

CODE ENFORCEMENT BOARD
Wednesday, March 9 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

BOARD MEMBERS EXCUSED: Robert Branim

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Officers Hadden, Esposito, Festa, Romeo, Risch, Sagala, Fitzgerald, Chief Building Official Lee, Land Development Technician Gonzalez, Stormwater Swale Specialist Schrager, Project Specialist Lalima, 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 six (6) members present.

C. Approval of the February 3, 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F. Withdrawn Cases: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# 6	CASE NO. 2015110969 - 53 Seattle Trail
AI# 7	CASE NO. 2015091305 - 14 Seton Place
AI# 9	CASE NO. 2015110794 - 24 Fenwick Lane
AI# 10	CASE NO. 2015120974 - 4 Ferngate Lane
AI# 13	CASE NO. 2015110325 - 4 Potwood Place
AI# 15	CASE NO. 2015071832 - 11 Reidel Lane
AI# 18	CASE NO. 2015080301 - 13 Seckel Court
AI# 22	CASE NO. 2015091290 - 18 Cris Lane

AI# 23	CASE NO. 2015011078 - 1 Floral Court
AI# 26	CASE NO. 2015080551 - 14 Pennsylvania Lane
AI# 27	CASE NO. 2015081549 - 81 Pickering Drive
AI# 28	CASE NO. 2015080361 - 18 Pineapple Drive
AI# 30	CASE NO. 2015081573 - 4 Ponce DeLeon Drive

1. AI# 20

CASE NO. 2014070598 REQ. FORECLOSURE MH
City of Palm Coast vs. Developco, Inc.
37 Cimmaron Drive
(Palm Coast Code Section 15.102.2 Structural Damage)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. City is requesting authorization from the Board to pursue foreclosure and request the City attorney to initiate foreclosure proceedings. City Attorney noted request is consistent with City Code and Florida Statute. Chief Building Official Lee gave testimony regarding the repair of the roof for this structure. Respondent Khalid Muneer, Developco, Inc., presented his side. He requested a 60 day extension to repair the property.

Ms. Medley moved to accept the City's recommendation authorizing the City Attorney to initiate foreclosure proceedings in this case. Mr. Roberts seconded the motion.

Roll was called:

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

Motion unanimously carried.

2. AI# 21

CASE NO. 2015051317 MASSEY MH
City of Palm Coast vs. Dominic & Janice A. De Zego
5 Contee Court
(Palm Coast Code Section 24-159(a) Swale Maintenance)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified this is a Massey case and the property remains in violation. Project Specialist Lalima testified on the City's behalf. Staff recommends a fine for the period of non-compliance and Administrative Costs. Dominic DeZego, Respondent, presented his side.

Mr. Copeland moved to extend the compliance date for 60 days. Ms. McDowell seconded the motion.

Roll was called:

Mr. Carruth – No
Mr. Roberts – Yes
Mr. Copeland – Yes

Ms. Mugford - Yes
Ms. McDowell - Yes
Ms. Medley – Yes

Motion carried 5/1.

3. AI# 4

CASE NO. 2015040331 REQ. FORECLOSURE

ME

City of Palm Coast vs. The Group Golf of Palm Coast LLC

398 Lakeview Blvd.

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

City Attorney Reischmann addressed the Board regarding this case. Code Enforcement Officer Esposito presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. The property remains in violation. City is requesting authorization from the Board to pursue foreclosure and request the City attorney to initiate foreclosure proceedings. Attorney Christopher Wickersham Jr., representative for Respondent, presented his case, requesting a 90 day extension for compliance. Respondent Matt Richardson also presented his side. The Board Attorney gave her opinion as well. A lengthy discussion ensued.

Mr. Copeland moved to accept the City's recommendation authorizing the City Attorney to initiate foreclosure proceedings in this case. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion unanimously carried.

A raised hand vote was taken as well. All were in favor of the motion.

4. AI# 24

CASE NO. 2015081493

MH

City of Palm Coast vs. RM 5 Fifth Avenue LLC

4 Office Park Drive

(Palm Coast Code Section 15-1 No Permit for Work - Re-model)

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.

