

**CODE ENFORCEMENT BOARD**  
**Wednesday, April 5, 2017 at 10:00 a.m.**  
*Intracoastal Room*  
*Palm Coast City Hall*  
**160 Lake Avenue, Palm Coast, Florida**

**BOARD MEMBERS PRESENT:** Neil Copeland, Tameka Maccherone, Robert Branin, Norman Mugford, Kenneth Carruth, Dean Roberts

**BOARD MEMBERS ABSENT:** Kimble Medley, Richard LaPadula

**BOARD COUNSEL PRESENT:** Mary Sneed

**STAFF MEMBERS PRESENT:** Code Enforcement Manager Grossman, Supervisor Mendez, Code Enforcement Officers Stafford, Shelley, Risch, Romeo, Festa, Sagala, Hadden, MacDonald, Code Enforcement Clerk Wry, Rickie Lee, Chief Building Official

**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 March 8, 2017 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**F. Withdrawn Cases:**

<b>AI# 9</b>	<b>CASE NO. 2016120165 - 18 Fernwood Lane</b>
<b>AI# 13</b>	<b>CASE NO. 2017010751 - 197 Birchwood Drive</b>
<b>AI# 16</b>	<b>CASE NO. 2016120511 - 12 Coconut Court</b>
<b>AI# 18</b>	<b>CASE NO. 2016120848 - 43 Angela Drive</b>
<b>AI# 22</b>	<b>CASE NO. 2016071234 - 19 Roxboro Drive</b>
<b>AI# 29</b>	<b>CASE NO. 2016101428 - 31 Poppy Lane</b>
<b>AI# 31</b>	<b>CASE NO. 2016080359 - 7 Press Way</b>
<b>AI# 35</b>	<b>CASE NO. 2017010250 - 35 Rickenbacker Drive</b>
<b>AI# 39</b>	<b>CASE NO. 2016120231 - 21 Seamanship Trail</b>
<b>AI# 40</b>	<b>CASE NO. 2016120638 - 44 Seattle Trail</b>
<b>AI# 41</b>	<b>CASE NO. 2016120985 - 117 Seattle Trail</b>

**G. Continued Cases:**

**AI# 10 CASE NO. 2017010527 - 2 Firtree Lane**

**AI# 44 CASE NO. 2016101768 - 36 Edge Lane**

**1. AI# 23**

**CASE NO. 2016060935 REDUCTION** 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. The Respondent is present. The mother of Respondent is requesting a reduction of the fine which stands at \$800.00.

**Mr. Copeland moved that the fine be reduced in this case from \$800.00 to \$200.00, and that the Respondent has thirty (30) days to pay the reduced amount. If not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Ms. Maccherone seconded the motion.**

**Roll was called:**

**Mr. Carruth – Yes**

**Mr. Branin – Yes**

**Mr. Copeland – Yes**

**Mr. Mugford - Yes**

**Ms. Maccherone - Yes**

**Mr. Robert – Yes**

**Motion unanimously carried.**

**2. AI# 14**

**CASE NO. 2016090935 RECURRING** (1) MH

*City of Palm Coast vs. Zelia Ambrosino*

**49 Brewster Lane**

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

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

**Ms. Maccherone moved to find 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 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. Copeland – Yes**

**Mr. Mugford - Yes**  
**Ms. Maccherone - Yes**  
**Mr. Robert – Yes**

**Motion unanimously carried.**

**3. AI# 38**

**CASE NO. 2016111341**

JS

*City of Palm Coast vs. Michael M. Sankowski, Jr. & Lillian Z. Waters*

**3 Seamanship Trail**

*(Palm Coast Code Section 44-34( c) Parking of a Commercial Veh. In Res. District)*

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

**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 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. Copeland – Yes**

**Mr. Mugford - Yes**  
**Ms. Maccherone - Yes**  
**Mr. Robert – Yes**

**Motion unanimously carried.**

**4. AI# 34**

**CASE NO. 2016101377**

JS

*City of Palm Coast vs. James A. Jr. & Marlene C. Myrick*

**44 Egan Drive**

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

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

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

**Roll was called:**

**Mr. Carruth – Yes**  
**Mr. Branin – No**  
**Mr. Copeland – No**

**Mr. Mugford - No**  
**Ms. Maccherone - No**  
**Mr. Roberts – Yes**

**Motion failed.**

**Mr. Copeland moved that this case be continued to the next available Code Enforcement Board meeting. Ms. Maccherone seconded the motion.**

**Roll was called:**

**Mr. Carruth – No**  
**Mr. Branin – Yes**  
**Mr. Copeland – Yes**

**Mr. Mugford - Yes**  
**Ms. Maccherone - Yes**  
**Mr. Roberts – Yes**

**Motion carried 5/1.**

**5. AI# 4**

**CASE NO. 2017010569      RECURRING** (2) BMD

*City of Palm Coast vs. Steven Kim & Sopheap Prum*

**30 Londonderry Drive**

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

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 recommends a No Fine Standing Officer – Recurring Violation and Administrative Costs. Steven Kim, Respondent, presented his side.

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

**Mr. Mugford - Yes**  
**Ms. Maccherone - Yes**  
**Mr. Roberts – Yes**

**Motion unanimously carried.**

6. **AI# 2**

**CASE NO. 2017010860      RECURRING** (2) BMD

*City of Palm Coast vs. Marion M. & Lou Bogue*

**7 Burgundy Place**

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

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 recommends a No Fine Standing Officer – Recurring Violation and Administrative Costs. Marion & Lou Bogue, Respondents, presented their side.

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

**Roll was called:**

**Mr. Carruth – Yes**

**Mr. Branin – Yes**

**Mr. Copeland – Yes**

**Mr. Mugford - Yes**

**Ms. Maccherone - Yes**

**Mr. Roberts – Yes**

**Motion unanimously carried.**

7. **AI# 1**

**CASE NO. 2017011041      RECURRING** (2) RS

*City of Palm Coast vs. Alan W. & Lynn M. Proud*

**32 Blakemore Drive**

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

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 – 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. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Ms. Maccherone - Yes  
Mr. Roberts – Yes

Motion unanimously carried.

8. AI# 21

**CASE NO. 2017010889 REPEAT** JF  
*City of Palm Coast vs. John W. & Allyson McGuire*  
**32 Roxanne Lane**  
*(Palm Coast Code Section 42-56 R.O.W. Obstruction)*

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property is in compliance. Staff recommends a fine for the period of non-compliance – Recurring Violation and Administrative Costs. Suzanne Burns, tenant, presented her side.

Mr. Carruth moved to find that the respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on January 18, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance on January 17, 2017; totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Copeland seconded the motion.

Roll was called:

Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Ms. Maccherone - Yes  
Mr. Roberts – Yes

Motion unanimously carried.

9. AI# 3

**CASE NO. 2017011045 RECURRING** (2) BMD  
*City of Palm Coast vs. David & Darcy K. Hanson Lane*  
**7 Lincoln Place**  
*(Palm Coast Code Section 44-34( c) Parking of a Trailer in a Residential District)*

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 recommends a No Fine Standing Order and Administrative Costs. Darcy Lane, Respondent, presented her side.

**Ms. Maccherone 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. Roberts seconded the motion.**

**Roll was called:**

**Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes**

**Mr. Mugford - Yes  
Ms. Maccherone - Yes  
Mr. Roberts – Yes**

**Motion unanimously carried.**

**10. AI# 37**

**CASE NO. 2017010254 REPEAT (2) JS**

*City of Palm Coast vs. Aussilia & Cherilus Simon*

**10 Ryder Place**

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

Code Enforcement Officer Stafford presented case history, paperwork, and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property remains in violation. Staff recommends a fine for the period of non-compliance. Cherilus Simon, Respondent, presented her 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 Respondent has not brought the property into compliance as of March 16, 2017; that a \$150.00 per day fine is imposed for the period of non-compliance on January 5, 2017, January 26, 2017, February 2, 2017, March 16, 2017; totaling \$600.00; that a fine of \$150.00 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. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes**

**Mr. Mugford - Yes  
Ms. Maccherone - Yes  
Mr. Roberts – Yes**

**Motion unanimously carried.**

**11. AI# 45**

**CASE NO. 2017010508**

LM

*City of Palm Coast vs. Group Golf of Palm Coast, LLC*

**398 Lakeview Blvd.**

*(Palm Coast Code Section 15-1-111-4 No Permit for Structures)*

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

**Mr. Copeland 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 fifteen (15) days (to obtain permit); 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 aforestated date. In addition, the Respondent has sixty (60) days (to complete demolition or bring property back to code); 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 \$500.00 will be imposed for each and every day the violation continues past the aforestated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Carruth – Yes**

**Mr. Branin – Yes**

**Mr. Copeland – Yes**

**Mr. Mugford - Yes**

**Ms. Maccherone - Yes**

**Mr. Roberts – Yes**

**Motion unanimously carried.**

**12. AI# 46**

**CASE NO. 2017010511**

**ONC**

LM

*City of Palm Coast vs. Mandela Holdings LLC & The Lending House Inc. c/o Stoll & Assoc.*

**1 Palm Harbor Pkwy.**

*(Palm Coast Code Section 15-1-111-4 No Permit for Structures)*

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

**Mr. Carruth moved to find in this case that Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days (to obtain permit);**



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 aforestated date. In addition, the Respondent has and sixty (60) days (to complete demolition or bring property back to code); 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 \$500.00 will be imposed for each and every day the violation continues past the aforestated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Ms. Maccherone - Yes  
Mr. Roberts – Yes

Motion unanimously carried.

