

CODE ENFORCEMENT BOARD
Wednesday, April 6 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, Norman Mugford, Dean Roberts

BOARD MEMBERS EXCUSED: Robert Branin, Kimble Medley

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT Code Enforcement Supervisor Mendez, Officers Hadden, Festa, Romeo, Risch, Fitzgerald, Stafford, Burton, MacDonald, 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 March 9, 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- F. Withdrawn Cases:**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. 2015120841 - 5 Laredo Place
AI# 5 CASE NO. 2015120978 - 30 Fallen Oak Lane
AI# 6 CASE NO. 2015120024 - 121 Farragut Drive
AI# 7 CASE NO. 2016010174 - 49 Fellowship Drive
AI# 11 CASE NO. 2016010715 - 31 Limestone Path
AI# 13 CASE NO. 2016010842 - 16 Slipper Orchid Trail East
AI# 16 CASE NO. 2015091345 - 5 Campbell Court
AI# 17 CASE NO. 2015121024 - 15 Cerrudo Lane
AI# 18 CASE NO. 2016010820 - 30 Cheyenne Court
AI# 19 CASE NO. 2015081124 - 88 Club House Drive
AI# 23 CASE NO. 2014091628 - 39 Farraday Lane
AI# 24 CASE NO. 2015091331 - 11 Fern Court
AI# 25 CASE NO. 2015120890 - 11 Old Kings Road

AI# 26 CASE NO. 2015100101 - 128 Parkview Drive
AI# 28 CASE NO. 2015101221 - 40 Persimmon Drive
AI# 30 CASE NO. 2015120034 - 27 Pinelynn Drive
AI# 32 CASE NO. 2015090630 - 7 Pony Express Drive
AI# 34 CASE NO. 2015100352 - 20 Undermount Path East
AI# 36 CASE NO. 2016010273 - 31 Potterville Lane
AI# 46 CASE NO. 2015110077 - 74 Belvedere Lane

1. AI# 21

CASE NO. 2015051212 MH

City of Palm Coast vs. Dominic & Janice A. De Zego

5 Contee Court

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

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

Mr. Carruth 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 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. Mugford - Yes

Mr. Roberts – Yes

Ms. McDowell – Yes

Mr. Copeland – Yes

Motion unanimously carried.

2. AI# 51

CASE NO. 2015121029 RECURRING (3) LM

City of Palm Coast vs. Mitchell A. Reed

142 Bridgehaven Drive

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

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 Fine Standing Order – Recurring Violation and Administrative Costs. Mitchell A. Reed, 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 Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000 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

Motion unanimously carried.

3. AI# 38

CASE NO. 2016010268 REPEAT (1) JF
City of Palm Coast vs. Christopher & Caymi Hall
17 Ripcord Lane
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential Dist.)

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 fine for the period of non-compliance and Administrative Costs. Christopher Hall, Respondent, presented his side.

Mr. Copeland moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on January 9, 2016; that there will be no fine assessed. 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. Copeland – Yes

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

4. AI# 45

CASE NO. 2015121133 REPEAT (1) LM
City of Palm Coast vs. Simon & Dina Ustoyev
86 Barrington Drive
(Palm Coast Code Section 35-76(d)(2) Nuisance - 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 fine for the period of non-compliance and Administrative Costs. Anne Ferreira, property manager for the property, presented her 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 January 14, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance from January 12, 2016 to January 13, 2016; 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**

Motion unanimously carried.

5. AI# 27

CASE NO. 2015120800 RECURRING (3) BR

City of Palm Coast vs. Franklin S. & Sophia Sykes

8 Parson Place

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle 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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Franklin Sykes, 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 Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000 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**

Motion unanimously carried.

6. AI# 20

CASE NO. 2015021233 MASSEY MH

City of Palm Coast vs. Alfred W. Leonhardt

80 Comanche Court

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

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Alfred Leonhardt, Respondent, presented his side.

Mr. Copeland moved to find in this case that Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on January 11, 2016, that a fine of \$10.00 per day is imposed for the period of non-compliance from July 13, 2015 to January 10, 2016; totaling \$1,820.00. 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. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell – Yes

Motion unanimously carried.

7. AI# 12

CASE NO. 2015061220 REDUCTION LF

City of Palm Coast vs. Joseph G. Casanova

53 Seattle Trail

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

Code Enforcement Officer Fitzgerald presented information regarding the Request for Reduction. Crystal Casanova, wife of Respondent, presented her side.

Mr. Roberts moved that the fine be reduced in this case from \$6,900.00 to \$3,400.00, and that the Respondent has thirty (30) days from the date of the Order to pay the reduced amount and 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:

Mr. Carruth – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell – Yes

Motion unanimously carried.

8. AI# 49

CASE NO. 2016010380 REPEAT (1) LM

City of Palm Coast vs. Russell L. & Catherine Green

14 Blaine Tree Place

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

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 fine for the period of non-compliance and Administrative Costs. Russell Green, Respondent, presented his side.

Mr. Roberts moved to find in this case that 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 15, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from January 11, 2016 to January 14, 2016; totaling \$400.00. 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

Motion unanimously carried.

9. AI# 8

CASE NO. 2016010148 RECURRING (5) CSR

City of Palm Coast vs. Juan & Beatriz Quintero

1 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 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. Juan Quintero, 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 Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000 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**

Motion unanimously carried.

10. AI# 39

CASE NO. 2015120845 JF

City of Palm Coast vs. Aussilia & Cherilus Simon

10 Ryder Place

(Palm Coast Code Section 15-108(g) Shed/Fence/Wall/House Maintenance)

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. Jeannette Simon, daughter of Respondent, translated for her parents and presented their side.

Mr. Roberts moved to find in this case that 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 vent 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. McDowell seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

Mr. Dean requested the motion be reopened. Mr. Mugford reopened the case and the motion was rescinded.

Mr. Carruth moved to find in this case that Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than twenty one (21) days after this Order is entered in writing; that in the vent 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. McDowell seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Mugford - Yes

Mr. Roberts – Yes
Mr. Copeland – Yes

Ms. McDowell – Yes

Motion unanimously carried.

11. AI# 40

CASE NO. 2015120965 RECURRING (2) JF
City of Palm Coast vs. Aussilia & Cherilus Simon
10 Ryder Place
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Jeannette Simon, daughter of Respondents, translated for her parents and presented their side.

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

Roll was called:

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

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

12. AI# 41

CASE NO. 2015120967 RECURRING (3) JF
City of Palm Coast vs. Aussilia & Cherilus Simon
10 Ryder Place
(Palm Coast Code Section 35-76(d)(1) Nuisance - Accumulations)

Code Enforcement 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. Jeannette Simon, daughter of Respondents, translated for her parents and presented their side.

Mr. Copeland moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

13. AI# 42

CASE NO. 2015120848 JF

City of Palm Coast vs. Aussilia & Cherilus Simon

10 Ryder Place

(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 is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Jeannette Simon, daughter of Respondents, translated for her parents and presented their side.

Mr. Roberts 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 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. Copeland – Yes**

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

Motion unanimously carried.

14. AI# 43

CASE NO. 2016010802 RECURRING JF

City of Palm Coast vs. Aussilia & Cherilus Simon

10 Ryder Place

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Jeannette Simon, daughter of Respondents, translated for her parents and presented their 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**

Motion unanimously carried.

15. AI# 56

CASE NO. 2015120846 LM

City of Palm Coast vs. Aussilia & Cherilus Simon

10 Ryder Place

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

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 Fine Standing Order – Recurring Violation and Administrative Costs. Jeannette Simon, daughter of Respondents, translated for her parents and presented their 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 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**

Motion unanimously carried.

16. AI# 57

CASE NO. 2016010190 LM

City of Palm Coast vs. Aussilia & Cherilus Simon

10 Ryder Place

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

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 Fine Standing Order and Administrative Costs. Jeannette Simon, daughter of Respondents, translated for her parents and presented their side.

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

Roll was called:

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

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

Motion unanimously carried.

17. AI# 50

CASE NO. 2016010375 RECURRING (3) LM

City of Palm Coast vs. Vincent S. & Jodi A. Da Silva

24 Blare Drive

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

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 Fine Standing Order- Recurring Violation and Administrative Costs. Jodi Da Silva, Respondent presented her 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**

Motion unanimously carried.

18. AI# 15

CASE NO. 2015120369 RECURRING (2) 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 evidence was shown to the Respondent. Officer Fitzgerald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Mark Lowe, husband of Respondent, presented his side.

