

CODE ENFORCEMENT BOARD
Wednesday, January 6 at 9:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Robert Branin, Kenneth Carruth, Neil Copeland, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT Code Enforcement Manager Grossman, Code Enforcement Officers Mendez, Risch, Festa, Sagala, MacDonald, Fitzgerald, Hadden, and Romeo, Sr. Staff Asst. Wry, City Counsel, Bill Reischmann

A. Call to Order and Pledge of Allegiance.

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

B. Roll Call and Determination of Quorum.

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

C. Approval of the December 2, 2015 Meeting Minutes

The Minutes were unanimously approved.

D. Disclosure of Ex-Parte Communications.

None to report.

E. Swearing-in of Staff. Code Enforcement Manager Grossman, Code Enforcement Officers Mendez, Risch, Festa, Sagala, MacDonald, Fitzgerald, Hadden, Romeo and Sr. Staff Asst. Wry, were sworn in by Mary Sneed, Board Counsel

F. Swearing in of Respondents: The respondents who were present were sworn in by Mary Sneed, Counsel for the Code Board.

G. Withdrawn Cases:

AI# 1	CASE NO. 2015060760 - 5 Bay Spring Place
AI# 4	CASE NO. 2015070914 - 30 Lancelot Drive
AI# 7	CASE NO. 2015100635 - 14 Kaufman Place
AI# 9	CASE NO. 2015051554 - 23 Zebulahs Trail
AI# 11	CASE NO. 2015081237 - 21 Ripcord Lane
AI# 15	CASE NO. 2014091628 - 39 Farraday Lane
AI# 16	CASE NO. 2015091281 - 11 Old Kings Road
AI# 17	CASE NO. 2015061040 - 11 Cherry Court
AI# 18	CASE NO. 2015100404 - 15 Farmbrook Lane
AI# 28	CASE NO. 2015100439 - 45 Westfalls Lane
AI# 32	CASE NO. 2015061096 - 35 Pine Haven Drive (A)

AI# 33 **CASE NO. 2015080540 - 42 Pine Haven Drive (B)**
AI# 38 **CASE NO. 2015100548 - 189 Boulder Rock Drive**
AI# 39 **CASE NO. 2015100291 - 42 Bradmore Lane**
AI# 40 **CASE NO. 2015100024 - 42 Bradmore Lane**
AI# 41 **CASE NO. 2015100023 - 42 Bradmore Lane**
AI# 43 **CASE NO. 2015100169 - 43 Bressler Lane**
AI# 45 **CASE NO. 2015090409 - 74 Brunswick Lane**

H. Continuation of Election for Chairperson & Vice Chairperson

A unanimous decision was made by the Board members to cast their vote by a show of hands. Nominations for Chairperson and Vice Chairperson were received. Mr. Mugford was reelected as Chairperson by a 6 to 1 vote. Ms. McDowell and Mr. Copeland each received a nomination for the Vice Chair position. Mr. Copeland won the vote by 5 to 2 and was reelected as Vice Chairperson.

1. AI# 24

CASE NO. 2015100041 RECURRING (1) LM

City of Palm Coast vs. Zbigniew Czuba

25 Perkins Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. 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 No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent, Frank Raymond, tenant, presented his side.

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

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

2. AI# 25

CASE NO. 2015100045 LM

City of Palm Coast vs. Zbigniew Czuba

25 Perkins Lane

(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent, Frank Raymond, tenant, 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 is now corrected; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Ms. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

- 3. AI# 46**
CASE NO. 2015070601 MD
City of Palm Coast vs. James Henry Floyd
67 Brushwood Lane
(Palm Coast Code Section 35-76(d)(2) Nuisance - Tarp on Roof)

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Mendez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Respondent, Charles Hampton, Jr., stepson of Respondent, presented his side.

Mr. Roberts moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than fifteen (15) days after this Order is entered in writing; that, in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforestated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried

4. **AI# 20**
CASE NO. 2015100619 RECURRING (3) CS R
City of Palm Coast vs. Pasquale & Judith Occhilupo
12 Ferdinand Lane
(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. In Residential Dist.)

