

**CODE ENFORCEMENT BOARD**  
**Wednesday, February 3 at 10:00 a.m.**  
*Intracoastal Room*  
*Palm Coast City Hall*  
**160 Lake Avenue, Palm Coast, Florida**

**BOARD MEMBERS PRESENT:** Kenneth Carruth, Tameka McDowell, Kimble Medley, Norman Mugford, Dean Roberts

**BOARD MEMBERS EXCUSED:** Robert Branin, Neil Copeland

**BOARD COUNSEL PRESENT:** Mary Snead

**STAFF MEMBERS PRESENT** Code Enforcement Manager Grossman, Code Enforcement Officers Festa, Romeo, Fitzgerald, Mendez, MacDonald, Risch, Sagala, Hadden, Ballard, Sr. Staff Asst. Wry, 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 five (5) members present.

**C. Approval of the January 6, 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 Snead, Counsel for the Code Board.**

**F. Withdrawn Cases:**

**AI# 15 CASE NO. 2015110443 - 320 Wellington Drive**

**AI# 16 CASE NO. 2015110389 - 320 Wellington Drive**

**AI# 17 CASE NO. 2015091246 - 58 Weymouth Lane**

**AI# 18 CASE NO. 2015110818 - 51 Woodholme Lane**

**AI# 19 CASE NO. 2015101254 - 51 Woodholme Lane**

**AI# 24 CASE NO. 2015110130 - 53 Seattle Trail**

**AI# 28 CASE NO. 2015110366 - 13 Rainstone Lane (A & B)**

**AI# 31 CASE NO. 2015071633 - 4 Regis Lane**

**AI# 32 CASE NO. 2015090800 - 17 Rocking Lane**

**AI# 33 CASE NO. 2015060719 - 24 Ryland Drive**  
**AI# 35 CASE NO. 2015070995 - 43 Pennypacker Lane**  
**AI# 41 CASE NO. 2015031701 - 12 Princess Dolores Lane**  
**AI# 51 CASE NO. 2015110731 - 2 Unity Court**

**G. Continued Cases:**

**AI# 6 CASE NO. 2015091345 - 5 Campbell Court**  
**AI# 7 CASE NO. 2015051212 - 5 Contee Court**  
**AI# 9 CASE NO. 2015091331 - 11 Fern Court**  
**AI# 26 CASE NO. 2015100773 - 12 Zebra Court**  
**AI# 29 CASE NO. 2015110174 - 81 Raintree Place**  
**AI# 48 CASE NO. 2015110989 - 38 Rickenbacker Drive**

- 1. AI# 30**  
**CASE NO. 2015030235      REDUCTION      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 stated the case is a request for reduction of fine. Walter O'Connor presented his request.

**Mr. Roberts moved that the fine be reduced in this case from \$4,150.00 to \$416.00, and that the Respondent has until thirty (30) days from the date of the invoice to pay the reduced amount. If not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Ms. McDowell seconded the motion.**

**Roll was called.**

<b>Mr. Carruth – Yes</b>	<b>Ms. McDowell - Yes</b>
<b>Mr. Roberts – Yes</b>	<b>Ms. Medley - Yes</b>
<b>Mr. Mugford – Yes</b>	

**Motion unanimously carried.**

- 2. AI# 44**  
**CASE NO. 2015091172      RECURRING      (4)      BR**  
*City of Palm Coast vs. Kelly M. Wescott*  
**425 Underwood Trail**  
*(Palm Coast Code Section 44-34(F) Vehicle Improperly Parked)*

Code Enforcement 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. Kelly Westcott, 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 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. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes

Ms. McDowell - Yes  
Ms. Medley - Yes

Motion unanimously carried.

3. AI# 22  
CASE NO. 2015110832 RECURRING (7) LF  
*City of Palm Coast vs. Thuy Klebanoff, Trustee*  
*12 Kasbah Place*  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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 – Recurring Violation and Administrative Costs. Tanner Andrews, Attorney for Respondent, presented his side.

