

CODE ENFORCEMENT BOARD
Wednesday, May 4 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

BOARD MEMBERS EXCUSED: Kenneth Carruth

BOARD COUNSEL PRESENT: Mary Snead

STAFF MEMBERS PRESENT Code Enforcement Supervisor Mendez, Officers Fitzgerald, Festa, Sagala, Stafford, Hadden, MacDonald, Romeo, Shelley, and 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 April 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 Sneed, Counsel for the Code Board.**
- F. Withdrawn Cases:**

AI# 4 CASE NO. 2015120778 - 39 Wood Acre Lane
AI# 7 CASE NO. 2015071609 - 17 Smith Trail
AI# 8 CASE NO. 2016011086 - 42 Auberry Drive
AI# 13 CASE NO. 2016010696 - 56 Karas Trail
AI# 19 CASE NO. 2016020735 - 56 Ramblewood Drive
AI# 22 CASE NO. 2015120703 - 21 Ryall Lane
AI# 24 CASE NO. 2015120547 - 104 Ryan Drive
AI# 30 CASE NO. 2015080946 - 21 Princess Dolores Lane
AI# 31 CASE NO. 2016010816 - 35 Uthorne Place
AI# 32 CASE NO. 2016010817 - 35 Uthorne Place
AI# 36 CASE NO. 2015120483 - 143 Blare Drive
AI# 37 CASE NO. 2016020040 - 55 Brittany Lane

G. Continued Cases:

AI# 2 CASE NO. 2016020446 – 23 Fort Caroline Lane
AI# 3 CASE NO. 2015120274 – 44 Wellhaven Lane
AI# 9 CASE NO. 2015042042 – 80 Commanche Court
AI# 11 CASE NO. 2016020047 – 14 Flarestone Court
AI# 39 CASE NO. 2016010908 – 13 Rybark Lane

1. AI# 33

CASE NO. 2016010985 RECURRING (2) LM
City of Palm Coast vs. Holly J. & Robert D. Douglas
7 Birchwood Place
(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 No Fine Standing Order – Recurring Violation and Administrative Costs. Robert Douglas, 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. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes

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

Motion carried unanimously.

2. AI# 34

CASE NO. 2016010986 REPEAT (2) LM
City of Palm Coast vs. Holly J. & Robert D. Douglas
7 Birchwood Place
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

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. Robert Douglas, Respondent, presented his side.

Mr. Copeland 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 February 5, 2016; that a \$150.00 per day fine is imposed for the period of non-compliance from January 26, 2016 to February 4, 2016 totaling \$1,500.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Branin seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

3. AI# 12

CASE NO. 2016020152 RECURRING (4) LF
City of Palm Coast vs. Gregory S. Jr., & Carol Y. Garris
43 Karas Trail
(Palm Coast Code Section 44-34(i) Parking in Median)

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

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

4. AI# 14

CASE NO. 2016020006 RECURRING (6) LF

City of Palm Coast vs. Kim Allan & Elisabeth Berry
6 Katrina Place
(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Residential Dist.)

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

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

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

Motion carried unanimously.

5. AI# 23

CASE NO. 2016010939 RECURRING (2) JF
City of Palm Coast vs. Sabrina Loveland
28 Ryan Drive
(Palm Coast Code Section 41-17(a)(5) Trash Containers)

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. Bryan and Sabrina Loveland, Respondents, presented their 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. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

6. AI# 1

CASE NO. 2015090738 MASSEY RS
City of Palm Coast vs. PID Group LLC
19 Blasdel Court
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Sagala testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Respondent, Shelly Dennis, PID Group, presented her 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 April 1, 2016; that a \$25.00 per day fine is imposed for the period of non-compliance from January 19, 2016 to March 31, 2016; totaling \$1,825.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

7. AI# 5

CASE NO. 2016021015 RECURRING (4) JS
City of Palm Coast vs. Alena Dvornikova & Ulugbek Djuraev
284 Parkview Drive
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford 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 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

8. AI# 6

CASE NO. 2016021018 RECURRING (3) JS

City of Palm Coast vs. Jose Azevedo

37 Price Lane

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

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 recommended a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