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 No Fine Standing Order – Recurring Violation and Administrative Costs. Mr. Pat Occhilupo, Respondent, 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 is now corrected; that the violation recurred; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

5. **AI# 26**
CASE NO. 2015081477 LM
City of Palm Coast vs. Richard & Yaritza Petkovsek
31 Sea Trail
(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. 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 No Fine Standing Order and Administrative Costs. Ann Ferrara, Property Manager, presented her side.

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

Roll was called:

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

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

Motion unanimously carried.

6. AI# 10

CASE NO. 2015100304 RECURRING (2) JF
City of Palm Coast vs. Christian Pence & Angelene R. Davis
25 Renfro Lane
(Palm Coast Code Section 44-34(d)(2) Parking of a Boat)

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 – Recurring Violation and Administrative Costs. Christian Pence, Respondent, 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 is now corrected; that the violation recurred; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Branin seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

7. AI# 23

CASE NO. 2015100391 RECURRING (4) LM
City of Palm Coast vs. Sean M. & Tamara Meyer
132 Birchwood Drive
(Palm Coast Code Section 44-34(c)) Parking of a Commercial Veh. 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 No Fine Standing Order – Recurring Violation and Administrative Costs. Sean Meyer, Respondent, 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 is now corrected; that the violation recurred; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

8. AI# 27

CASE NO. 2015100200 RECURRING (1) LM

City of Palm Coast vs. Bogdan Stefanowicz & Piotr Lesniewski

45 Westfalls 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 No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent Jose Rubert, tenant, 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 is now corrected; that the violation recurred; that any violation of the same code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Ms. McDowell seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

9. AI# 19

CASE NO. 2015100403 REPEAT (1) CSR

City of Palm Coast vs. Salvador & Ivonne H. Camacho

35 Farmbrook Lane

Code Enforcement 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. Ivonne Camacho, Respondent, presented her side.

Mr. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on October 16, 2015, that a fine of \$10.00 per day will be imposed for the period of non-compliance from October 10, 2015 to October 15, 2016 totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

Ms. McDowell left the meeting at 10:50am.

10. AI# 3

CASE NO. 2015090738

RS

City of Palm Coast vs. PID Group LLC

19 Blasdell Court

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

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

Ms. 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. Ms. Medley seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes**

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

Mr. Copeland - Yes

Mr. Roberts - Yes

Motion unanimously carried.

11. AI# 5

CASE NO. 2015100294 REPEAT (1) BMD

City of Palm Coast vs. Stuart & Carol Citron

22 Long Place

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

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

Mr. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on October 17, 2015, that a fine of \$50.00 per day will be imposed for the period of non-compliance from October 7, 2015 to October 16, 2016 totaling \$500.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Ms. Medley - Yes

Mr. Carruth - Yes

Mr. Mugford - Yes

Mr. Copeland - Yes

Mr. Roberts - Yes

Motion unanimously carried.

12. AI# 6

CASE NO. 2015100581 RECURRING (2) BMD

City of Palm Coast vs. Dariusz Gasior & Agnieszka Raclawski

40 Louisburg Lane

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

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

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

Roll was called:

Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes

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

Motion unanimously carried.

13. AI# 8

CASE NO. 2015061220 MASSEY LF

City of Palm Coast vs. Joseph G. Casanova

53 Seattle Trail

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

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Fitzgerald 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 December 23, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from October 15, 2015 to December 22, 2015 totaling \$6,900.00. The Respondent shall pay Administrative costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes

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

Motion unanimously carried.

14. AI# 12

CASE NO. 2015100134 REPEAT (1) JF

City of Palm Coast vs. Flagler Select Properties LLC

26 Rykill Way

(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. In Residential Dist.)

Code Enforcement 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 fine for the period of non-compliance and Administrative Costs.

Mr. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on October 1, 2015, that a fine of \$50.00 per day will be imposed for the period of non-compliance of October 1, 2015 totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes

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

Motion unanimously carried.

