

CODE ENFORCEMENT BOARD
Wednesday, March 7, 2018 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 Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Stafford, Burton, Festa, Hadden, Shelley, MacDonald, Urban Forester Mini, Landscape Architect Butler, 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 February 7, 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F. Withdrawn Cases: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# 1	CASE NO. 2017080829 - 75 Cimmaron Drive
AI# 3	CASE NO. 2017121215 - 66 Zebulahs Trail
AI# 11	CASE NO. 2017110652 - 17 Poppy Lane
AI# 13	CASE NO. 2017110623 - 108 Black Bear Lane
AI# 14	CASE NO. 2017111266 - 4 Blake Court
AI# 17	CASE NO. 2017120010 - 133 Foxhall Lane
AI# 19	CASE NO. 2017120591 - 1 Beech Place
AI# 20	CASE NO. 2017111243 - 104 Bren Mar Lane
AI# 21	CASE NO. 2017110838 - 25 Brigadoon Lane
AI# 22	CASE NO. 2017110206 - 5 Edge Place
AI# 25	CASE NO. 2017120223 - 11 Wainwood Place
AI# 31	CASE NO. 2018010199 - 157 Westhampton Drive
AI# 33	CASE NO. 2017101358 - 53 Easthampton Blvd.
AI# 36	CASE NO. 2017110212 - 11 Round Table Lane
AI# 39	CASE NO. 2017110198 - 13 Ryeco Way

AI# 40	CASE NO. 2017101586 - 38 Ryecroft Lane
AI# 41	CASE NO. 2017050240 - 23 Clarendon Court South
AI# 42	CASE NO. 2017040934 - 14 Claymont Court South
AI# 43	CASE NO. 2017090009 - 80 Comanche Court
AI# 46	CASE NO. 2017100718 - 33 Coral Reef Court North
AI# 47	CASE NO. 2017050469 - 10 Coral Reef Court South
AI# 49	CASE NO. 2017110902 - 88 Sloganeer Trail
AI# 51	CASE NO. 2017110753 - 68 Beckner Lane

G. Continued Cases:

AI# 7	CASE NO. 2017110646 – 14 Bickshire Lane
AI#28	CASE NO. 2017111215 – 43 Westfield Lane
AI#61	CASE NO. 2017081284 – 79 Bainbridge Lane

1. AI# 57

CASE NO. 2017110464 JS
City of Palm Coast vs. Moazzam Imtiaz
5 Pinwheel Lane
(Palm Coast Code Section 44-34(c) Parking of a Comm. Veh./Trailer in Residential Dist.)

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

Mr. Roberts moved to find in this case that the 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 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. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes	Mr. Mugford - Yes
Mr. Carruth – Yes	Ms. Maccherone - Yes
Mr. LaPadula – Yes	Mr. Roberts - Yes
Mr. Netts – Yes	

Motion unanimously carried.

2. AI#26

CASE NO. 2017120940 CSR
City of Palm Coast vs. Gary A. & Lori H. Bloom
16 Walla Place
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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 – Violation Order and Administrative Costs. Rachel Hughes, daughter of Respondents & Lori Bloom, Respondent presented their side.

Mr. Roberts moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 per day will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. 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.

3. AI# 4

CASE NO. 2017060197

WB

City of Palm Coast vs. BGP Auto LLC

1150 Palm Coast Pkwy. SW

(Land Development Code 11.03.08 (b)(2) Effective Removal of Trees)

Supervisor Mendez provided a brief synopsis of the chain of events that transpired, which ultimately led to a board hearing. He presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents and Supervisor Mendez testified the property remains in violation. Staff recommends a Fine – Violation Order, giving five (5) days to submit an approved five (5) year tree maintenance plan, or receive a fine of \$250.00 per day and Administrative Costs in the amount of \$69.00. Landscape Architect Butler and Urban Forester Ms. Mini provided detailed information regarding the violation, to include what the requirements are per the Land Development Code for the property/property owner(s) to come in to compliance. Michael Chiumento, Attorney for the Respondents discussed his involvement on behalf of his clients and requested a continuance to April for the property owners to work with the City to resolve the issue at hand.