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

Ms. McDowell - Yes  
Ms. Medley - Yes

Motion unanimously carried.

4. AI# 46  
CASE NO. 2015100739 RECURRING (2) LM  
*City of Palm Coast vs. James V. & Teresa A. Sorrentino*  
*6 Rae Drive*

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

Code Enforcement Officer Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Mendez testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. James Sorrentino, Respondent, 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 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. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

- 5. AI# 12**  
**CASE NO. 2015110241 RECURRING** BMD  
*City of Palm Coast vs. Teresa Nicole Jackson*  
**45 Buttonworth Drive**  
*(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)*

Code Enforcement MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Theresa Jackson, 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 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. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

6. **AI# 20**  
**CASE NO. 2015091135** LF  
*City of Palm Coast vs. Donna L. Smith*  
**17 Kannapolis Place**  
*(Palm Coast Code Section 24-159(a) Swale Maintenance)*

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. Gary Lalima, Project Specialist, Construction Management & Engineering, testified on behalf of the City. Donna Smith, Respondent presented her side.

**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 thirty (30) 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 Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.**

**Roll was called.**

<b>Mr. Carruth – Yes</b>	<b>Ms. McDowell - Yes</b>
<b>Mr. Roberts – Yes</b>	<b>Ms. Medley - Yes</b>
<b>Mr. Mugford – Yes</b>	

**Motion unanimously carried.**

7. **AI# 43**  
**CASE NO. 2015091179** **RECURRING** (3) BR  
*City of Palm Coast vs. Patrick & Tonya Stephens Tai*  
**26 Ullman Place**  
*(Palm Coast Code Section 44-34(c ) Parking of a Trailer in Residential District)*

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

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

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**8. AI# 21**

**CASE NO. 2015110144                      RECURRING (8)                      LF**  
*City of Palm Coast vs. Elizabeth A. Hughes*  
**7 Kasbah Place**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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 – Recurring Violation and Administrative Costs. Elizabeth Hughes, 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 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. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**9. AI# 45**

**CASE NO. 2015020637                      LM**  
*City of Palm Coast vs. Kiplin T. McGann*  
**23 Birchfield Place**  
*(Palm Coast Code Section 35-76(d)(1) Nuisance-Broken Element - Screen Enclosure)*

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. Kiplin McGann, Respondent presented

his side. City Attorney Reischmann recommended, on behalf of the City that this case be continued to the next available Code Board Hearing.

**Mr. Carruth moved that this case be continued to the April 6, 2016 Code Enforcement Board meeting. Ms. McDowell seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**10. AI# 2**

**CASE NO. 2015110580                      RECURRING** <sup>(3)</sup>                      CSR  
*City of Palm Coast vs. Virginia & Anthony Vessa*  
**30 Federal Lane**  
*(Palm Coast Code Section 44-34(F) Vehicle Improperly Parked)*

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondent Roberta Edwards (tenant) 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 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. McDowell seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**11. AI# 39**

**CASE NO. 2015101154                      REPEAT**                      BR  
*City of Palm Coast vs. Aliona Kladava & Henadzi Kladu*  
**65 Pin Oak Drive**  
*(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)*

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Henadzi Kladu, Respondent, presented her 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 October 28, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from October 26, 2015 to October 27, 2015 totaling \$200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**12. AI# 3**

**CASE NO. 2015110360 REPEAT<sup>(1)</sup> CSR**  
*City of Palm Coast vs. Burdette A. & Cynthia D. Hunt*  
**48 Fernwood Lane**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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. Burdette Hunt, Respondent, presented his 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 November 18, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from November 9, 2015 to November 17, 2015 totaling \$450.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**13. AI# 1**



**CASE NO. 2015110901      RECURRING** <sup>(3)</sup>      RS  
*City of Palm Coast vs. Kristy Throne*  
**16 Sleigh Bell Place**  
*(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)*

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 No Fine Standing Order – Recurring Violation and Administrative Costs.

