

**CODE ENFORCEMENT BOARD**  
**Wednesday, July 6, 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, Norman Mugford, Dean Roberts, Kim Medley, Tameka McDowell

**BOARD MEMBERS EXCUSED:** Neil Copeland

**BOARD COUNSEL PRESENT:** Mary Snead

**STAFF MEMBERS PRESENT** Code Enforcement Manager Grossman, Supervisor Mendez, Officers Sagala, Festa, Burton, Shelley, MacDonald, Fitzgerald, Stafford, Hadden, Risch, Sr. Building Inspector Hindman, Code Enforcement Clerk Wry and 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 June 1, 2016 Meeting Minutes**  
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**  
None to report.
- E. Swearing in of Respondents: The respondents who were present were sworn in by Mary Snead, Counsel for the Code Board.**
- F. Withdrawn Cases:**
- |               |  |
|---------------|--|
| <b>AI# 1</b>  | <b>CASE NO. 2016041665 - 52 Bren Mar Lane</b>      |
| <b>AI# 5</b>  | <b>CASE NO. 2016050319 - 6 Blackfoot Court</b>     |
| <b>AI# 8</b>  | <b>CASE NO. 2016040411 - 14 Zenoble Place</b>      |
| <b>AI# 9</b>  | <b>CASE NO. 2016041259 - 24 Edgley Lane</b>        |
| <b>AI# 10</b> | <b>CASE NO. 2016041427 - 33 Edgley Lane</b>        |
| <b>AI# 14</b> | <b>CASE NO. 2016040865 - 33 Bunker View Drive</b>  |
| <b>AI# 24</b> | <b>CASE NO. 2016020943 - 16 Ryken Lane</b>         |
| <b>AI# 25</b> | <b>CASE NO. 2016040017 - 15 Peninsula Lane</b>     |
| <b>AI# 26</b> | <b>CASE NO. 2016030497 - 23 Philox Lane</b>        |
| <b>AI# 27</b> | <b>CASE NO. 2016030556 - 49 Pine Croft Lane</b>    |
| <b>AI# 28</b> | <b>CASE NO. 2016030656 - 92 Princess Ruth Lane</b> |
| <b>AI# 29</b> | <b>CASE NO. 2016030658 - 92 Princess Ruth Lane</b> |

<b>AI# 30</b>	<b>CASE NO. 2016030361 - 76 Providence Lane</b>
<b>AI# 31</b>	<b>CASE NO. 2016040798 - 1 Cardwell Court</b>
<b>AI# 32</b>	<b>CASE NO. 2016030738 - 2 Cheyenne Court</b>
<b>AI# 34</b>	<b>CASE NO. 2016031002 - 14 Fawn Lane</b>
<b>AI# 35</b>	<b>CASE NO. 2016031003 - 14 Fawn Lane</b>
<b>AI# 38</b>	<b>CASE NO. 2016020047 - 14 Flarestone Court</b>
<b>AI# 40</b>	<b>CASE NO. 2016030084 - 11 Princeton Lane</b>
<b>AI# 41</b>	<b>CASE NO. 2016040326 - 44 Secretary Trail</b>
<b>AI# 42</b>	<b>CASE NO. 2016040716 - 7 Seville Orange Path</b>
<b>AI# 44</b>	<b>CASE NO. 2016031261 - 90 Slumber Meadow Trail</b>
<b>AI# 48</b>	<b>CASE NO. 2016040697 - 241 Underwood Trail</b>

**G. Continued Cases:**

<b>AI# 33</b>	<b>CASE NO. 2015042042 - 80 Comanche Court</b>
<b>AI# 37</b>	<b>CASE NO. 2016020047 - 14 Flarestone Court</b>

**1. AI# 12**

**CASE NO. 2016040021** SB  
*City of Palm Coast vs. Stanley H. & Ronald E. Cole*  
**9 Wood Arbor Lane**  
*(Palm Coast Code Section 15-108(h) Inoperable Vehicle)*

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

**Ms. Medley moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than fifteen (15) 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. McDowell seconded the motion.**

**Roll was called:**

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

**Motion unanimously carried.**

**2. AI# 11**

**CASE NO. 2015120274** SB

*City of Palm Coast vs. Helio & Deborah Martinez*  
**44 Wellhaven Drive**  
*(Palm Coast Code Section 35-76 Nuisance-Violation of Building Code)*

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Burton testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Helio Martinez, Respondent, presented his side. Gary Hinman, Sr. Building Inspector for the City of Palm Coast, gave testimony.

**Mr. Carruth moved to find 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; 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. Carruth – Yes  
Mr. Roberts – Yes**

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

**Motion unanimously carried.**

**3. AI# 50**

**CASE NO. 2016010380 REDUCTION** LM  
*City of Palm Coast vs. Russell L. & Catherine Green*  
**14 Blaine Tree Place**  
*(Palm Coast Code Section 44-34( c) Parking of 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 stated the property owner is here for a request for reduction of fine. The fine at present is \$400.00. Russell Green, Respondent, requested a reduction to \$200.00.

**Mr. Roberts moved to reduce the fine to \$200.00. Ms. McDowell seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**4. AI# 49**

**CASE NO. 2015020637**

LM

*City of Palm Coast vs. Kiplin T. McGann*

**23 Birchfield Place**

*(Palm Coast Code Section 35-76(d)(1) Nuisance-Broken Element-Screen Enclosure)*

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

**Mr. Roberts moved to find 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; 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. Carruth – No**

**Mr. Roberts – Yes**

**Mr. Mugford- Yes**

**Ms. McDowell - Yes**

**Ms. Medley – Yes**

**Motion carried 5/1.**

**5. AI# 52**

**CASE NO. 2016041372**

LM

*City of Palm Coast vs. Palm Coast Retail LLC (Kohls Retail)*

**665 Palm Coast Pkwy SW**

*(Land Development Code 3.03.03-Table 3-4 Truck Stop - Prohibited)*

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. The Loss Prevention Specialist for Kohls Retail, presented his side. Commander Carman, FCSO, provided input regarding the violation.

**Mr. Roberts moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than fifteen (15) 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 \$250.00 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. Branin – Yes**

**Mr. Mugford- Yes**

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

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

**Motion unanimously carried.**

**6. AI# 13**

**CASE NO. 2016021031**

BMD

*City of Palm Coast vs. Emma Pronesti*

**75 Brunswick Lane**

*(Palm Coast Code Section 15-1 No Permit for Retaining Wall)*

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

**Ms. McDowell moved to find 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; 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. Carruth –Yes**  
**Mr. Roberts – Yes**

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

**Motion unanimously carried.**

**7. AI# 19**

**CASE NO. 2016010737**

JF

*City of Palm Coast vs. Sandra Hardy*

**38 Port Echo Lane**

*(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. Sandra Hardy, Respondent, presented her side.

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

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

Motion unanimously carried.

**8. AI# 20**

**CASE NO. 2016010738**

JF

*City of Palm Coast vs. Sandra Hardy*

**38 Port Echo Lane**

*(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 and Administrative Costs. Sandra Hardy, Respondent, presented her 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 is 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. Mr. Roberts seconded the motion.**

Roll was called:

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

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

Motion unanimously carried.

**9. AI# 2**

**CASE NO. 2016040680 REPEAT (5)**

CSR

*City of Palm Coast vs. Angelina Devito & Gordon Todd*

**25 Freneau Lane**

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

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

**Mr. Roberts moved to find in this case that the 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 July 5, 2016; that a \$600.00 per day fine is imposed for the period of non-compliance from April 19, 2016 to July 5, 2016; totaling \$46,800.00; that a fine of \$600.00 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. McDowell seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**10. AI# 3**

**CASE NO. 2016041121 RECURRING (1) CSR**  
*City of Palm Coast vs. Mary Kathryn Hicks*  
**26 Frenora Lane**  
*(Palm Coast Code Section 41-11(a) Trash Containers)*

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. Ms. Medley seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**11. AI# 4**

**CASE NO. 2016041306 RECURRING** (2) RS  
*City of Palm Coast vs. Joshua & Crobinski & Christina Dorgan*  
**89 Black Bear Lane**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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

**Roll was called:**

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

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

**Motion unanimously carried.**

**12. AI# 6**

**CASE NO. 2016041090 REPEAT** (2) 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.

**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 April 22, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from April 18, 2016 to April 21, 2016; totaling \$400.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Carruth seconded the motion.**

**Roll was called:**

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

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



**Motion unanimously carried.**

**13. AI# 7**

**CASE NO. 2016040324 RECURRING** (10) LF  
*City of Palm Coast vs. B rian J. & Joanne Christie-Shpak*  
**25 Kashmir 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 No Fine Standing Order 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 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. Branin – Yes**  
**Mr. Carruth –Yes**  
**Mr. Roberts – Yes**

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

**Motion unanimously carried.**

**14. AI# 15**

**CASE NO. 2016041663 RECURRING** (3) BMD  
*City of Palm Coast vs. Raphael Castro*  
**103 Laramie 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. Carruth seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**15. AI# 16**

**CASE NO. 2015120790 MASSEY** BMD  
*City of Palm Coast vs. Guadalupe Ginocchio*  
**5 Laredo Place**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

Code Enforcement MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property remains in violation. Staff recommends a fine for the period of 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 \$25.00 per day fine is imposed for the period of non-compliance from April 11, 2016 to July 5, 2016; totaling \$1,925.00; 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 in to compliance, an Affidavit of Compliance will be issued. Ms. McDowell seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**16. AI# 17**

**CASE NO. 2015120793 MASSEY** 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 for the period of non-compliance and Administrative Costs.

