

CODE ENFORCEMENT BOARD
Wednesday, November 2, 2016 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Officers Burton, Festa, Fitzgerald, Hadden, MacDonald, Risch, Romeo, Shelley, Stafford, Business Tax Receipts Supervisor Maher, Code Enforcement Clerk Wry and City Counsel Bill Reischmann

A. Call to Order and Pledge of Allegiance.

The meeting was called to order at 10:00 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.

B. Roll Call and Determination of Quorum.

Roll was called. A quorum was met with six (6) members present. Mr. LaPadula was present, but as a newly appointed regular member, he opted to refrain from voting.

C. Approval of the October 5, 2016 Meeting Minutes

The Minutes were unanimously approved.

D. Disclosure of Ex-Parte Communications.

None to report.

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

F. Withdrawn Cases:

AI# 3	CASE NO. 2016051508 - 35 Black Bear Lane
AI# 5	CASE NO. 2016080655 - 35 Biscayne Drive
AI# 6	CASE NO. 2016081185 - 12 Beechwood Lane
AI# 12	CASE NO. 2016030455 - 21 Weber Lane
AI# 13	CASE NO. 2016080468 - 109 Webster Lane
AI# 17	CASE NO. 2016071480 - 24 Florida Park Drive
AI# 21	CASE NO. 2016071454 - 74 Foxhall Lane
AI# 23	CASE NO. 2016071308 - 5 Carry Court
AI# 27	CASE NO. 2015051212 - 5 Contee Court
AI# 29	CASE NO. 2016061476 - 65 Leidel Drive

AI# 31	CASE NO. 2016060933 - 15 Poplar Drive
AI# 32	CASE NO. 2016070967 - 15 Post Oak Lane
AI# 39	CASE NO. 2016070590 - 9 Second Path
AI# 43	CASE NO. 2016080942 - 90 Sleepy Hollow Trail
AI# 44	CASE NO. 2016080382 - 11 Squadron Place
AI# 47	CASE NO. 2016080764 - 9 Pheasant Drive
AI# 51	CASE NO. 2016080465 - 60 Red Mill Drive
AI# 52	CASE NO. 2016080464 - 3 Regent Lane
AI# 54	CASE NO. 2016041320 - 31 Riverina Drive
AI# 55	CASE NO. 2016060335 - 87 Rolling Sands Drive
AI# 57	CASE NO. 2016070291 - 1 Rylin Lane
AI# 58	CASE NO. 2016061491 - 1 Rylin Lane

G. Continued Cases:

AI# 1 CASE NO. 2016070347 – 121 Front Street
AI# 14 CASE NO. 2016071575 – 8 Wilson Place
AI# 27 CASE NO. 2016051549 – 12 Cleveland Court

1. AI# 41

CASE NO. 2016080797 **RECURRING (JS)**

City of Palm Coast vs. Ronald G. Kuba

17 Sergeant Court

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

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

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

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

2. AI# 33

CASE NO. 2016070806 RECURRING (6) BR
City of Palm Coast vs. Annette Estrada
24 Post View Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

Roll was called:

Mr. Branin – Yes	Ms. McDowell - Yes
Mr. Carruth – Yes	Ms. Medley - Yes
Mr. Copeland - Yes	Mr. Mugford - Yes

Motion unanimously carried.

3. AI# 10

CASE NO. 2016080486 RECURRING (3) LF
City of Palm Coast vs. James K. & Karen E. Muntzert
14 Lloyd Trail
(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. In Residential Dist.)

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Fitzgerald testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Respondent Aaron Walker (tenant) presented his side.

Mr. Copeland 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 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. 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

Motion unanimously carried.

4. AI# 42

CASE NO. 2016051167 RECURRING (2) JS
City of Palm Coast vs. James F., Jr. & Harlena A McHugh
2 Sled Court
(Palm Coast Code Section 35-76(d)(1) Nuisance-Accumulations)

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

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

Motion unanimously carried.

5. AI# 56

CASE NO. 2016080381 RECURRING (2) JF
City of Palm Coast vs. John W. & Allyson McGuire
32 Roxanne Lane
(Palm Coast Code Section 42-56 R.O.W. Obstruction)

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. Respondent Suzanne Burns (sister) presented her side.

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

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Not Present

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

6. AI# 4

CASE NO. 2016081491 REPEAT (2) BMD

City of Palm Coast vs. Inga Sydorenko & Michael Ouvarov

20 Biscayne Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified this is a Repeat case and the property is in compliance. Staff recommends a Fine for the period of non-compliance and Administrative Costs. Respondent John Faidley (tenant) presented his side.