Mr. Netts moved that this case be continued for thirty (30) days to the April Code Board Hearing, as a means to give both parties an opportunity to resolve this matter, prior to the next meeting. Mr. LaPadula seconded the motion.

City Attorney Reischmann requested of the board to clarify the motion, as a means for all parties to understand, that the board is requesting for the property owner(s) to submit an approved maintenance plan and an approved landscape plan to the City within 30 days.

Roll was called:

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

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

Motion carried 6/1.

4. AI# 4

CASE NO. 2017060201 ^{WB}
City of Palm Coast vs. BGP Auto LLC
1150 Palm Coast Pkwy. SW
(Palm Coast Code Section 11.03.03 (a) Tree Pruning)

Supervisor Mendez provided a brief synopsis of the chain of events that transpired, which ultimately led to a board hearing. He presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent and Supervisor Mendez testified the property remains in violation. Staff recommends a Fine – Violation Order, giving five (5) days to submit an approved landscape plan, or receive a fine of \$250.00 per day and Administrative Costs in the amount of \$69.00. Landscape Architect Butler and Urban Forester Ms. Mini provided detailed information regarding the violation, to include what the requirements are per the Land Development Code for the property/property owner(s) to come in to compliance. Michael Chiumento, Attorney for the Respondents discussed his involvement on behalf of the clients and requested a continuance to April for the property owners to work with the City to resolve the issue at hand. .

Mr. Netts moved that this case be continued for thirty (30) days to the April Code Board Hearing, as a means to give both parties an opportunity to resolve this matter, prior to the next meeting.
Mr. LaPadula seconded the motion.

City Attorney Reischmann requested of the board to clarify, as a means for all parties to understand, that the board is requesting for the property owner(s) to submit an approved maintenance plan and an approved landscape plan to the City within 30 days

Roll was called:

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

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

Motion carried 6/1.

5. AI#53

CASE NO. 2017120066 ^{JS}
City of Palm Coast vs. Hugh W. & Diana C. McIntyre
12 Brian Lane

(Palm Coast Code Section 44-34 (b) Parking in Swale between 1am & 6 am)

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

Mr. LaPadula moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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 per day 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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – No**

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

Motion carried 6/1.

6. AI# 2

CASE NO. 2017120055

LM

City of Palm Coast vs. Gary R. & Jessie M. Wisman

3 Zammer Court

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

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

Mr. Netts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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 per day will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Pulos – Yes
Mr. Carruth – Yes**

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

Mr. LaPadula – Yes
Mr. Netts – Yes

Mr. Roberts - Yes

Motion unanimously carried.

7. AI# 37

CASE NO. 2017110049

JF

City of Palm Coast vs. John W. & Allyson McGuire

32 Roxanne Lane

(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 in to evidence. The evidence was shown to the Respondent. Officer Festa testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Suzanne Burns, relative of the Respondent, was sworn in and presented her side.

Mr. Carruth moved to find in this case that the Respondents are in violation of the City Code as charged; that the Respondents correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 per day will be imposed for each and every day the violation continues past the aforesated date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes

Ms. Maccherone - Yes

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Netts – Yes

Motion unanimously carried.

8. AI# 16

CASE NO. 2017120970

BS

City of Palm Coast vs. Peggy Rhyne

42 Fernwood Lane

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

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 – Violation Order and Administrative Costs. Peggy Rhyme, Respondent and Chris McDaniel, tenant, was sworn in and presented their side.

Mr. moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than 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 per day will be imposed for each and every day the violation continues past the aforestated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. 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.

9. AI# 8

CASE NO. 2017080449 MASSEY BMD

City of Palm Coast vs. Leonard J. Fries

50 La Mancha Drive

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

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

Mr. LaPadula moved to find in this case that Respondent is in violation of City Code as charged; 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 November 22, 2017 to March 6, 2018; totaling \$2,625.00 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 shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Netts 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# 9

CASE NO. 2017060695 MASSEY BMD

City of Palm Coast vs. Leonard J. Fries

50 La Mancha Drive

(Palm Coast Code Section 15-1058(g) Shed/Fence/Wall Maintenance)

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; 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 November 22, 2017 to March 6, 2018; totaling \$2,625.00 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 shall pay Administrative Costs to the City in the amount of \$69.50. 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.