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

**Roll was called.**

<b>Mr. Carruth – Yes</b>	<b>Ms. McDowell - Yes</b>
<b>Mr. Roberts – Yes</b>	<b>Ms. Medley - Yes</b>
<b>Mr. Mugford – Yes</b>	

**Motion unanimously carried.**

**14.    AI# 4**

**CASE NO. 2015101098      RECURRING** <sup>(4)</sup>      CSR  
*City of Palm Coast vs. Rita & Mario & Maria Scarol*  
**42 Fitzgerald Lane**  
*(Palm Coast Code Section 44-34(d)(2) Parking of a Boat)*

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 Find 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.**

<b>Mr. Carruth – Yes</b>	<b>Ms. McDowell - Yes</b>
--------------------------	---------------------------

**Mr. Roberts – Yes**  
**Mr. Mugford – Yes**

**Ms. Medley - Yes**

**Motion unanimously carried.**

**15. AI# 5**

**CASE NO. 2015100865      RECURRING** <sup>(5)</sup>      CSR  
*City of Palm Coast vs. Jayne & James Harris*  
**61 Folcroft Lane**  
*(Palm Coast Code Section 44-34(d)(2) Parking of a Boat)*

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 Find 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. Carruth seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes**  
**Mr. Roberts – Yes**  
**Mr. Mugford – Yes**

**Ms. McDowell - Yes**  
**Ms. Medley - Yes**

**Motion unanimously carried.**

**16. AI# 8**

**CASE NO. 2015100429      RECURRING** <sup>(2)</sup>      MH  
*City of Palm Coast vs. David H. & Susan E. Beare*  
**55 Courtney Place**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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 shall pay Administrative Costs to the City in the amount of \$69.00. Ms. McDowell seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**17. AI# 10**

**CASE NO. 2015060408 MASSEY** BMD  
*City of Palm Coast vs. Anthony J. Gardiner*  
**23 Butternut Drive**  
*(Palm Coast Code Section 15-1 No Permit for Fence (Expired))*

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property remains in violation. Staff recommends a fine for the period of violation 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 \$25.00 per day fine is imposed for the period of non-compliance from November 13, 2015 to February 2, 2016 totaling \$2,050.00; 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 and when the property comes into compliance, an Affidavit of Compliance will be issued. Ms. Medley seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**18. AI# 11**

**CASE NO. 2015110342 REPEAT** BMD  
*City of Palm Coast vs. Anthony J. Gardiner*  
**23 Butternut Drive**  
*(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)*

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 fine for the period of non-compliance 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 brought the property into compliance on November 10, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance for the period of November 9, 2015. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**19. AI# 13**

**CASE NO. 2015110776      RECURRING** <sup>(3)</sup>      BMD

*City of Palm Coast vs. Jean Staten, Life Estate*

**2 London Drive**

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

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.

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

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**20. AI# 14**

**CASE NO. 2015091318**      MB

*City of Palm Coast vs. Wafaa Khattab & Joseph Haney Abraham*  
**32 Emerson Drive**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

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. 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. McDowell seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**21. AI# 23**  
**CASE NO. 2015110191 REPEAT** (3) LF  
*City of Palm Coast vs. Rodney F. Foalima*  
**33 Sea Trail**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Fitzgerald testified 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 February 2, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from November 4, 2015 to February 2, 2016 totaling \$9,000.00; 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 \$70.50. Mr. Roberts seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes**

**Ms. McDowell - Yes**

Mr. Roberts – Yes  
Mr. Mugford – Yes

Ms. Medley - Yes

**Motion unanimously carried.**

**22. AI# 25**

**CASE NO. 2015061442 MASSEY** LF

*City of Palm Coast vs. Grigoriy Krakhmalnikov*

**64 Smith Trail**

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

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Fitzgerald testified 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 December 15, 2015 to February 2, 2016 totaling \$2,450.00; 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. When the property comes into compliance, an Affidavit of Compliance will be issued. Ms. Medley seconded the motion.**

**Roll was called.**

Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes

Ms. McDowell - Yes  
Ms. Medley - Yes

**Motion unanimously carried.**

**23. AI# 27**

**CASE NO. 2015110365** JF

*City of Palm Coast vs. Jose & Maria L. Silveira*

**13 Rainstone Lane (A & B)**

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

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

**Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this**

Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called.

Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes

Ms. McDowell - Yes  
Ms. Medley - Yes

Motion unanimously carried.

24. **AI# 34**  
**CASE NO. 2015070659** BR  
*City of Palm Coast vs. Tammy Jean Hopkins*  
**10 Pennfield Lane**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified 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 \$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. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes

Ms. McDowell - Yes  
Ms. Medley - Yes

Motion unanimously carried.

25. **AI# 36**  
**CASE NO. 2015090218** **RECURRING** (4) BR  
*City of Palm Coast vs. Ignacio Luis Rodriguez*  
**19 Pillar Lane**  
*(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)*

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

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

- 26. AI# 37**  
**CASE NO. 2015090214** BR  
*City of Palm Coast vs. Rudolf Wohlfarth*  
**22 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 remains in violation. Staff recommends a Fine Violation Order and Administrative Costs.

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

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**



27. **AI# 38**  
**CASE NO. 2015090212 REPEAT** BR  
*City of Palm Coast vs. Rudolf Wohlfarth*  
**22 Pillory 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 fine for the period of non-compliance and Administrative Costs.

**Ms. McDowell moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on September 25, 2015; that a \$50.00 per day fine is imposed for the period of non-compliance from September 4, 2015 to September 24, 2015 totaling \$1,050.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.**

**Roll was called.**

<b>Mr. Carruth – Yes</b>	<b>Ms. McDowell - Yes</b>
<b>Mr. Roberts – Yes</b>	<b>Ms. Medley - Yes</b>
<b>Mr. Mugford – Yes</b>	

**Motion unanimously carried.**

28. **AI# 40**  
**CASE NO. 2015090215 RECURRING** (3) BR  
*City of Palm Coast vs. James R. Hanrahan*  
**111 Pine Grove Drive**  
*(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. 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.**

<b>Mr. Carruth – Yes</b>	<b>Ms. McDowell - Yes</b>
<b>Mr. Roberts – Yes</b>	<b>Ms. Medley - Yes</b>

**Mr. Mugford – Yes**

**Motion unanimously carried.**

**29. AI# 47**

**CASE NO. 2015091122                      RECURRING** <sup>(3)</sup>                      LM

*City of Palm Coast vs. Gary E. & Elizabeth Anita Miller*

**7 Rae 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 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 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. Carruth – Yes**

**Ms. McDowell - Yes**

**Mr. Roberts – Yes**

**Ms. Medley - Yes**

**Mr. Mugford – Yes**

**Motion unanimously carried.**

**30. AI# 49**

**CASE NO. 2015100770                      REPEAT** <sup>(1)</sup>                      LM

*City of Palm Coast vs. Corie J. Blanton*

**31 Rydell Lane**

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

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 fine for the period of non-compliance 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 brought the property into compliance on January 21, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from October 22, 2015 to January 20, 2016 totaling \$9,100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

- 31. AI# 50**  
**CASE NO. 2015101046** LM  
*City of Palm Coast vs. Corie J. Blanton*  
**31 Rydell Lane**  
*(Palm Coast Code Section 44-33(B) Parking in Swale between 1 and 6 AM)*

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. McDowell seconded the motion.**

**Roll was called.**

**Mr. Carruth – Yes  
Mr. Roberts – Yes  
Mr. Mugford – Yes**

**Ms. McDowell - Yes  
Ms. Medley - Yes**

**Motion unanimously carried.**

**NEW BUSINESS:**

Counsel Attorney Reischmann advised the Board members that the workshops regarding the Sunshine Law will be held on Tuesday, February 9, 2016 from 1 – 3:00 p.m.

**ANNOUNCEMENT OF NEXT MEETING:**

The next meeting of the Code Enforcement Board will be held on Wednesday, March 9, 2016 at 10:00am

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 12:20 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.*