Ms. McDowell moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on August 27, 2016; that a \$150.00 per day fine is imposed for the period of non-compliance on August 26, 2016 totaling \$150.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

7. AI# 50

CASE NO. 2016070898

JF

City of Palm Coast vs. Paul Wojciehowski, Trustee

2 Prospect Lane

(Palm Coast Code Section 44-33(b) Swale Parking Between 1 & 6 A.M.)

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

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

Motion unanimously carried.

8. AI# 38

CASE NO. 2016071432

RECURRING (2)

JS

City of Palm Coast vs. Singh Shawn R. & Rebecca Ann Ramnarine

4 Seaside Court

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property remains in violation. Staff recommends a Fine - Violation Order and Administrative Costs. Respondent Singh Ramnarine presented his side.

Mr. Branin moved to find 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. 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

Motion unanimously carried.

9. AI# 2

CASE NO. 2016040121

JM

City of Palm Coast vs. Maureen E. Pecukonis

1 Chesney Court

(Land Development Code 4.12.02 Pool Company Operations from Residence)

City Attorney Reischman provided a brief synopsis regarding the case background and introduced two witnesses, who were present to provide information relating to this case. Business Tax Receipts Supervisor Maher presented case history, paperwork and photos in to evidence (several photos provided by one of the witnesses present). The evidence was shown to the Respondent. Supervisor Maher testified the property remains in violation. Staff recommends a Fine - Violation Order and Administrative Costs. Witness one, Alex Wodchis, resident of 2 Chesney Court, was the first to testify. Witness two, Robert Thoubboron, resident of 12 Chesnut Court testified afterwards. Respondent Dan Priotti (tenant) presented his side.

Mr. Copeland moved to find 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 \$200.00 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. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

10. AI# 7

CASE NO. 2016080326 REPEAT (3) BS

City of Palm Coast vs. Anthony J. Gardiner

23 B utternut Drive

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

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

Mr. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on August 12, 2016; that a \$250.00 per day fine is imposed for the period of non-compliance from August 6, 2016 to August 11, 2016 totaling \$1,250.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. 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

Motion unanimously carried.

11. AI# 9

CASE NO. 2016080376 RECURRING (2) LF

City of Palm Coast vs. Jeffrey T. & Stacy L. Barksdale

11 Llovera Place

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

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 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 is 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. 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

Motion unanimously carried.

12. AI# 11

CASE NO. 2016081125 REPEAT (1) LF

City of Palm Coast vs. Cassandra Lowe

12 Zephyr Lily Place

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

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

Mr. 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 October 26, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from October 22, 2016 to October 25, 2016 totaling \$400.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. 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**

Motion unanimously carried.

13. AI# 15

CASE NO. 2016080999 RECURRING (4) CSR

City of Palm Coast vs. Diane S. Byrnes, Life Estate

15 Fariston Place

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

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

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

Motion unanimously carried.

14. AI# 16

CASE NO. 2016080954 RECURRING (3) CSR

City of Palm Coast vs. Leeann Castineira

9 Ferdinand Lane

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

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

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Not Present

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

15. AI# 18

CASE NO. 2016080809 REPEAT (1) CSR

City of Palm Coast vs. Juanita Brooke Holycross

90 Florida Park Drive

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

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

Mr. Branin moved to find in this case that the Respondent was in 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 November 1, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from August 14, 2016 to November 1, 2016 totaling \$1,500.00; 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. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

16. AI# 19

CASE NO. 2016080827 RECURRING (3) CSR
City of Palm Coast vs. Juanita Brooke Holycross
90 Florida Park Drive
(Land Development Code 16.173(C) Excess Number of Garage Sales)

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 and Administrative Costs.

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

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

17. AI# 20

CASE NO. 2016080829 CSR
City of Palm Coast vs. Juanita Brooke Holycross
90 Florida Park Drive
(Land Development Code 16.173(F) No Permit for Garage Sale)

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

Ms. Medley moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine

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

Motion unanimously carried.

18. AI# 22

CASE NO. 2016071256 MH

City of Palm Coast vs. Sharlene Pawson

78 Bickford Drive

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

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

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

Motion unanimously carried.

19. AI# 24

CASE NO. 2016060687 MH

City of Palm Coast vs. William & Joyce White

25 Clarendon Court South

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

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

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

Motion unanimously carried.

20. AI# 25

CASE NO. 2016020556 MASSEY MH

City of Palm Coast vs. Quin-Sheng Ji & Feng Lei Sun

20 Classic Court South

(Palm Coast Code Section 35-76 Nuisance-Dock)

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

Mr. Branin moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from June 13, 2016 to November 1, 2016 totaling \$6,800.00; 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 in to compliance, an Affidavit of Compliance will be issued. 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

Motion unanimously carried.

21. AI# 28

CASE NO. 2016010840 MASSEY MH

City of Palm Coast vs. Johns F. Sedlesky, Jr. & Nicole F. Cassaro
79 Florida Park Drive

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

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

Ms. 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 June 13, 2016 to November 1, 2016 totaling \$6,800.00; 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 in to compliance, an Affidavit of Compliance will be issued. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

22. AI# 30

CASE NO. 2016060935 REPEAT (1) BR

City of Palm Coast vs. Richard H. & Christina M. Taylor
294 Parkview Drive

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

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

Ms. McDowell moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent has not brought the property into compliance as of June 22, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from June 14, 2016 to June 21, 2016 totaling \$800.00; 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. 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

Motion unanimously carried.

23. AI# 34

CASE NO. 2016070805 RECURRING (3) BR

City of Palm Coast vs. Jennifer F. Figueroa

12 Potterville Lane

(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 No Fine Standing Order and Administrative Costs.

Mr. Copeland 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 corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

24. AI# 35

CASE NO. 2016070805 RECURRING (3) BR

City of Palm Coast vs. Jennifer F. Figueroa

12 Potterville Lane

(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 No Fine Standing Order – Recurring Violation and Administrative Costs.

Mr. Branin moved to find in this case that 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. 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

Motion unanimously carried.

25. AI# 36

CASE NO. 2016080497 RECURRING (6) JS

City of Palm Coast vs. Chad A. & Barbara M. Bowling

53 Sea Front Trail

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford 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 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. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

26. AI# 37

CASE NO. 2016071094 JS

City of Palm Coast vs. Karl & Sanya Strode & Richard Strode

27 Sea Shark Path

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford 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 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 any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

27. AI# 40

CASE NO. 2016080662 RECURRING (7) JS

City of Palm Coast vs. Gypsy Longoria

46 Sedgwick Trail

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford 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 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. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

28. AI# 45

CASE NO. 2016080978 REPEAT (2) JS
City of Palm Coast vs. Michelle Whalen
20 Squash Blossom Trail
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Ms. Medley 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 August 31, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from August 18, 2016 to August 30, 2016 totaling \$1,200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Copeland seconded the motion.

Roll was called:

Mr. Branin – Yes	Ms. McDowell - Yes
Mr. Carruth – Yes	Ms. Medley - Yes
Mr. Copeland - Yes	Mr. Mugford - Yes

Motion unanimously carried.

29. AI # 46

CASE NO. 2016081104 REPEAT (1) JS
City of Palm Coast vs. Toni Spencer
8 Squirrel Place
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

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

Ms. Medley moved to find in this case that the 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 August 31, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from August 18, 2016 to August 30, 2016 totaling \$1,200.00; 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 \$70.00. Ms. McDowell seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

30. AI# 48

CASE NO. 2016070469 RECURRING JF
City of Palm Coast vs. Marcus A. & Muriel L. Baugh
54 Pine Crest Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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. Branin moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. 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

Motion unanimously carried.

31. AI# 49

CASE NO. 2016070473 JF
City of Palm Coast vs. Marcus A. & Muriel L. Baugh
54 Pine Crest Lane
(Palm Coast Code Section 44-33(b) Swale Parking Between 1 & 6 A.M.)

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.

Ms. McDowell moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than one (1) day 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. 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

Motion unanimously carried.

32. AI# 53

CASE NO. 2016080760 RECURRING (2) JF

City of Palm Coast vs. Anthony Kelso

100 Reidsville Drive

(Palm Coast Code Section 44-33(b) Swale Parking Between 1 & 6 A.M.)

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 – Recurring Violation and Administrative Costs.

Mr. Branin moved to find in this case that 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. 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

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS:

Mr. Mugford commended the code officers for the work they do, given the fact that they deal with a number of citizens, who can present a challenge. Mr. Mugford also advised the board that elections for Chairperson and Vice Chairperson will be conducted at the December Code Board meeting.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, December 7, 2016 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:50 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.