11. AI# 10

CASE NO. 2017111231 REPEAT BR

City of Palm Coast vs. Leonid Tell

83 Pheasant Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified this is a Repeat case and 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 the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on December 7, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance from November 28, 2017 to December 6, 2017; totaling \$900.00. 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.

12. AI# 12

CASE NO. 2017040086 MASSEY BR
City of Palm Coast vs. Josephine Villaverde Camiquel
3 Powder Horn Drive
(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 this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance.

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; 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 October 30, 2017 to March 6, 2018; totaling \$3,200.00 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 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.

13. AI# 15

CASE NO. 2017120349 BS
City of Palm Coast vs. Marcus K. Butts
16 Farmbrook Lane
(Palm Coast Code Section 44-34 (f) Improper Parking)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer testified this is a Repeat case and 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 the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on December 6, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance on December 5, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. 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#18

CASE NO. 2017120399

SB

City of Palm Coast vs. Robert Edward Marvel

36 Bannerwood Lane

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

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

Mr. Roberts moved to find in this case that the Respondent is in violation of City Code as charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. 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#23

CASE NO. 2017110692

SB

City of Palm Coast vs. US Bank Trustee

21 Whittington Drive

(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. Netts moved to find in this case that the 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 \$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. 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#24

CASE NO. 2017081734

MASSEY

SB

City of Palm Coast vs. Robert Greene

27 Woodlawn Drive

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

Code Enforcement Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Burton testified this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance.

Mr. Roberts moved to find in this case that the Respondent is in violation of City Code as charged; 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 December 25, 2017 to March 6, 2018; totaling \$3,600.00 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. Mugford - Yes

Ms. Maccherone - Yes

Mr. LaPadula – Yes
Mr. Netts – Yes

Mr. Roberts - Yes

Motion unanimously carried.

17. AI# 27

CASE NO. 2017111066 CSR
City of Palm Coast vs. Daniel & Jamie Suter
8 Wayler Place
(Palm Coast Code Section 44-34(b) Parking Boat/Trailer/RV)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents are in violation of City Code as charged; that the Respondents correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondents do 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. 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.

18. AI# 29

CASE NO. 2017120218 CSR
City of Palm Coast vs. Mitchell L. Short
100 Westfield Lane
(Palm Coast Code Section 44-34 (c) Parking of a Comm. Veh./Trailer in Residential Dist.

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 the Respondent is in violation of City Code as charged; that 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;

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. 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#30

CASE NO. 2017110635 CSR

City of Palm Coast vs. West Grill LLC

1 Westgrill Place

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

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.

Ms. Maccherone moved to find in this case that the 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 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. Pulos – Yes
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

20. AI# 32

CASE NO. 2017121047

RECURRING

CSR

City of Palm Coast vs. Rui M. & Jenevieve M. Ferreira

90 Woodside Drive

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

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.

Ms. Maccherone moved to find in this case that the Respondents are in violation of City Code as charged; that the Respondents correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondents do 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents 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.

21. AI# 34

CASE NO.2017100506

JF

City of Palm Coast vs. Kristin Marianetti & Craig E. Robbins

50 Riddle Drive (B)

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

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

Mr. LaPadula moved to find in this case that the Respondents are in violation of City Code as charged; that the Respondents correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondents do 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents 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# 35

CASE NO. 2017081067 MASSEY JF
City of Palm Coast vs. April M. Descartes
37 Robinson Drive
(Palm Coast Code Section 15-114 (a) Rubbish/Trash/Garbage)

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

Ms. Maccherone moved to find in this case that the Respondent is in violation of City Code as charged; 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 December 15, 2017 to March 6, 2018; totaling \$4,100.00 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. 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.

