

CODE ENFORCEMENT BOARD
Wednesday, February 7, 2018, 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, Richard LaPadula, Jon Netts, Larry Pulos, Andrew Dodzik, Tameka Maccherone, Kenneth Carruth

BOARD COUNSEL PRESENT: Mary Snead

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Stafford, Festa, Hadden, Shelley, MacDonald, Duran, Tree Inspector Arena, 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 seven (7) members present.
- C. Approval of the January 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 Snead, Counsel for the Code Board.**
- F. Withdrawn Cases:**
- | | |
|---------------|---|
| AI# 3 | CASE NO. 2017100492 - 107 Burroughs Drive |
| AI# 6 | CASE NO. 2017081496 - 3Campbell Court |
| AI# 7 | CASE NO. 2017041061 - 5Chestnut Court |
| AI# 8 | CASE NO. 2017061843 - 41Club House Drive |
| AI# 11 | CASE NO. 2017061846 - 33Marshview Lane |
| AI# 12 | CASE NO. 2017101078 - 9Russo Drive |
| AI# 13 | CASE NO. 2017110461 - 9Russo Drive |
| AI# 16 | CASE NO. 2017101223 - 14 Secretary Trail |
| AI# 19 | CASE NO. 2017100957 - 19 Parkview Drive |
| AI# 21 | CASE NO. 2017070461 - 33 Poplar Drive |
| AI# 23 | CASE NO. 2017090259 - 27 Prince John Lane |
| AI# 24 | CASE NO. 2017110397 - 24 Becket Lane |
| AI# 28 | CASE NO. 2017100693 - 15 Fanshawe lane (A) |
| AI# 30 | CASE NO. 2017090302 - 15 Felter Lane |
| AI# 36 | CASE NO. 2017081655 - 13 Llosee Court |

G. Continued Cases:

AI# 4 **CASE NO. 2017101358 - 53 East Hampton Blvd.**
AI#17 **CASE NO. 2017091620 - 45 Sederholm Path**

1. AI# 37

CASE NO. 2017010511 FORECLOSURE LM

City of Palm Coast vs. Mandela Holdings LLC & TheLending House Inc. c/o Stoll & Associates
1 Palm Harbor Parkway
(Palm Coast Code Section 15-1-111-4 No Permit for Structures)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos. The evidence was shown to the Respondent. Supervisor Mendez testified the property remains in violation. The City is requesting authorization from the Code Enforcement Board to start the foreclosure process. Tim Danninger, attorney for Respondent, discussed his involvement and requested a 30 day continuance.

Mr. Netts moved to start the foreclosure process with the understanding that should the property come into compliance within thirty (30) days, no action will be taken. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

2. AI# 38

CASE NO. 2017031322 MASSEY LM

City of Palm Coast vs. Mandela Holdings LLC & TheLending House Inc. c/o Stoll & Associates
1 Palm Harbor Parkway
(Palm Coast Code Section 35-76(d)(1) Nuisance Overgrowth)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Tim Danninger, attorney for Respondent, requested a continuance of this case.

Mr. Netts moved that this case be continued until the next available Code Enforcement Board meeting. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

Ms. Maccherone - Yes
Mr. Roberts - Yes

Motion unanimously carried.

3. AI# 39

CASE NO. 2017031323 MASSEY LM

City of Palm Coast vs. Mandela Holdings LLC & TheLending House Inc. c/o Stoll & Associates
1 Palm Harbor Parkway
(Palm Coast Code Section 35-76(d)(1) Nuisance Accumulations)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Tim Daninger, attorney for Respondent, requested a continuance for this case.

Mr. Netts moved that this case be continued until the next available Code Enforcement Board meeting. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

4. AI# 40

CASE NO. 2017031325 MASSEY LM

City of Palm Coast vs. Mandela Holdings LLC & TheLending House Inc. c/o Stoll & Associates
1 Palm Harbor Parkway
(Palm Coast Code Section 35-76(d)(1) Nuisance Fence in Disrepair)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs. Tim Daninger, attorney for Respondent, requested a continuance for this case.

Mr. Netts moved that this case be continued until the next available Code Enforcement Board meeting. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

5. AI# 29

CASE NO. 2017081736 RECURRING (5) CSR
City of Palm Coast vs. Eric Sean & Aradhika K. Webber
9 Felter Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. LaPadula 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. Netts seconded the motion.

Roll was called:

Mr. Pulos – No
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion carried 6/1.

6. AI# 25

CASE NO. 2017101548 BS
City of Palm Coast vs. Jose Mario Sr. & Rosaura Lopez
1 Beech Place
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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

Mr. Netts 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. Ms. Maccherone seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

7. AI# 26

CASE NO. 2017101545

BS

City of Palm Coast vs. Jose Mario Sr. & Rosaura Lopez

1 Beech Place

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

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

Mr. Netts 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. Ms. Maccherone seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

8. AI# 1

CASE NO. 2017110164

SB

City of Palm Coast vs. US Bank, Trustee

21 Whittington Drive

(Palm Coast Code Section 44-34(f) Improper Parking)

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. 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 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. Mr. Netts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. LaPadula – Not present

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Motion unanimously carried.

9. AI# 2

CASE NO. 2017100488 REPEAT (2) BMD

City of Palm Coast vs. Sophal & Chantha Kes

107 Burroughs Drive

(Palm Coast Code Section 44-34(c) Parking of a Comm. Veh./Trailer in Residential Dist.)

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 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 Respondent brought the property into compliance on October 11, 2017; that a \$250.00 per day fine is imposed for the period of non-compliance from October 9, 2017 to October 10, 2017; totaling \$500.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. LaPadula seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Motion unanimously carried.

10. AI# 34

CASE NO. 2017061112 MASSEY CSR
City of Palm Coast vs. Wilfredo & Maritza Velazquez
22 Freeland Lane
(Land Development Code 13.02.06 (B)(36) Not Approved House Color)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified the property remains in violation. Staff recommends a fine for the period of non-compliance. Maritza Velazquez, Respondent, was sworn in and presented her side.

Mr. Carruth moved to find in this case 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 \$50.00 per day fine is imposed for the period of non-compliance from December 14, 2017 to February 6, 2018; totaling \$2,750.00 and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

11. AI# 14

CASE NO. 2017110459 RECURRING JS
City of Palm Coast vs. Margaret G. Mclarty
9 Ryapple Lane
(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 evidence was shown to the Respondent. Officer Stafford testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Mr. Mclarty, husband of Respondent, was sworn in and presented his side.

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 is now 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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

12. AI# 5

CASE NO. 2017101564 REPEAT (1) JF

City of Palm Coast vs. Benny J. Jr. & Delores Cope

59 Ryland Drive

(Palm Coast Code Section 44-34(c) Parking of a Comm. Veh./Trailer in Residential Dist.)

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. LaPadula 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 November 1, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from October 30, 2017 to October 31, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

13. AI# 9

CASE NO. 2017031063 MH

City of Palm Coast vs. Ronald K. & Helen Vetter

38 Cottonwood Court

(Palm Coast Code Section 35-76(d) Nuisance-Roof Painted with Tar)

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 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 \$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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

14. AI# 10

CASE NO. 2017021108

MH

City of Palm Coast vs. R. Vernon Moore, Life Estate

89 Covington Lane

(Palm Coast Code Section 35-76(d) Nuisance-Dock & Boat House in Disrepair)

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 City Code as charged; that Respondent correct the violation no later than thirty (30) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the 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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

15. AI# 15

CASE NO. 2017110068 REPEAT (1) JS
City of Palm Coast vs. Joseph G. Casanova
53 Seattle Trail
(Palm Coast Code Section 41-11(a) Trash Containers)

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

Mr. Roberts moved to find 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 November 1, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance on October 31, 2017; totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

16. AI# 27

CASE NO. 2017110215 REPEAT (1) BS
City of Palm Coast vs. Richard O. Smith, Life Estate
170 Bren Mar Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Shelley presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Shelley testified the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs. Richard Smith, Respondent, was sworn in and presented his side.

Mr. Roberts moved to find 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 February 6, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance from November 2, 2017 to February 6, 2018; totaling \$9,700.00; that a fine of \$100.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement

Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

17. AI# 18

CASE NO. 2017050303 MASSEY JS

City of Palm Coast vs. Jennifer K. Doyle

39 Uhl Path

(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. 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 November 23, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from November 17, 2017 to November 22, 2017; totaling \$300.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

18. AI# 20

CASE NO. 2017081672 BR

City of Palm Coast vs. Joseph Alisca & Evelyn M Benjamin

5 Ponderosa Lane (A)

(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 – 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 ten (10) days after this Order is entered in writing; that in the event 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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

19. AI# 22

CASE NO. 2017010922 MASSEY BR
City of Palm Coast vs. James Patrick Beredyn
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 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.

Ms. Maccherone 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 \$50.00 per day fine is imposed for the period of non-compliance from August 14, 2017 to February 6, 2017; totaling \$8,850.00 and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

Ms. Maccherone - Yes
Mr. Roberts - Yes

Motion unanimously carried.

20. AI# 31

CASE NO. 2017071068 MASSEY CSR
City of Palm Coast vs. Douglas & Deividy Da Silva Costa
146 Fenimore Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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. LaPadula 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 \$50.00 per day fine is imposed for the period of non-compliance from November 22, 2017 to February 6, 2017; totaling \$3,850.00 and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

21. AI# 32

CASE NO. 2017101568 CSR
City of Palm Coast vs. Robert & Sixta A. Licht
116 Florida Park Drive
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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 – 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 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 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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

22. AI# 33

CASE NO. 2017100877

CSR

City of Palm Coast vs. Randy & Ann Jochim

38 Folcroft Lane

(Palm Coast Code Section 15-1-FBC 105.1 No Permit for Construction Work Out of Scope of Permit)

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 – 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 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. Ms. Maccherone seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

23. AI# 35

CASE NO. 2017051438 MASSEY CSR

City of Palm Coast vs. Amy M. Vinson

87 Karas Trail

(Palm Coast Code Section 44-34(f) Improper Parking)

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. LaPadula 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 November 20, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from November 16, 2017 to November 19, 2017; totaling \$200.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Motion unanimously carried.

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, March 7, 2018 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:28 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.