

CODE ENFORCEMENT BOARD
Wednesday, September 6, 2017, 2017 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Dean Roberts, Norman Mugford, Tameka Maccherone, Robert Branin

BOARD MEMBERS EXCUSED: Kenneth Carruth, Neil Copeland, Richard LaPadula, Kimble Medley

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Stafford, Festa, Hadden, Shelley, Sagala, MacDonald, Code Enforcement Clerk Wry, City Counsel 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 four (4) members present.
- C. Approval of the August 2, 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- F. Withdrawn Cases:**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. 2017060673 - 51 Black Bear Lane
AI# 7	CASE NO. 2017051282 - 66 Raleigh Drive
AI# 8	CASE NO. 2017051283 - 66 Raleigh Drive
AI# 10	CASE NO. 2017040917 - 17 Roxton Lane
AI# 12	CASE NO. 2017050840 - 28 Westfalls Lane
AI# 13	CASE NO. 2017051483 - 41 Westminster Drive
AI# 14	CASE NO. 2017060406 - 29 White Dove Lane
AI# 15	CASE NO. 2017040024 - 8 Wilson Place
AI# 16	CASE NO. 2017060130 - 18 Wood Arbor Lane (A)
AI# 17	CASE NO. 2017051037 - 228 Boulder Rock Drive
AI# 19	CASE NO. 2017060070 - 43 Bressler Lane

AI# 23	CASE NO. 2017041043 - 19 Flemingwood Lane (A)
AI# 24	CASE NO. 2017041042 - 19 Flemingwood Lane (B)
AI# 25	CASE NO. 2017060735 - 29 Kathleen Trail
AI# 26	CASE NO. 2017060734 - 29 Kathleen Trail
AI# 27	CASE NO. 2017060733 - 29 Kathleen Trail
AI# 28	CASE NO. 2017060424 - 11 Llovera Place
AI# 31	CASE NO. 2017040233 - 49 Coral Reef Court North
AI# 33	CASE NO. 2016120493 - 22 Flamingo Drive
AI# 34	CASE NO. 2017060253 - 5 Louvet Lane (A)
AI# 35	CASE NO. 2015081493 - 4 Office Park Drive
AI# 36	CASE NO. 2017010500 - 9 Chesney Court
AI# 38	CASE NO. 2017030115 - 74 Plain View Drive
AI# 41	CASE NO. 2017050983 - 14 Porcupine Drive
AI# 45	CASE NO. 2017040791 - 32 Llama Trail
AI# 46	CASE NO. 2017050340 - 20 Raemond Lane
AI# 47	CASE NO. 2017050341 - 20 Raemond Lane
AI# 50	CASE NO. 2017041008 - 24 Ryapple Lane (A)
AI# 53	CASE NO. 2017041184 - 10 Slippery Rock Place
AI# 55	CASE NO. 2017041178 - 8 Smokehouse Place
AI# 61	CASE NO. 2017040516 - 9 Unimay Court (A)
AI# 62	CASE NO. 2017041220 - 55 Utica Path
AI# 63	CASE NO. 2017050654 - 145 Cypress Point Pkwy 103
AI# 64	CASE NO. 2017050655 - 145 Cypress Point Pkwy 103

G. Continued Cases:

AI #37 CASE NO. 2017020798 – 16 Pineash Lane

1. AI# 18

CASE NO. 2016120953 REDUCTION BS

City of Palm Coast vs. Richard O. Smith

170 Bren Mar Lane

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

Code Enforcement Officer Shelley presented case history and stated the fine for this violation is \$2,650.00. Richard Smith, Respondent, presented his request for reduction of fine.

Mr. Branin moved that the fine be reduced in this case from \$2,650.00 to \$1,000.00 and that Respondent has thirty (30) days to pay the reduced amount. If not paid by the end of the thirty (30) days, the fine shall revert back to the amount now due and all requested relief shall be deemed denied. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously approved.

2. AI# 6

CASE NO. 2017051464

RS

City of Palm Coast vs. Mrgan Edwards

9 Blyth Place

(Palm Coast Code Section 35-67(d) Nuisance-Accumulations)

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

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 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. Roberts seconded the motion.

