Mr. Copeland – Yes  
Mrs. McDowell – Yes**

**Mr. Mugford - Yes  
Mrs. Medley –Yes**

**Motion unanimously approved.**

### **NEW BUSINESS**

Code Enforcement Supervisor Donovan inquired as to whether the Board would like to review and possibly revise the fine values. He noted that several cases heard by the Board did not reflect the fines on the recommended fine sheet.

Chairman Mugford stated he felt the fine recommendations were fine and did not feel they needed review. Mr. Copeland agreed and added that under certain circumstances, hardship for instances, the fines may be adjusted. Mrs. Medley concurred, stating the difficulties homeowners experience when dealing with difficult tenants.

Board Attorney Reichmann stated most leases have some stipulation for an eviction process if City Codes are not met.

Mrs. Medley inquired as to whether when a landlord registers his rental property, they are provided with a list of codes. Supervisor Donovan stated that was not the case.

Mr. Roberts stated he felt the screening around the AC units was causing a great deal of problems within the city and that citizens are not aware of the requirement to screen their AC units.

Supervisor Donovan advised a door hanger is left with every permitted AC unit advising the homeowner of the requirement.



Board Attorney Reichmann reminded the Board members that when an Order is recorded, it is essentially a lien on the property. He stated that those liens can stay on the property for years until the property is refinanced or sold, at which time collection is attempted. He asked the Board to consider the next step in recovering the money owed, which is foreclosure proceedings. The Board would need to ask the City Council and City Attorney to proceed with foreclosure proceedings, if they wish to take action on foreclosing on a property.

Mr. Copeland asked for a list of existing liens. Sr. Staff Assistant Wry will provide at the next meeting.

**ANNOUNCEMENT OF NEXT MEETING:**

The next meeting of the Code Enforcement Board will be held on Wednesday, June 3, 2015.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:45 a.m.

**Respectfully submitted,**

**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.*