

CODE ENFORCEMENT BOARD
Wednesday, June 7, 2017 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, Richard LaPadula, Dean Roberts

BOARD MEMBERS ABSENT: Tameka Maccherone, Kimble Medley

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Supervisor Mendez, Code Enforcement Officers Stafford, Shelley, Risch, Romeo, Festa, Sagala, MacDonald, Burton, Code Enforcement Clerk Wry

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 3, 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F. Withdrawn Cases:

AI# 3	CASE NO. 2017040403 - 49 Blairsville Drive
AI# 7	CASE NO. 2017020307 - 63 Riverina Drive
AI# 8	CASE NO. 2017011239 - 24 Round Tree Drive
AI# 10	CASE NO. 2017030418 - 12 Coconut Court
AI# 11	CASE NO. 2017010469 - 55 Courtney Place
AI# 12	CASE NO. 2017021108 - 89 Covington Lane
AI# 14	CASE NO. 2016080120 - 14 Beachway Drive
AI# 18	CASE NO. 2017030882 - 30 Firtree Lane
AI# 19	CASE NO. 2017030883 - 30 Firtree Lane
AI# 20	CASE NO. 2017030884 - 30 Firtree Lane
AI# 21	CASE NO. 2017030885 - 30 Firtree Lane
AI# 25	CASE NO. 2017030965 - 36 Westford Lane
AI# 31	CASE NO. 2017020662 - 1 Woodbury Drive

AI# 32	CASE NO. 2017100017 - 174 Eric Drive
AI# 33	CASE NO. 2017020382 - 37 Port Echo Lane
AI# 40	CASE NO. 2017010285 - 6 Prince Patric Lane
AI# 41	CASE NO. 2017021174 - 15 Karat Path
AI# 43	CASE NO. 2017010906 - 32 Llama Trail
AI# 46	CASE NO. 2017030479 - 4 Ponderosa Lane (B)
AI# 48	CASE NO. 2017020783 - 46 Ryapple Lane (B)A
AI# 51	CASE NO. 2017030862 - 8 Upland Place

1. AI# 36

CASE NO. 2017021194 RECURRING (1) BR

City of Palm Coast vs. Leonid Tell

83 Pheasant Drive

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

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

Mr. Copeland 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 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date. 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

Mr. LaPadula - Yes

Mr. Roberts – Yes

Motion unanimously carried.

2. AI# 45

CASE NO. 2017030121 JS

City of Palm Coast vs. Leonid Tell

83 Pheasant Drive

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

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. Glenn Watson, tenant, presented his side.

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 one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Copeland seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

3. AI# 5

CASE NO. 2017030356 RECURRING (1) BMD

City of Palm Coast vs. Igor & Natalia Zintchenko

63 Leaver Lane

(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 Order – Recurring Violation and Administrative Costs. Natalia Zintchenko, Respondent, presented her side.

Mr. Branin moved to find in this case that Respondent was in violation of 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
Mr. LaPadula - Yes
Mr. Roberts – Yes**

Motion unanimously carried.

4. AI# 39

CASE NO. 2017010922

BR

City of Palm Coast vs. James Patrick Berdyn, Trustee

24 Prestwick Lane

(Palm Coast Code Section 15-108(c) Driveway in Disrepair)

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

Mr. Copeland 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 sixty (60) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date. The Respondent 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

Mr. LaPadula - Yes

Mr. Roberts – Yes

Motion unanimously carried.

5. AI# 4

CASE NO. 2017040173 RECURRING (2) BMD

City of Palm Coast vs. Brian T. & Stefanie A. Crisp

7 Bud Hollow Drive

(Palm Coast Code Section 44-34(f) Boat & Trailer 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 Order – Recurring Violation and Administrative Costs. Brian Crisp, Respondent, presented his side.