9. AI# 10

CASE NO. 2016020119 RECURRING (4) MH

City of Palm Coast vs. Brooke Durgin

4 Coral Reef Court North

(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 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. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

10. AI# 15

CASE NO. 2016020666 RECURRING (2) BMD

City of Palm Coast vs. Andrea M. Manrique & Oscal & Joao O. Mariano

11 Biscay Lane

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

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

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

11. AI# 16

CASE NO. 2016020584 RECURRING (3) BMD

City of Palm Coast vs. Andrea M. Manrique & Oscal & Joao O. Mariano

11 Biscay Lane

(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 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. Ms. Roberts seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Motion carried unanimously.

12. AI# 17

CASE NO. 2016020642 REPEAT (1) BMD

City of Palm Coast vs. Lance L. Thate, Trustee

33 Bunker View 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 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 February 22, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from February 16, 2016 to February 21, 2016 totaling \$600.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Branin seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

13. AI# 18

CASE NO. 2016020026 BMD
City of Palm Coast vs. Robert H. Bier
1 Lydenhurst Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

14. AI# 20

CASE NO. 2016101149 JF
City of Palm Coast vs. Qin Yi Lin
23 Red Clover Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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

Mr. Branin moved to find 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. Roberts seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

15. AI# 21

CASE NO. 2016011006 RECURRING JF
City of Palm Coast vs. Donna Gustin
6 Ricker Place
(Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage)

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

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

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

16. AI# 25

CASE NO. 2016010771 REPEAT (1) BR
City of Palm Coast vs. Richard H. & Christina M. Taylor

294 Parkview Drive

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

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

Mr. 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 21, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance on January 20, 2016. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

17. AI# 26

CASE NO. 2015121033 REPEAT (1) BR

City of Palm Coast vs. Christopher Mack

85 Pine Haven Drive

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

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

Mr. 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 30, 2015; that a \$100.00 per day fine is imposed for the period of non-compliance on December 29, 2015. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes**

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

Mr. Copeland – Yes

Ms. Medley – Yes

Motion carried unanimously.

18. AI# 27

CASE NO. 2015121114 REPEAT (1) BR

City of Palm Coast vs. Kurt Lawrence

24 Pine Hill Lane

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

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

Ms. McDowell 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 25, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance from December 30, 2015 to January 19, 2016 totaling \$1,050.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Roberts – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. McDowell - Yes

Ms. Medley – Yes

Motion carried unanimously.

19. AI# 28

CASE NO. 2016010808 REPEAT (4) BR

City of Palm Coast vs. Gerardo A. Aguilar

58 Post View Drive

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

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

Mr. Branin 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 25, 2016; that a \$450.00 per day fine is imposed for the period of non-compliance from January 21, 2016 to January 23, 2016 totaling \$1,350.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

20. AI# 29

CASE NO. 2016010860 RECURRING (3) BR

City of Palm Coast vs. Nataliya Horbach

54 Postwood Drive

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley testified 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. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

21. AI# 38

CASE NO. 2015120475 RECURRING (7) LM

City of Palm Coast vs. William J. & Barbara Ann Mulvey

197 Frankford Lane

(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. Ms. Medley seconded the motion.

Roll was called:

**Mr. Branin – Yes
Mr. Roberts – Yes
Mr. Copeland – Yes**

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

Motion carried unanimously.

OLD BUSINESS:

Mr. Copeland requested an update on the City’s meeting with the Matanzas Woods golf course owners. Mr. Reischmann explained in regard to the overgrown case, at the time of the meeting the property was in compliance. There is a fine in place. The title search has been completed and we are prepared to foreclose, but Mr. Reischmann informed the board he was asked to hold off on proceeding, as there is a contingency in place and the owners are presently working with the city to keep the property in compliance. The meeting ended with all parties involved coming to an agreement regarding the upkeep and fate of the property. Mr. Copeland commended the City and Code staff for the progress made.

NEW BUSINESS:

Mr. Reishmann conducting a workshop after this meeting, to review Fl. State Statute 162 and the Sunshine Law with the members of the board.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, June 1, 2016 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:30 a.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.