23. AI# 38

CASE NO. 2017111143 RECURRING JF
City of Palm Coast vs. Brian & Jade Merriman Adler
8 Rybar Lane
(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 No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were 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 the Respondents 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 Respondents shall pay Administrative Costs to the City in the amount of \$53.50. 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.

24. AI# 44

CASE NO. 2017081233

MH

City of Palm Coast vs. John Barrett

44 Cooper Lane

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

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. LaPadula moved to find in this case that the Respondent is in violation of 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 \$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. 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.

25. AI# 45

CASE NO. 2017030461 REQ. FORECLOSURE MH
City of Palm Coast vs. John Barrett
44 Cooper Lane
(Palm Coast Code Section 15-1-FBC 105.1 No Permit for Structure)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Hadden testified the City is requesting authorization from the Code Enforcement Board to start the foreclosure process. Supervisor Mendez clarified the City is requesting of the board to impose an order to foreclose on the lien.

Mr. Roberts moved to start the foreclosure process, as requested by the City. Mr. LaPadula seconded the motion.

Roll was called:

Mr. Pulos – Yes	Mr. Mugford - Yes
Mr. Carruth – Yes	Ms. Maccherone - Yes
Mr. LaPadula – Yes	Mr. Roberts - Yes
Mr. Netts – Yes	

Motion unanimously carried.

26. AI# 48

CASE NO. 2017120568 RECURRING MH
City of Palm Coast vs. Mark A Turnage & Tina M. Delorme
38 Slocum Path
(Palm Coast Code Section 44-34 (d)(2) Parking Boat/Trailer/RV)

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 and Administrative Costs.

Mr. Roberts moved to find in this case that the Respondents were 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 the Respondents 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 Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes	Mr. Mugford - Yes
Mr. Carruth – Yes	Ms. Maccherone - Yes

Mr. LaPadula – Yes
Mr. Netts – Yes

Mr. Roberts - Yes

Motion unanimously carried.

27. AI# 50

CASE NO. 2017120784 JS
City of Palm Coast vs. Natalie & Guyton Mundy
49 Coral Reef Court North
(Palm Coast Code Section 44-34(f) Improper Parking)

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. LaPadula moved to find in this case that the Respondents were 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 the Respondents 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 Respondents shall pay Administrative Costs to the City in the amount of \$53.50. 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.

28. AI# 56

CASE NO. 2017110318 JS
City of Palm Coast vs. Zoia Ivanova-Cardella
28 Pillory Lane
(Palm Coast Code Section 44-34(b) Parking in Swale between 1am & 6am)

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 the Respondent is in violation of City Code as charged; that the 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

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

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

Motion unanimously carried.

29. AI# 58

CASE NO. 2017060302 MASSEY JS
City of Palm Coast vs. Robert Grados
143 Ulturn Trail
(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 this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance.

Mr. Roberts moved to find in this case that the Respondent is in violation of City Code as charged; 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 November 29, 2017 to March 6, 2018; totaling \$2,450.00 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 shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Netts 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.

30. AI# 59

CASE NO. 2017060301 MASSEY JS
City of Palm Coast vs. Robert Grados
143 Ulturn Trail
(Palm Coast Code Section 15-1-FBC 105.1 No Permit for Shed)

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

Mr. Roberts moved to find in this case that the Respondent is in violation of City Code as charged; 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 November 29, 2017 to March 6, 2018; totaling \$4,000.00 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.

31. AI# 60

CASE NO. 2017060656 MASSEY JS

City of Palm Coast vs. Jacqueline Wihbey

17 Ulbright Court

(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 this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Netts moved to find in this case that the Respondent is in violation of City Code as charged; 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 November 29, 2017 to March 6, 2018; totaling \$4,900.00 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.

32. AI# 62

CASE NO. 2017110479 RECURRING LM
City of Palm Coast vs. PC Parkway Continental LLC
645 Palm Coast Pkwy. SW
(Palm Coast Code Section 35-76 (d)(1))

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

Ms. Maccherone moved to find in this case that the 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 \$250.00 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. 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, April 4, 2018 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:45 pm.

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.