Roll was called:

Mr. Roberts – Yes

Mr. Branin – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Motion unanimously approved.

3. AI# 2

CASE NO. 2017050065

BMD

City of Palm Coast vs. Brian M. & Angela M. McKay

92 Burbank Drive

(Palm Coast Code Section 15-1-FBC 105.1 No Permit for Fence)

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. Angela McKay, Respondent, presented her side. Barbara Grossman, Code Enforcement Manager, testified on behalf of the City.

Ms. Maccherone moved to find in this case that Respondent is in violation of City Code as charged; that the Respondent correct the violation no later 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

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. Roberts seconded the motion.

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

4. AI# 44

CASE NO. 2017050761

BR

City of Palm Coast vs. Sibia Group Inc. c/o Ryan

6115 State HWY 100 East

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. John Bennett, District Manager for Sibia Group, 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 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. Branin seconded the motion.

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

5. AI# 5

CASE NO. 2017061468

RECURRING (2) RS

City of Palm Coast vs. Gregory & Michael P. & Marianne Federko

19 Bleau Court

(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 – Recurring Violation and Administrative Costs.

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

Roll was called:

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

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

Motion unanimously approved.

6. AI# 1

CASE NO. 2017061730 RECURRING (2) BMD

City of Palm Coast vs. Christine M. Beaulieu

62 Bud Hollow Drive

(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 - Recurring Violation and Administrative Costs. John Staub, tenant, presented his 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. Branin seconded the motion.

Roll was called:

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

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

Motion unanimously approved.

7. AI# 39

CASE NO. 2017040298 RECURRING (2) BR

City of Palm Coast vs. John & Janice Morello

8 Poinbury Drive

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

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

Roll was called:

Mr. Roberts – Yes

Mr. Branin – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Motion unanimously approved.

8. AI# 4

CASE NO. 2017050311 RS

City of Palm Coast vs. Carlos Rodriguez

30 Black Hawk Place

(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 – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Roberts – Yes

Mr. Mugford - Yes

Mr. Branin – Yes

Ms. Maccherone - Yes

Motion unanimously approved.

9. AI# 9

CASE NO. 2017060328 RECURRING (2) JF

City of Palm Coast vs. Mikhail & Yelena Dekhtyar

27 Red Top Lane

(Palm Coast Code Section 44-34(c) Parking of a Comm. Veh. 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. Branin moved to find in this case that Respondent was in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Roberts – Yes

Mr. Mugford - Yes

Mr. Branin – Yes

Ms. Maccherone - Yes

Motion unanimously approved.

10. AI# 11

CASE NO. 2017060266 RECURRING (2) JF

City of Palm Coast vs. Joseph L. & Margaret M. Bayron-Collazo

51 Ryarbor Drive

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

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. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

11. AI# 20

CASE NO. 2017051183 RECURRING (1) BS
City of Palm Coast vs. Egbert H. & Shirley F. Profitt
104 Bridgehaven Drive
(Palm Coast Code Section 35-76(d)(1) Nuisance-Broken Garage Door)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not presented. Officer Shelley 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 \$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. Maccherone seconded the motion.

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

12. AI# 21

CASE NO. 2017051415 RECURRING (1) BS
City of Palm Coast vs. Tanya Giaime
45 Brockton Lane
(Palm Coast Code Section 15-108(d) Fence Maintenance)

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

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

Motion unanimously approved.

13. AI# 22

CASE NO. 2017051494 BS
City of Palm Coast vs. Igor Shalamov
74 Belvedere Lane
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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

Mr. Roberts moved to find in this case that Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$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. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously approved.

14. AI# 29

CASE NO. 2017060757 **RECURRING** (5) CSR

City of Palm Coast vs. Albert P. Shuler
3 Zelda Court
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

15. AI# 30

CASE NO. 2017051140 REPEAT (1) MH
City of Palm Coast vs. M. Webber LLC
94 Club House Drive
(Palm Coast Code Section 44-34(d)(2) Parking Boat/Trailer)

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.

Ms. Maccherone 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 May 24, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance from May 23, 2017 to May 24, 2017 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. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

16. AI# 32

CASE NO. 2017040752 RECURRING (3) MH

City of Palm Coast vs. Jiamming & Xiaorong Pan Ye

59 Coral Reef Court North

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

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

Mr. Branin – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Motion unanimously approved.