Ms. Maccherone left the meeting.

**13. AI# 5**

**CASE NO. 2017010279      RECURRING** (1) SB  
*City of Palm Coast vs. Harold R. & Jacqueline A. Browne*  
**63 Wellstream Lane**  
*(Palm Coast Code Section 35-76(d) Nuisance-Tree Debris)*

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

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 aforestated date; that 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. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Mr. Roberts - Yes

Motion unanimously carried.

**14. AI# 6**

**CASE NO. 2017010193**

SB

*City of Palm Coast vs. Jessica Lynn Laks*

**23 Westridge Lane**

*(Palm Coast Code Section 37-76(d)(1) Nuisance-Accumulations)*

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

**Mr. Roberts moved to find in this case that Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforestated date; that 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. Mugford - Yes**

**Mr. Branin – Yes**

**Mr. Roberts – Yes**

**Mr. Copeland – Yes**

**Motion unanimously carried.**

**15. AI# 7**

**CASE NO. 2017010194**

SB

*City of Palm Coast vs. Jessica Lynn Laks*

**23 Westridge Lane**

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

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

**Roll was called:**

Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Mr. Roberts - Yes

**Motion unanimously carried.**

**16. AI# 8**

**CASE NO. 2016120702** SB  
*City of Palm Coast vs. James H. & Gertrude G. Banks*  
**68 Whispering Pine**  
*(Palm Coast Code Section 35-76 Nuisance-Tree Debris)*

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

**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 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. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Mr. Roberts - Yes

**Motion unanimously carried.**

**17. AI# 11**

**CASE NO. 2016090938 MASSEY** CSR  
*City of Palm Coast vs. Lisa Riccardi*  
**57 Forrester Place**  
*(Palm Coast Code Section 35-76(d)(1) Nuisance-Mold & Stains)*

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 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 January 24, 2017 to April 4, 2017; totaling \$1,775.00; 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. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Mr. Roberts - Yes

Motion unanimously carried.

**18. AI# 12**

**CASE NO. 2016110103 REPEAT (2) CSR**  
*City of Palm Coast vs. William J. & Barbara Ann Mulvey*  
**197 Frankford Lane**  
*(Palm Coast Code Section 44-34( c) Parking of a Commercial Veh. In Res. 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 Respondent brought the property into compliance on April 3, 2017; that a \$150.00 per day fine is imposed for the period of non-compliance on November 1, 2016, February 19, 2017, and March 17, 2017; totaling \$450.00. 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. Branin – Yes  
Mr. Copeland – Yes

Mr. Mugford - Yes  
Mr. Roberts - Yes

Motion unanimously carried.

**19. AI# 15**

**CASE NO. 2017010262 REPEAT (1) MH**  
*City of Palm Coast vs. Dale Cicero*  
**15 Cerrudo Lane**

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

Code Enforcement Officer Hadden presented case history, paperwork, and photos into evidence. The 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 Respondent brought the property into compliance on January 6, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance on January 5, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.**

**Roll was called:**

**Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**20. AI# 17**

**CASE NO. 2016120110      RECURRING (3) MH**  
*City of Palm Coast vs. Jesus & Brigida Cabarlo*  
**94 Covington Lane**  
*(Palm Coast Code Section 41-11(a) Trash Containers)*

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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that 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. Mr. Branin seconded the motion.**

**Roll was called:**

**Mr. Carruth – Yes  
Mr. Branin – Yes  
Mr. Copeland – Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

Mr. Carruth left the meeting.

**21. AI# 19**

**CASE NO. 2016120426**

JF

*City of Palm Coast vs. Frank & Theresa Porta & David Ward*

**6 Rolls Royce Court South**

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa testified the property is in compliance. Staff recommends a No Fine Standing Order 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 is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of this 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. Copeland - Yes**

**Mr. Mugford - Yes**

**Mr. Roberts - Yes**

**Motion unanimously carried.**

**22. AI# 20**

**CASE NO. 2016120427**

JF

*City of Palm Coast vs. Frank & Theresa Porta & David Ward*

**6 Rolls Royce Court South**

*(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 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 this 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. Branin - Yes**  
**Mr. Copeland - Yes**

**Mr. Mugford - Yes**  
**Mr. Roberts - Yes**

**Motion unanimously carried.**

**23. AI# 24**

**CASE NO. 2016080031 REPEAT (1) BR**  
*City of Palm Coast vs. Carlton B. Bennett*  
**54 Pheasant Drive**  
*(Palm Coast Code Section*

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. 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 Respondent brought the property into compliance on August 3, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from July 29, 2016 to August 2, 2016; totaling \$500.00. 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. Copeland - Yes**