15. AI# 13

CASE NO. 2015070186 REPEAT MH
City of Palm Coast vs. Donna P. Hastey, Trustee
1 Cooper Lane
(Palm Coast Code Section 35-76 Nuisance - Accumulations)

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 for the period in violation and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent has not brought the property into compliance as of January 5, 2016; that a fine of \$100.00 per day fine is imposed for the period of non-compliance from August 1, 2015 to January 5, 2016 totaling \$12,700; that a fine of \$100.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes

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

Motion unanimously carried.

16. AI# 14

CASE NO. 2015071747 MH
City of Palm Coast vs. Dale Cicero
4 Cooper Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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 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. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administration Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

17. AI# 21

CASE NO. 2015100643 RECURRING (3) CSR

City of Palm Coast vs. Jane S. & Brokke Wassmuth

90 Florida Park Drive

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

18. AI# 22

CASE NO. 2015100130 CSR

City of Palm Coast vs. Irina Taishin

78 Fountain Gate Lane

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

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

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

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

19. AI# 29

CASE NO. 2015070328

BR

City of Palm Coast vs. Frank & Pamela Jonas

4 Palm Leaf Lane

(Land Development Code 11.03.01 (H) HVAC Screening)

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.

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 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 \$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:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

20. AI# 30

CASE NO. 2015071427

BR

City of Palm Coast vs. Zoia Ivanova-Cardella

28 Pillory Lane

(Palm Coast Code Section 35-76(d)(1) Nuisance - Accumulations)

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. Ms. Medley seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes**

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

Motion unanimously carried.

- 21. AI# 31**
CASE NO. 2015071428 BR
City of Palm Coast vs. Zoia Ivanova-Cardella
28 Pillory Lane
(Palm Coast Code Section 41-11(a) Trash Containers)

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. Mr. Branin seconded the motion.

Roll was called:

**Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes
Motion unanimously carried.**

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

- 22. AI# 34**
CASE NO. 2015090013 REPEAT (1) BR
City of Palm Coast vs. James & Wilma White
32 Pleasant Lane(B)

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

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

Mr. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that a \$50.00 per day fine is imposed for the period of non-compliance from August 31, 2015 to October 7, 2015 totaling \$1,900.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

23. AI# 35

CASE NO. 2015090030 RECURRING (1) BR

City of Palm Coast vs. Aleexander & Irina Baytman

31 Porcupine Drive

(Palm Coast Code Section 35-76(d)(1) Nuisance - Accumulations)

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

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

24. AI# 36

CASE NO. 2015080946 BR

City of Palm Coast vs. Frances Palmer, Trustee

21 Princess Dolores Lane

(Land Development Code 11.03.01 (H) HVAC Screening)

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.

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 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 \$25.00 will be imposed for each and every day the violation continues past the aforestated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

25. AI# 37

CASE NO. 2015090028 RECURRING (3) BR

City of Palm Coast vs. Frances Palmer, Trustee

21 Princess Dolores Lane

(Palm Coast Code Section 35-76(d)(1) Nuisance - Accumulations)

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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin - Yes

Mr. Carruth - Yes

Mr. Copeland - Yes

Ms. Medley - Yes

Mr. Mugford -Yes

Mr. Roberts - Yes

Motion unanimously carried.

- 26. AI# 42**
CASE NO. 2015080833 MD
City of Palm Coast vs. Ann Marie Johnson
10 Bradmore Lane A & B
(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 is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

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

Roll was called:

Mr. Branin - Yes
Mr. Carruth - Yes
Mr. Copeland - Yes

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

Motion unanimously carried.

- 27. AI# 44**
CASE NO. 2015091285 MD
City of Palm Coast vs. Christina Rose Fredericks
30 Brice Lane
(Palm Coast Code Section 15-108(g) Fence Maintenance)

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. Branin moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin - Yes

Ms. Medley - Yes

Mr. Carruth - Yes
Mr. Copeland - Yes

Mr. Mugford -Yes
Mr. Roberts - Yes

Motion unanimously carried.

NEW BUSINESS:

Counsel Attorney Reischmann advised the Board members that workshops/sessions regarding Ethics and the Sunshine Law will be held in January and February. The session on Ethics is scheduled for January 26, 2016, and the Sunshine Law/Public Records session is scheduled for February 9, 2016.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, February 3, 2016 at 10:00am

ADJOURNMENT:

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

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson

Secretary to the Board

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

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