17. AI# 40

CASE NO. 2017051471 RECURRING (3) BR

City of Palm Coast vs. Joseph R. & Kristy L. Beams

6 Pope Lane

(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 No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

18. AI# 42

CASE NO. 2016101474 MASSEY BR
City of Palm Coast vs. Ronald P. & Dolores C. Adams
37 Port Echo 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 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 is in violation of the 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 \$25.00 per day fine is imposed for the period of non-compliance from May 18, 2017 to September 5, 2017; totaling \$2,775.00 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. Branin seconded the motion.

Roll was called:

Mr. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

19. AI# 43

CASE NO. 2017051275 RECURRING (2) BR
City of Palm Coast vs. Ilya Sirota
37 Princess Dolores Lane
(Palm Coast Code Section 44-34(d)(2) Parking Boat & Trailer)

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

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

Roll was called:

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

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

Motion unanimously approved.

20. AI# 48

CASE NO. 2017060110 REPEAT (2) JS
City of Palm Coast vs. Sokhom & Thida Kim Neou
9 Russo 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 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 June 2, 2017; that a \$150.00 per day fine is imposed for the period of non-compliance on June 1, 2017 totaling \$150.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously approved.

21. AI# 49

CASE NO. 2017051497 REPEAT (1) JS
City of Palm Coast vs. Sokhom & Thida Kim Neou
9 Russo Drive
(Palm Coast Code Section 44-33(b) Parking in Swale 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 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 July 14, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance from June 1, 2017 to July 13, 2017 totaling \$700.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously approved.

22. AI# 51

CASE NO. 2017050299

JS

*City of Palm Coast vs. Christopher A. &Carolyn E. Loveman & Austin H. Moore
80 Rymshaw Drive
(Palm Coast Code Section 44-33(b) Parking in Swale 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. 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 the 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. Roberts – Yes
Mr. Branin – Yes**

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

Motion unanimously approved.

23. AI# 52

CASE NO. 2017050825

REPEAT (2)

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 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 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 May 22, 2017; that a \$150.00 per day fine is imposed for the period of non-compliance from May 10, 2017 to May 21, 2017 totaling \$1,650.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Roberts – Yes

Mr. Branin – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Motion unanimously approved.

24. AI# 54

CASE NO. 2017060389 RECURRING (3) JS

City of Palm Coast vs. Jose & Teresa Torres

8 Smokehouse Place

(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 Fine Standing Order – Recurring Violation and Administrative Costs.

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. Roberts – Yes

Mr. Branin – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Motion unanimously approved.

25. AI# 56

CASE NO. 2016111307 MASSEY JS

City of Palm Coast vs. Toni Spencer

8 Squirrel Place

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford testified the property remains in violation. Staff recommends a fine 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 Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from May 18, 2017 to September 5, 2017, totaling \$2,775.00 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. Mr. Roberts seconded the motion.

Roll was called:

Mr. Roberts – Yes

Mr. Branin – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Motion unanimously approved.

26. AI# 57

CASE NO. 2017060284 RECURRING (3) JS

City of Palm Coast vs. Clifford Loren Arrington, Jr.

159 Ulysses 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 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. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

27. AI# 58

CASE NO. 2017060289 RECURRING (4) JS
City of Palm Coast vs. Luis Medina
14 Underwick Path
(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. 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. Roberts – Yes
Mr. Branin – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes

Motion unanimously approved.

28. AI# 59

CASE NO. 2017031332 JS
City of Palm Coast vs. Rafael A. Diaz
210 Underwood Trail
(Palm Coast Code Section 15-1-FBC 105.1 No Permit for Fence)

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 City Code as charged; that Respondent correct the violation no later than seven (7) 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. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously approved.

29. AI# 60

CASE NO. 2017060290 RECURRING (3) JS
City of Palm Coast vs. Jon A Ferguson, Life Estate
319 Underwood Trail
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Stafford 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 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. Roberts – Yes
Mr. Branin – Yes**

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

Motion unanimously approved.

OLD BUSINESS:

None to report.

NEW BUSINESS

None to report.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, October 4, 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.