Mr. Branin moved to find in this case that Respondent was in violation of 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
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

6. AI# 1

CASE NO. 2017030680 RECURRING RS

City of Palm Coast vs. Danilo & Elba Gomez

63 Black Alder Drive

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

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. Roberts moved to find in this case that Respondent was in violation of 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. LaPadula seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

7. AI# 2

CASE NO. 2017030697 RS

City of Palm Coast vs. Robert Mashamesh

7 Blackberry Place

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

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. Branin moved to find in this case that Respondent was in violation of 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 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. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

8. AI# 6

CASE NO. 2017030390 RECURRING (2) BMD

City of Palm Coast vs. Todd A. & Theresa B. Law

21 Leidel 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. Branin moved to find in this case that Respondent was in violation of 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
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

9. AI# 9

CASE NO. 2017031326 REPEAT (5) JF

City of Palm Coast vs. Roland & Milan Baltazor, Trustees

1 Rylin Lane

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

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 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 31, 2017; that a \$650.00 per day fine is imposed for the period of non-compliance on March 30, 2017; totaling \$650.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.50. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

10. AI# 15

CASE NO. 2017031221 REPEAT (1) BS

City of Palm Coast vs. Michael Lamonica

33 Beachway Drive

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

Code Enforcement Officer Shelley presented case history, paperwork, and photos into evidence. The Respondent was not present. Officer Shelley testified the property is in compliance. Staff recommends a fine for the period of non-compliance 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 April 1, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance from March 28, 2017 to March 31, 2017; totaling \$400.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

11. AI# 16

CASE NO. 2016120909 MASSEY BS

City of Palm Coast vs. Frank R. & Sirena Sorrentino

212 Beechwood Lane

(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 Respondent was in violation of City Code as charged; that 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 20, 2017 to June 6, 2017; totaling \$3,950.00. 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. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Branin – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Mr. LaPadula - Yes

Mr. Roberts – Yes

Motion unanimously carried.

12. AI# 17

CASE NO. 2016120953 MASSEY BS

City of Palm Coast vs. Richard O. & Ann G. Smith

170 Bren Mar Lane

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

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent brought the property into compliance on May 13, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from March 20, 2017 to May 12, 2017; totaling \$2,650.00. The

Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

13. AI# 22

CASE NO. 2017030571 RECURRING (2) CSR

City of Palm Coast vs. Jamie L. & Thomas Hickey

31 Flanders Lane

(Palm Coast Code Section 44-34(c) 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 No Fine Standing Order – Recurring Violation and Administrative Costs.

Mr. Copeland moved to find in this case that Respondent was in violation of 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. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

14. AI# 23

CASE NO. 2017021248 RECURRING (1) CSR

City of Palm Coast vs. Jacqueline J. Viljoen

148 Florida Park Drive

(Palm Coast Code Section 15-108(g) Fence Maintenance)

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 Respondent was in violation of 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. Copeland – Yes**

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

Motion unanimously carried.

15. AI# 24

CASE NO. 2017020309

SB

City of Palm Coast vs. Lisa Corbin Wierzbicki & Carolina Lanspergen

18 Ellsworth Drive

(Palm Coast Code Section 35-76(d)(1) Nuisance-Screen Pool Enclosure in Disrepair)

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 was in violation of City Code as charged; that 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 \$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. Branin – Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

16. AI# 26

CASE NO. 2017030541

SB

City of Palm Coast vs. Christopher W. Payne

37 White House Drive

(Palm Coast Code Section 44-34(d)(2) Parking of Camper (RV))

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 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. Copeland – Yes

Mr. Mugford - Yes

Mr. LaPadula - Yes

Mr. Roberts – Yes

Motion unanimously carried.

17. AI# 27

CASE NO. 2017030689

SB

City of Palm Coast vs. Alton & Deborah Svitzer

4 Whittier Lane

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

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 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. Mugford - Yes

Mr. LaPadula - Yes

Mr. Copeland – Yes

Mr. Roberts – Yes

Motion unanimously carried.

