

CODE ENFORCEMENT BOARD
Wednesday, October 5, 2016 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Robert Branin, Kenneth Carruth, Neil Copeland, Tameka McDowell, Kimble Medley, Norman Mugford

BOARD MEMBERS EXCUSED: Richard LaPadula

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Officers Burton, Festa, Fitzgerald, Hadden, MacDonald, Risch, Romeo, Shelley, Stafford, Code Enforcement Clerk Wry and City Counsel Bill 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 six (6) members present.

C. Approval of the September 7, 2016 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. Swearing in of Newly Appointed and Re-Appointed Code Board Members: The Board Members who were present were sworn in by Mary Sneed, Counsel for the Code Board.

G. Withdrawn Cases:

AI# 1 CASE NO. 2016061727 - 52 Bay Spring Place

AI# 8 CASE NO. 2016071610 - 45 Llama Trail

AI# 10 CASE NO. 2016050082 - 10 Chadwick Court

AI# 12 CASE NO. 2016061172 - 13 Collins Lane

AI# 13 CASE NO. 2016070461 - 1 Cooper Lane

AI# 15 CASE NO. 2016041386 - 87 Secretary Trail

AI# 20 CASE NO. 2016061462 - 17 Edison Lane

AI# 21 CASE NO. 2016050547 - 8 Webb Place
AI# 22 CASE NO. 2016051324 - 33 Wellwater Drive
AI# 27 CASE NO. 2016080051 - 280 Beachway Drive
AI# 31 CASE NO. 2016061536 - 32 Fariview Lane
AI# 32 CASE NO. 2016060013 - 37 Farrington Lane
AI# 35 CASE NO. 2016061700 - 57 Fieldstone Lane
AI# 36 CASE NO. 2016060988 - 14 Flanders Lane
AI# 37 CASE NO. 2016061135 - 90 Florida Park Drive
AI# 39 CASE NO. 2016060172 - 152 Rae Drive
AI# 40 CASE NO. 2016060347 - 152 Rae Drive
AI# 41 CASE NO. 2015071829 - 11 Reidel Lane
AI# 42 CASE NO. 2015071832 - 11 Reidel Lane
AI# 43 CASE NO. 2016061213 - 7 Richland Place
AI# 44 CASE NO. 2016061214 - 7 Richland Place
AI# 45 CASE NO. 2016061215 - 22 Richmond Drive
AI# 46 CASE NO. 2016061217 - 22 Richmond Drive
AI# 47 CASE NO. 2016030763 - 31 Rockwell Lane
AI# 50 CASE NO. 2016040995 - 364 Parkview Drive
AI# 52 CASE NO. 2016070160 - 28 Port Echo Lane
AI# 53 CASE NO. 2016040329 - 23 Pilgrim Drive
AI# 58 CASE NO. 2016041444 - 1 Post Oak Lane
AI# 60 CASE NO. 2016070359 - 4 Edgely Place
AI# 61 CASE NO. 2016070764 - 4 Edgely Place
AI# 62 CASE NO. 2016080042 - 515 Palm Coast Pkwy. SW
AI# 63 CASE NO. 2016080043 - 515 Palm Coast Pkwy. SW

H. Continued Cases:

AI# 6 CASE NO. 2016070873 – 47 Kashmir Trail
AI# 11 CASE NO. 2015040720 – 4 Clearview Court S.

1. AI# 30

CASE NO. 2016061654 RECURRING (4) CSR

City of Palm Coast vs. Jeffrey G. & Debra A. Mauro

30 Fairmont Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Res. District)

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. Respondent, Debra Mauro presented her side.

Mr. Branin moved to find in this case that the 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 the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per

day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

2. AI# 19

CASE NO. 2016070269 RECURRING (7) JS
City of Palm Coast vs. Shawn M. & Joseph D. Eberhardinger
80 Upshire Path
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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

Ms. McDowell moved to find in this case that the 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 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. Medley seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

3. AI# 55

CASE NO. 2016061386 RECURRING (4) BR
City of Palm Coast vs. Ilja Obuhovs & Galina Obukhova
74 Pine Circle Drive
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Staff

recommends a No Fine Standing Order and Administrative Costs. Property Manager Alexander Medvedosky presented his side.

Mr. Branin moved to find in this case that the 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 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. Copeland seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

4. AI# 3

CASE NO. 2016021031 MASSEY BMD

City of Palm Coast vs. Emma Pronesti

75 Brunswick Lane

(Palm Coast Code Section 15-1 No Permit for Retaining Wall)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald 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. Legal counsel was present on behalf of the property owner and presented his side.

Mr. Copeland moved to find in this case that the Respondent was in violation of the City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from August 9, 2016 to Oct 4, 2016; totaling \$2,850.00; 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. When the property comes in to compliance, an Affidavit of Compliance will be issued. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

5. AI# 23

CASE NO. 2016061203 RECURRING (1) SB

City of Palm Coast vs. Delfim Domingues

14 Westmount Lane

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

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

Ms. Medley moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Not Present

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

6. AI# 24

CASE NO. 2016061204 RECURRING (1) SB

City of Palm Coast vs. Delfim Domingues

14 Westmount Lane

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Branin moved to find in this case that the 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 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. Copeland seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

7. AI# 34

CASE NO. 2016070109 RECURRING (3) CSR

City of Palm Coast vs. Charles & Anita Blum

18 Felter Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Res. District)

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. Respondent Charles Blum presented his side.

Ms. McDowell moved to find in this case that the 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 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. Branin – Yes
Mr. Carruth – Yes
Mr. Copeland - Yes

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

8. AI# 49

CASE NO. 2016061453 REPEAT (1) BR

City of Palm Coast vs. Alena Dvornikova & Ulugbek Djuraev

284 Parkview Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff

recommends a fine for the period of non-compliance and Administrative Costs. Respondent Alena Dvornikova presented her side.

Mr. Branin 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 has not brought the property into compliance as of June 23, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from June 23, 2016 to October 4, 2016 totaling \$10,400.00; 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. Carruth seconded the motion.

Roll was called:

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

**Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

9. AI# 16

CASE NO. 2016061282

JS

City of Palm Coast vs. William Robert Conway

112 Ullian Trail (A)

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

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. Respondent William Conway presented her side.

Ms. McDowell moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$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. Branin seconded the motion.

Roll was called:

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

**Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

10. AI# 5

CASE NO. 2016071200 REPEAT (1) BMD
City of Palm Coast vs. Ada Colon & Benito Garcia
27 Londonderry Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald 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. Respondent Ada Colon presented her side.

Mr. Branin 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 July 21, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance on July 20, 2016 totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes	Ms. McDowell - Yes
Mr. Carruth – Yes	Ms. Medley - Yes
Mr. Copeland - Yes	Mr. Mugford - Yes

Motion unanimously carried.

11. AI# 2

CASE NO. 2016051508 RS
City of Palm Coast vs. Catherine Darby
35 Black Bear Lane
(Palm Coast Code Section 44-34(c) Parking of a Trailer in Residential District)

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 the 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 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. Medley seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

12. AI# 4

CASE NO. 2016071106 RECURRING (1) BMD

City of Palm Coast vs. Alexi Legassov & Ekaterina Khlaponina
33 Lancaster Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Res. District)

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

Mr. Branin moved to find in this case that the 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 the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

13. AI# 7

CASE NO. 2016071015 REPEAT (1) LF

City of Palm Coast vs. Kim Allan & Elisabeth Berry
6 Katrina Place

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Res. District)

Code Enforcement Officer Fitzgerald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Fitzgerald 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. Respondent Ada Colon presented her side.

Mr. Branin 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 September 30, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from July 15, 2016 to September 29, 2016 totaling \$3,000.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

14. AI# 9

CASE NO. 2016071319 RECURRING (4) LF

City of Palm Coast vs. Maria Revoredo

81 Zephyr Lily Trail

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Copeland moved to find in this case that the 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 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. Branin – Yes
Mr. Carruth – Yes
Mr. Copeland - Yes

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

15. AI# 14

CASE NO. 2016050732 JS

City of Palm Coast vs. John Clark

25 Seaman Trail East

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

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. Respondent Delfim Dominguez presented his side.

Ms. Medley moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Branin seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

16. AI# 17

CASE NO. 2016070921 RECURRING (5) JS

City of Palm Coast vs. Shona R. Drew

330 Underwood 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.

Ms. McDowell moved to find in this case that the 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 the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

17. AI# 18

CASE NO. 2016061752 RECURRING (4) JS

City of Palm Coast vs. Savitri & Rosely Ramsaran
383 Underwood Trail
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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

Mr. Branin moved to find in this case that the 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 the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

**Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

18. AI# 25

CASE NO. 2016061682 RECURRING (5) SB

City of Palm Coast vs. Christopher L. Wallace

71 Whispering Pine Drive

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

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 – Recurring Violation and Administrative Costs.

Mr. Branin moved to find in this case that the 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 the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

**Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

19. AI# 26

CASE NO. 2016070980 RECURRING (8) SB

City of Palm Coast vs. Robert Greene

27 Woodlawn Drive

(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Branin moved to find 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 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. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Ms. McDowell - Yes

Mr. Carruth – Yes

Ms. Medley - Yes

Mr. Copeland - