

CODE ENFORCEMENT BOARD
Wednesday, June 1, 2016 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Kenneth Carruth, Robert Branin, Neil Copeland, Norman Mugford, Dean Roberts, Kim Medley

BOARD MEMBERS EXCUSED: Tameka McDowell

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT Code Enforcement Supervisor Mendez, Officers Shelley, MacDonald, Sagala, Festa, Romeo, Fitzgerald, Stafford, Burton, Hadden, Sr. Staff Asst. Wry and City Counsel, Tara Gould

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 May 4, 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F. Withdrawn Cases: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#1	CASE NO. 2015091318 – 32 Emerson Drive
AI#2	CASE NO. 2016030678 – 41 Bay Spring Place
AI#14	CASE NO. 2016030296 – 18 Patrick Place
AI#15	CASE NO. 2016030415 – 18 Patrick Place
AI#16	CASE NO. 2016010653 – 38 Port Echo Lane
AI#17	CASE NO. 2016020957 – 79 Ryan Drive
AI#20	CASE NO. 2016030748 – 96 Farmsworth Drive
AI#25	CASE NO. 2016031007 – 13 Blyth Court
AI#32	CASE NO. 2016021018 – 37 Price Lane
AI#35	CASE NO. 2016030345 – 34 Seven Wonders Trail
AI#36	CASE NO. 2016030049 – 38 Slocum Path
AI#47	CASE NO. 2015121076 – 36 Pine Hurst Lane
AI#48	CASE NO. 2016020023 – 15 Pittman Drive

G. Continued Cases:

AI# 6	CASE NO. 2015110606 - 7 Kasbah Place
AI# 26	CASE NO. 2016030738 - 2 Cheyenne Court
AI# 29	CASE NO. 2015051317 - 5 Contee Court
AI# 33	CASE NO. 2016030084 - 11 Princeton Lane
AI# 51	CASE NO. 2016010630 - 99 Beachway Drive
AI# 52	CASE NO. 2016010781 - 99 Beachway Drive

1. AI# 44

CASE NO. 2015110124 REDUCTION ^{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. Chageyev Vyacheslav, Respondent, presented her request for reduction.

Mr. Copeland moved to deny the request for reduction of fine. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously approved. The request for reduction was denied.

2. AI#18

CASE NO. 2016020806 ^{JF}

City of Palm Coast vs. Alexander E. Smith

14 Ryecroft 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 is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Alexander Smith, 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 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. Branin – Yes
Mr. Roberts – Yes**

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

Motion unanimously carried.

3. AI#54

CASE NO. 2016010908 RECURRING ^{(3) LM}

City of Palm Coast vs. Renato A. & Manuel Alfonso

13 Rybark Lane

(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 No Fine Standing Order – Recurring Violation and Administrative Costs. Manuel Alfonso, 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 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. Branin – Yes
Mr. Roberts – Yes**

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

Motion unanimously carried.

4. AI#22

CASE NO. 2016031365 RECURRING ^{(7) CSR}

City of Palm Coast vs. Dale H. Thompson

18 Federal Lane

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified the property is in compliance. Staff

recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Dale Thompson, Respondent, presented his side.

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. Branin – Yes
Mr. Roberts – Yes**

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

Motion unanimously carried.

5. AI#10

CASE NO. 2016030725 RECURRING ^{(2) BS}

City of Palm Coast vs. Igor & Yevgeniya Chugunov

7 Pointer Place

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Shelley testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Shannon Guffey, tenant, presented her side.

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

Roll was called:

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

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

Motion unanimously carried.

6. AI#4

CASE NO. 2016031192 RECURRING ^{(1) BMD}

City of Palm Coast vs. Deborah L. & Edward J. Walsh

7 Bunker Knolls Lane

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is in compliance. Staff recommended a No Fine Standing Order – Recurring Violation and Administrative Costs. Simeon Dessaint, 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 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. Branin – Yes

Mr. Roberts – Yes

Mr. Copeland - Yes

Mr. Mugford - Yes

Ms. Medley – Yes

Motion unanimously carried.