**Mr. Roberts moved to find in this case that Respondent was in violation of 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 April 11, 2016 to July 5, 2016; totaling \$3,850.00 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. Branin – Yes  
Mr. Carruth – Yes  
Mr. Roberts – Yes**

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

**Motion unanimously carried.**

**17. AI# 18**

**CASE NO. 2015120842 MASSEY** 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 for the period of non-compliance and Administrative Costs.

**Mr. Branin moved to find in this case that Respondent was in violation of 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 April 11, 2016 to July 5, 2016; totaling \$1,925.00 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. Mr. Carruth seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**18. AI# 21**

**CASE NO. 2016041017 RECURRING** (3) JF  
*City of Palm Coast vs. Wilhelminia V. Johnson Sawyers*  
**19 Rainbrook Drive**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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

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

**Motion unanimously carried.**

**19. AI# 22**

**CASE NO. 2016031259 RECURRING** (3) JF  
*City of Palm Coast vs. Paul & Miroslaw Janaszek*  
**8 Red Birch Lane**  
*(Palm Coast Code Section 44-34( c) Parking of Trailer in Residential District)*

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

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

Motion unanimously carried.

**20. AI# 23**

**CASE NO. 2016030763** JF  
*City of Palm Coast vs. Orlando Silva*

**31 Rockwell Lane**

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

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

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$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. Branin – Yes  
Mr. Carruth – Yes  
Mr. Roberts – Yes

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

Motion unanimously carried.

**21. AI# 36**

**CASE NO. 2016041166 REPEAT** (1) MH  
*City of Palm Coast vs. Barbara Kruse*

**45 Flamingo Drive**

*(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 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 April 26, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance from April 19, 2016 to April 25, 2016; totaling \$300.00. 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. Carruth –Yes  
Mr. Roberts – Yes**

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

**Motion unanimously carried.**

**22. AI# 43**

**CASE NO. 2016040894 RECURRING (6) JS**

*City of Palm Coast vs. John G. Graper*

**29 Slipper Orchid Trail East**

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

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

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

**Motion unanimously carried.**

**23. AI# 45**

**CASE NO. 2016040777 RECURRING (5) JS**

*City of Palm Coast vs. Grigoriy Krakhmalnikov*  
**64 Smith Trail**  
*(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)*

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

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

**Motion unanimously carried.**

**24. AI# 46**

**CASE NO. 2016040026 RECURRING (3) JS**

*City of Palm Coast vs. Toni Spencer*

**8 Squirrel Place**

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

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 Office; 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. Carruth – Yes  
Mr. Roberts – Yes**

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

**Motion unanimously carried.**

**25. AI# 47**

**CASE NO. 2016040774 RECURRING** (4) JS

*City of Palm Coast vs. Toni Spencer*

**8 Squirrel Place**

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

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

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

**Motion unanimously carried.**

**26. AI# 51**

**CASE NO. 2016040143**

LM

*City of Palm Coast vs. Across the Pond Developments LLC*

**1499 Palm Coast Pkwy NW**

*(Land Development Code 12.03.02(FF)(2) Sign Ordinance Violation)*

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 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. Ms. McDowell seconded the motion.**



**Roll was called:**

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

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

**Motion unanimously carried.**

**27. AI# 53**

**CASE NO. 2016031071**

LM

*City of Palm Coast vs. BGP Auto LLC*

**1150 Palm Coast Pkwy SW**

*(Land Development Code 12.03.02 Sign Ordinance Violation)*

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 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. Branin seconded the motion.**

**Roll was called:**

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

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

**Motion unanimously carried.**

**OLD BUSINESS:**

No old business to report.

**NEW BUSINESS:**

No old business to report.

**ANNOUNCEMENT OF NEXT MEETING:**

The next meeting of the Code Enforcement Board will be held on Wednesday, August 3, 2016 at 10:00am.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 12:10 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.*