Mr. Roberts moved to find in this case that 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. Mr. Copeland seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell – Yes

Motion unanimously carried.

19. AI# 54

CASE NO. 2015110989 RECURRING (7) LM

City of Palm Coast vs. Terrance Crook

38 Rickenbacker Drive

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

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 Fine Standing Order – Recurring Violation and Administrative Costs. Terrance Crook, 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

Motion unanimously carried.

20. AI# 9

CASE NO. 2016010841 CSR

City of Palm Coast vs. Brittany A. Bubnis & Alexander G. Schafer II

3 Foxhall Court

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

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. Alexander Schafer, Respondent, presented his side.

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

Roll was called:

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

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

21. AI# 35

CASE NO. 2016010653 RECURRING JF

City of Palm Coast vs. Sandra Hardy

38 Port Echo Lane

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

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. Sandra Hardy, Respondent, presented her side.

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

Roll was called:

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

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

Motion unanimously carried.

22. AI# 1

CASE NO. 2015120790 BMD

City of Palm Coast vs. Guadalupe Ginocchio

5 Laredo Place

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

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 – Violation Order and Administrative Costs.

Ms. McDowell moved to find in this case that 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. Copeland – Yes**

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

Motion unanimously carried.

23. AI# 2

CASE NO. 2015120793 BMD

City of Palm Coast vs. Guadalupe Ginocchio

5 Laredo Place

(Palm Coast Code Section 35-76(d)(1) Nuisance-Mold on Side of House)

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 – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that 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 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**

Motion unanimously carried.

24. AI# 4

CASE NO. 2015120842 BMD

City of Palm Coast vs. Guadalupe Ginocchio

5 Laredo Place

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

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 – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that 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 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**

Motion unanimously carried.

25. AI# 10

CASE NO. 2016010467 RECURRING (8) LF

City of Palm Coast vs. Jason Powell

31 Limestone Path

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

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

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

Roll was called:

Mr. Carruth – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell – Yes

Motion unanimously carried.

26. AI# 14

CASE NO. 2015100773 RECURRING (2) LF

City of Palm Coast vs. James Dopp

12 Zebra Court

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

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 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. Copeland – Yes

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

27. AI# 29

CASE NO. 2015100608 BR

City of Palm Coast vs. Jonas & Louse Rosius

26 Pierce Lane

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

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Burton 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 the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

28. AI# 31

CASE NO. 2015120037 BR

City of Palm Coast vs. Amy L. Prez

27 Pinelynn Drive

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

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 and Administrative Costs.

Mr. Roberts 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 is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat

violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

29. AI# 33

CASE NO. 2015120957 REPEAT (4) BR

City of Palm Coast vs. John & Sherry Blevins

17 Porwyn Lane

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

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

Mr. Roberts moved to find in this case that Respondent was in 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 27, 2015; that a \$400.00 per day find is imposed for the period of non-compliance on December 26, 2015; totaling \$400.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

30. AI# 37

CASE NO. 2016010383 RECURRING ((2)) JF

City of Palm Coast vs. Jean & Marie Exantus

10 Rainmill Place

(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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Motion unanimously carried.

31. AI# 44

CASE NO. 2016010382 RECURRING JF

City of Palm Coast vs. Cynthia D. Brown

42 Ryeclyffe Drive

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

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 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. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Ms. McDowell – Yes

Motion unanimously carried.

32. AI# 47

CASE NO. 2015120733 RECURRING (5) LM

City of Palm Coast vs. Laurie S. Cuccurullo

84 Belvedere Lane

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

Motion unanimously carried.

33. AI# 55

CASE NO. 2015120999 RECURRING (5) LM

City of Palm Coast vs. Teresa N. Wootan F/K/A Teresa N. Horrox

138 Ryberry Drive

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

Motion unanimously carried.

UNFINISHED BUSINESS

None to report.

OLD BUSINESS

None to report.

NEW BUSINESS:

A list of new find structures were distributed to the Code Board members. It was noted the format of fines is not the same as previously, which makes it difficult to compare. Supervisor Mendez advised certain fines were combined to make it easier and more consistent for the members to determine what they would like to assess for a fine.

January Code Enforcement statistics were distributed for review.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, May 4, 2016 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson

Secretary to the Board

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

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