7. AI#49

CASE NO. 2016030603 RECURRING ^{(2) BR}

City of Palm Coast vs. Izidor & Margaraita Voskoboynik

22 Post Oak Lane

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

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

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

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

8. AI#53

CASE NO. 2016010988 RECURRING (2) LM

City of Palm Coast vs. William E. Ill & Melissa D. Bickford

104 Beacon Mill Lane

(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 No Fine Standing Order – Recurring Violation and Administrative Costs. William Bickford, 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. Branin seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

9. AI#3

CASE NO. 2016040187 REPEAT (1) RS

City of Palm Coast vs. Diana L. Badaracco

23 Blare Castle Drive

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

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. Dina Badaracco, Respondent, presented her side.

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 April 4, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance on April 3, 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. Branin – Yes
Mr. Roberts – Yes**

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

Motion unanimously carried.

10. AI#19

CASE NO. 2016030417 RECURRING ^{(7) CSR}
City of Palm Coast vs. Donald & Marie E. Corcoran
9 Fariston Place
(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. Donald Corcoran, 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 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. Branin – Yes
Mr. Roberts – Yes**

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

Motion unanimously carried.

11. AI#13

CASE NO. 2016030804 RECURRING ^{(6) BS}
City of Palm Coast vs. Marie W. Moise
12 Potters Lane
(Palm Coast Code Section 18-108(d) Weeds/Overgrowth)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The evidence was shown to the respondent. Officer Shelley testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Marie Moise, Respondent, presented her 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. Branin seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

12. AI#50

CASE NO. 2016030352 LM

City of Palm Coast vs. Teri A. Robinson

28 Ballenger Lane

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

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. Kathleen Hodgins, neighbor of Respondent, discussed the violation.

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

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

Motion unanimously carried.

13. AI#5

CASE NO. 2016031190 RECURRING ^{(2) BMD}

City of Palm Coast vs. Edner & Karine Jean-Louis

24 Longfellow Drive

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

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

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

Roll was called:

Mr. Carruth – Yes

Mr. Branin – Yes

Mr. Roberts – Yes

Mr. Copeland - Yes

Mr. Mugford - Yes

Ms. Medley – Yes

Motion unanimously carried.

14. AI#7

CASE NO. 2016030659 REPEAT ^{(1) LF}

City of Palm Coast vs. Cassandra Witkowski

75 Karas Trail

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

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

Mr. Branin moved to find in this case that 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 March 17, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance from March 15, 2016 to March 16, 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. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

15. AI#8

CASE NO. 2015110839 MASSEY (LF)

City of Palm Coast vs. Jacob Bissonnette

12 Sea Flower Path

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

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

Mr. Roberts moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from March 22, 2016 to May 31, 2016; totaling \$3,550.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Branin seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

16. AI#9

CASE NO. 2016030109 REPEAT (2) LF

City of Palm Coast vs. Christy Duncan

13 Zephyr Lily Trail

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

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 fine for the period of non-compliance and Administrative Costs.

Mr. Branin moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on March 9, 2016; that a \$250.00 per day fine is imposed for the period of non-compliance on March 2, 2016 and March 8, 2016; totaling \$500.00. 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. Branin – Yes
Mr. Roberts – Yes**

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

Motion unanimously carried.

17. AI#11

CASE NO. 2015090191 MASSEY BS

City of Palm Coast vs. Aguilar, Gerardo A.

58 Post View Drive

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

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

Mr. Branin moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from March 23, 2016 to May 31, 2016; totaling \$3,500.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

18. AI#12

CASE NO. 2015090305 MASSEY ^{BS}

City of Palm Coast vs. Aguilar, Gerardo A.

58 Post View Drive

(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley 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 Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from March 23, 2016 to May 31, 2016; totaling \$3,500.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Branin seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Branin – Yes

Mr. Roberts – Yes

Mr. Copeland - Yes

Mr. Mugford - Yes

Ms. Medley – Yes

Motion unanimously carried.

19. AI#21

CASE NO. 2016031191 RECURRING ^{(3) CSR}

City of Palm Coast vs. York G. & Phyllis Halyard

19 Fayette lane

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

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

Mr. 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. Branin seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

20. AI#23

CASE NO. 2016031095 RECURRING ^{(3) CSR}

City of Palm Coast vs. Bruce E. & Charla M. Sohrum, Life Estate
49 Fellowship Drive

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

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

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

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

Motion unanimously carried.

21. AI#24

CASE NO. 2016030992 REPEAT ^{(1) CSR}

City of Palm Coast vs. PID Group LLC
36 Florida Park Drive

(Palm Coast Code Section 44-34(d)(2) 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 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 March 24, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from March 22, 2016 and March 23, 2016; totaling \$200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Branin seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

22. AI#27

CASE NO. 2016020556 ^{MH}

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

20 Classic Court

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

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

Mr. 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. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

23. AI#30

CASE NO. 2016020834 ^{MH}

City of Palm Coast vs. Christine J. Carlson

14 Ferguson Court

(Palm Coast Code Section 44-24(f) Trailer Improperly Parked)

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

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

Roll was called:

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

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

Motion unanimously carried.

24. AI#31

CASE NO. 2016010840 MH

City of Palm Coast vs. Johns F. Sedlesky, Jr. & Nicole F. Cassaro

79 Florida Park Drive

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

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Hadden testified 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 aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Branin seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

25. AI#34

CASE NO. 2016030278 RECURRING (3) JS

City of Palm Coast vs. Robert & Tara Turner

22 September Place

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

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

Mr. 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 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. Branin seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Branin – Yes

Mr. Roberts – Yes

Mr. Copeland - Yes

Mr. Mugford - Yes

Ms. Medley – Yes

Motion unanimously carried.

26. AI#37

CASE NO. 2016030130 JS

City of Palm Coast vs. Jessica Anne Darracott

241 Underwood Trail

(Palm Coast Code Section 15-110 (a)(3) Window in Disrepair)

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 Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than fourteen (14) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Copeland - Yes

Mr. Branin – Yes
Mr. Roberts – Yes

Mr. Mugford - Yes
Ms. Medley – Yes

Motion unanimously carried.

27. AI#38

CASE NO. 2016030132 JS

City of Palm Coast vs. Shawn M. & Joseph D. Eberhardinger

80 Upshire Path

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

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 Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

28. AI#39

CASE NO. 2016030133 RECURRING (1) JS

City of Palm Coast vs. Shawn M. & Joseph D. Eberhardinger

80 Upshire Path

(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 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 two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

29. AI#40

CASE NO. 2016030134 RECURRING (2) JS

City of Palm Coast vs. Shawn M. & Joseph D. Eberhardinger

80 Upshire Path

(Palm Coast Code Section 41-11(a) Trash Containers)

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

Mr. 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 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. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

30. AI#41

CASE NO. 2016030360 RECURRING (3) BR

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

294 Parkview Drive

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

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

Mr. Roberts moved to find in this case that 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. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

31. AI#42

CASE NO. 2016030578 RECURRING ^{(2) BR}

City of Palm Coast vs. Petr & Galina Allakhverdyan

85 Pickering Drive

(Palm Coast Code Section 44-340 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. Branin moved to find in this case that Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

32. AI#43

CASE NO. 2015090214 MASSEY ^{BR}

City of Palm Coast vs. Rudolf Wohlfarth

22 Pillory Lane

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

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

Mr. Branin 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 has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from February 15, 2016 to May 31, 2016; totaling \$2,675.00; 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. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

33. AI#45

CASE NO. 2016020625 REPEAT ^{(1) BR}

City of Palm Coast vs. Kurt Lawrence

24 Pine Hill 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 remains in violation. Staff recommends a fine for the period non-compliance and Administrative Costs.

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 has not brought the property into compliance as of May 31, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from February 17, 2016 to May 31, 2016 totaling \$10,500.00; that a fine of \$100.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

34. AI#46

CASE NO. 2016020386 REPEAT ^{(2) BR}

City of Palm Coast vs. Kurt Lawrence

24 Pine Hill Lane

(Palm Coast Code Section 35-76(d)(l) 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 for the period non-compliance and Administrative Costs.

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 has not brought the property into compliance as of May 31, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from February 17, 2016 to May 31, 2016 totaling \$10,500.00; that a fine of \$100.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Ms. Medley seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

OLD BUSINESS:

No old business to report.

NEW BUSINESS:

Request was made to revise the May Code Board Order on Case # 2016021015 – 284 Parkview Drive from an Order of Non-Compliance to a No Fine Standing Order for Inoperable Vehicle – Flat Tires.

Mr. Roberts moved to revise the above named Order to a No Fine Standing Order. Ms. Medley seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Branin – Yes
Mr. Roberts – Yes

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

Motion unanimously carried.

ANNOUNCEMENT OF NEXT MEETING:

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

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:48 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.