**Mr. Mugford - Yes**  
**Mr. Roberts - Yes**

**Motion unanimously carried.**

**24. AI# 25**

**CASE NO. 2016080863 REPEAT (1) BR**  
*City of Palm Coast vs. Dorothy M. Glover*  
**23 Philox Lane**  
*(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)*

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

**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 Respondent brought the property into compliance on August 17, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance on August 16, 2016; totaling**

**\$100.00. 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. Copeland - Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**25. AI# 26**

**CASE NO. 2016081473 REPEAT (2) BR**  
*City of Palm Coast vs. Dorothy M. Glover*  
**23 Philox Lane**  
*(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)*

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the property is in compliance. Staff recommends a 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 Respondent brought the property into compliance on September 3, 2016; that a \$150.00 per day fine is imposed for the period of non-compliance from August 27, 2016 to September 2, 2016; totaling \$1,050.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Branin - Yes  
Mr. Copeland - Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**26. AI# 28**

**CASE NO. 2016080676 REPEAT (1) BR**  
*City of Palm Coast vs. Igor & Yevgeniya Chugunov*  
**7 Pointer Place**  
*(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)*

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the property is in compliance. Staff recommends a 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 Respondent brought the property into compliance on August 25, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from August 11, 2016 to August 24, 2016; totaling \$1,400.00. 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. Copeland - Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**27. AI# 30**

**CASE NO. 2016080723 REPEAT (5) BR**

*City of Palm Coast vs. Gerado A. Aguilar*

**58 Post View Drive**

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

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. 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 Respondent brought the property into compliance on August 13, 2016; that a \$750.00 per day fine is imposed for the period of non-compliance on August 12, 2016; totaling \$750.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.50. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Branin - Yes  
Mr. Copeland - Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**28. AI# 32**

**CASE NO. 2016080029 BR**

*City of Palm Coast vs. Herionne Vaval*

**33 Prosperity Lane**

*(Palm Coast Code Section 44-34( c) Parking of a Commercial Veh. In Res. District)*

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 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. Copeland - Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**29. AI# 33**

**CASE NO. 2017010998      REPEAT      (3)      JS**

*City of Palm Coast vs. Anthony J. Gardiner*

**23 Butternut Drive**

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

**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 Respondent brought the property into compliance on April 4, 2017; that a \$250.00 per day fine is imposed for the period of non-compliance on January 19, 2017 and February 3, 2017; totaling \$500.00. The Respondent shall pay Administrative Costs to the City in the amount of \$72.50. Mr. Roberts seconded the motion.**

**Roll was called:**

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

**Mr. Mugford - Yes  
Mr. Roberts – Yes**

**Motion unanimously carried.**

**30. AI# 36**

**CASE NO. 2016120979      JS**

*City of Palm Coast vs. Cynthia White*

**15 Ryall Lane**

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

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

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

**Roll was called:**

**Mr. Branin - Yes  
Mr. Copeland - Yes**

**Mr. Mugford - Yes  
Mr. Roberts - Yes**

**Motion unanimously carried.**

**31. AI# 42**

**CASE NO. 2016120025** JS  
*City of Palm Coast vs. Toni Spencer*  
**8 Squirrel Place**  
*(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)*

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

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

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

**Mr. Mugford - Yes  
Mr. Roberts – Yes**

**Motion unanimously carried.**

**32. AI# 43**

**CASE NO. 2017011130** **RECURRING** (3) JS  
*City of Palm Coast vs. Joseph Kish*  
**79 Underwood Trail**

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

**Mr. Roberts moved to find 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.**

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

**Mr. Mugford - Yes  
Mr. Roberts – Yes**

**Motion unanimously carried.**

**OLD BUSINESS:**

None to report.

**NEW BUSINESS:**

Mr. Copeland had some questions regarding dates of violation, owner of property and vehicle related cases. He would like information on whether there is another avenue to adjudicate these types of cases. He questioned whether citations could be written. After lengthy discussion, it was recommended a workshop will be held to review several issues to include information how collections are handled, review codes regarding vehicles and methodology on how cases are brought to this meeting versus citations. Mr. Copeland would like to make a presentation to the City Council following this meeting to possibly modify specific codes.

Ms. Grossman will arrange the workshop and include the City attorney and Code Board attorney, Bill Wry, Mr. Landon, and at some point, the County official. She informed the Board members that at one time the Flagler County Sheriff's Office was issuing citations, but can no longer do so because of the volume of Sheriff Department issues in the City. She will schedule a two hour time slot for the workshop and advise when scheduled.

**ANNOUNCEMENT OF NEXT MEETING:**

The next meeting of the Code Enforcement Board will be held on Wednesday, May 3, 2017 at 10:00am.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 12:30 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.*