18. AI# 28

CASE NO. 2017030690

SB

City of Palm Coast vs. Alton & Deborah Svitzer

4 Whittier Lane

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

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. LaPadula moved to find in this case that Respondent is in violation of City Code as charged; that 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. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Mugford - Yes

Mr. Branin – Yes

Mr. LaPadula - Yes

Mr. Copeland – Yes

Mr. Roberts – Yes

Motion unanimously carried.

19. AI# 29

CASE NO. 2017020925

SB

City of Palm Coast vs. Fernando Dias

13 Wood Acre Lane

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

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify

compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

20. AI# 30

CASE NO. 2016110560 MASSEY SB

City of Palm Coast vs. Robert Mkrtchyan

21 Wood Crest Lane

(Palm Coast Code Section 15-108(g) Fence Maintenance

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 for the period of non-compliance and Administrative Costs.

Mr. Copeland moved to find in this case that Respondent was in violation of City Code as charged; that 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 Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from March 6, 2017 to June 6, 2017; totaling \$2,325.00; 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. Mr. LaPadula seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

21. AI# 34

CASE NO. 2016071205 MASSEY BR

City of Palm Coast vs. Levorose Trust

29 Patchogue Lane

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

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged; that 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 Respondent brought the property into compliance on February 27, 2017; that a \$25.00 per day fine is imposed for the period of non-compliance from February 13, 2017 to February 26, 2017; totaling \$350.00. 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

Mr. LaPadula - Yes

Mr. Roberts – Yes

Motion unanimously carried.

22. AI# 35

CASE NO. 2017020384 REPEAT (1) BR

City of Palm Coast vs. Bruce Vo Thien

37 Pepperdine Drive

(Palm Coast Code Section 44-34(c) Parking of a Trailer in 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. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on January 9, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance on January 8, 2017; totaling \$100.00. 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
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

23. AI# 37

CASE NO. 2016120205

BR

City of Palm Coast vs. Evert & Cherly Witteveen

31 Pine Haven 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 presented. Officer Romeo 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 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. LaPadula seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

24. AI# 38

CASE NO. 2017010284 RECURRING (2) BR

City of Palm Coast vs. Edwin D. & Carmen S. Nazario

31 Point of Woods 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 presented. Officer Romeo 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 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. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

25. AI# 42

CASE NO. 2017021048

JS

City of Palm Coast vs. Mikhail Braslavskiy

11 Kathryn Place

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

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. Branin moved to find in this case that Respondent was in violation of 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. LaPadula seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. LaPadula - Yes
Mr. Roberts – Yes

Motion unanimously carried.

26. AI# 44

CASE NO. 2017030642 RECURRING (3) JS

City of Palm Coast vs. Melony J. & David M. Paradis

149 Persimmon Drive

(Palm Coast Code Section 44-34(c) Parking of a Comm. Veh. In Residential District)

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 Find Standing Order – Recurring Violation and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of 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. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

27. AI# 47

CASE NO. 2017011304

JS

City of Palm Coast vs. Sokhom & Thida Kim Neou

9 Russo Drive

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

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. 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 ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

28. AI# 49

CASE NO. 2017010254 REDUCTION

JS

City of Palm Coast vs. Aussilia & Cherilus Simon

10 Ryder Place

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

The Respondent did not appear to plead their request for reduction, therefore, the case was not heard.

29. AI# 50

CASE NO. 2016080798 MASSEY

JS

City of Palm Coast vs. Serguei Rozenberg & Mikhail Sherr

7 Squirrel Place

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

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 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 March 27, 2017 to June 6, 2017 totaling \$1,750.00; 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. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Branin – Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Mr. LaPadula - Yes

Mr. Roberts – Yes

Motion unanimously carried.

30. AI# 52

CASE NO. 2017030861

RECURRING (2) JS

City of Palm Coast vs. Cathy Clayton

14 Zammer Court

(Palm Coast Code Section 35-76(d)(2) 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 City Code as charged; that 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 \$69.00. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

OLD BUSINESS:

None to report.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, July 5, 2017 at 10:00am.

ADJOURNMENT:

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

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson

Secretary to the Board

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

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