Ms. McDowell moved to find in this case that the Respondent is in violation of City Code as charged; that the Respondent correct the violation no later than 10 (ten) days after this Order is entered into evidence 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 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. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

5. AI# 14

CASE NO. 2015110174

JF

City of Palm Coast vs. Carmelita De Miranda

81 Raintree Place

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

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. Land Development Technician Gonzalez also testified on the City's behalf. Carmelita De Miranda, Respondent, presented her side. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondent is in violation of City Code as charged; that the Respondent correct the violation no later than 5 (five) days after this Order is entered into evidence 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 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. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

6. AI# 29

CASE NO. 2015110124 REPEAT (1) BR

City of Palm Coast vs. Vyacheslav Chageyev

51 Pine Circle Drive

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

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. Vyacheslav Chageyev, Respondent, 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 Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on November 5, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance on November 4, 2015; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Motion unanimously carried.

7. AI# 11

CASE NO. 2015120124 CSR

City of Palm Coast vs. Michael Rein Collins

57 Fieldstone Lane

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

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

Mr. Carruth moved to find in this case that the Respondent is in violation of City Code as charged; that the Respondent correct the violation no later than fifteen (15) days after this Order is entered into evidence 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. Copeland – Yes

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

Motion unanimously carried.

8. AI# 2

CASE NO. 2015091112

ME

City of Palm Coast vs. Anthony & J. Dianna Alred

59 Christopher Court

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

Code Enforcement Officer Esposito presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Esposito testified the property remains in violation. Chief Building Official Lee testified on the City's behalf. Staff recommends a Fine – Violation Order and Administrative Costs. Anthony Alfred, Respondent, presented his case.

Mr. Carruth moved to dismiss this case. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion unanimously carried.

9. AI# 3

CASE NO. 2015091114

ME

City of Palm Coast vs. Anthony & J. Dianna Alred

59 Christopher Court

(Palm Coast Code Section 24-162(b) Not Maintaining Area between Property Line & Road)

Code Enforcement Officer Esposito presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Esposito testified the property remains in violation. Stormwater Swale Specialist Schrager testified on the City's behalf. Staff recommends a Fine – Violation Order and Administrative Costs. Anthony Alfred, Respondent, presented his case.

Mr. Copeland moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than sixty (60) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$100.00 will be imposed for each and every day the violation continues past the aforesaid 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. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

10. AI# 37

CASE NO. 2015120401 RECURRING (1) LM

City of Palm Coast vs. Dale Cicero & Sherry Pyle

11 Cherry Court

(Palm Coast Code Section 35-76(d)(2) Accumulations)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property is in compliance. Staff recommends a No Find Standing Order – Recurring Violation and Administrative Costs. Dale Cicero, 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. Mr. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

11. AI# 38

CASE NO. 2015120402 RECURRING (1) LM

City of Palm Coast vs. Dale Cicero & Sherry Pyle

11 Cherry Court

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

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property is in compliance. Staff recommends a No Find Standing Order – Recurring Violation and Administrative Costs. Dale Cicero, 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

12. AI# 19

CASE NO. 2016010135 RECURRING (4) MH

City of Palm Coast vs. Dale Cicero

15 Cerrudo Lane

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

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property is in compliance. Staff recommends a No Find Standing Order – Recurring Violation and Administrative Costs. Dale Cicero, 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. Mr. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

13. AI# 16

CASE NO. 2015120755

JF

City of Palm Coast vs. Christian Pence & Angelene R. Davis

25 Renfro Lane

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

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 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:

Mr. Carruth – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Motion unanimously carried.

14. AI# 1

CASE NO. 2015110322

RS

City of Palm Coast vs. Robert Kienle

2 Blackwell Place

(Palm Coast Code Section 25-76(d) Nuisance-Tarp on Roof)

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

Mr. Copeland moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than sixty (60) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$100.00 per day 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. Copeland – Yes

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

Motion unanimously carried.

15. AI# 5

CASE NO. 2015110839

LF

City of Palm Coast vs. Jacob Bissonnette

12 Sea Flower Path

(Palm Coast Code Section 15-1 No Permit for Hot Water Heater)

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 – Violation Order and Administrative Costs. Robert Kienle, Respondent, presented his side.

Mr. Copeland moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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 per day 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. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion unanimously carried.

16. AI# 8

CASE NO. 2015071188

MASSEY

CSR

City of Palm Coast vs. Yolanda Pfleger

68 Fallen Oak Lane

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

Code Enforcement Officer Risch presented cash 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. Roberts moved to find in this case that the Respondents were 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 \$100.00 per day find is imposed for the period of non-compliance from January 16, 2016 to March 8, 2016; totaling \$5,300.00; and 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. When the property comes into compliance, an Affidavit of Compliance will be issued. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Ms. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

17. AI# 12

CASE NO. 2015120637 RECURRING (7) CSR

City of Palm Coast vs. Nancy R. Larive

32 Firethorn Lane

(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 – 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. Copeland – Yes

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

Motion unanimously carried.

18. AI# 17

CASE NO. 2015080509 MASSEY JF
City of Palm Coast vs. Rodney F. Foalima
33 Sea Trail
(Palm Coast Code Section 41-11(a) Trash Containers)

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 for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were in violation of the City Code as charged; that the 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 find is imposed for the period of non-compliance from December 15, 2015 to March 8, 2016; totaling \$1,325.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. If the Respondent does not pay the fine or request a hearing within twenty (20) days from the date of the Affidavit, an additional amount of \$33.40 will be added for Administrative Costs. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion unanimously carried.

19. AI# 25

CASE NO. 2015091326 RECURRING (2) BR
City of Palm Coast vs. James T. & Eleanore J. Miller, Co-Trustees
25 Panorama Drive
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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

Roll was called:

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

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

Motion unanimously carried.

20. AI# 31

CASE NO. 2015090191

BR

City of Palm Coast vs. Gerardo A. Aguilar

58 Post View 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 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 three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 per day 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. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

21. AI# 32

CASE NO. 2015090305

BR

City of Palm Coast vs. Gerardo A. Aguilar

58 Post View Drive

(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 remains in violation. Staff recommends a Fine- Violation Order and Administrative Costs.

Ms. Medley moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 per day 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. McDowell seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Motion unanimously carried.

22. AI# 33

CASE NO. 2015100844

RECURRING (4) BR

City of Palm Coast vs. Cassandra Realty Inc.

34 Prosperity Lane

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

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

Mr. Carruth 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. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion unanimously carried.

23. AI# 34

CASE NO. 2015101280 REPEAT (1) LM

City of Palm Coast vs. John F. & Laurie L. Kenney

91 Blare Castle Drive

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

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor 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 November 3, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance from October 28, 2015 to November 2, 2015; totaling \$600.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion unanimously carried.

24. AI# 35

CASE NO. 2015120347 REPEAT (3) LM

City of Palm Coast vs. Monica T. Mers

36 Bressler Lane

(Palm Coast Code Section 44-34(c) Parking of a Comm. Veh./Trailer in Residential Dist.)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor 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 December 23, 2015; that a \$150.00 per day fine is imposed for the period of non-compliance from October 8, 2015 to December 22, 2015; totaling \$2,250.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

25. AI# 36

CASE NO. 2015120346 RECURRING LM
City of Palm Coast vs. Monica T. Mers
36 Bressler Lane
(Palm Coast Code Section 35-76(d)(2) Accumulations)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez 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. Copeland – Yes**

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

Motion unanimously carried.

NEW BUSINESS:

Code Enforcement Manager Barbara Grossman introduced two new Code Enforcement Officers, Shelley Burton and John Stafford. Another Code Enforcement Officer, Brian Shelley, will begin work on March 21, 2016. In addition, Code Enforcement Officer Mendez has been promoted to Code Enforcement Supervisor.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, April 6, 2016 at 10:00am

ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:20 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.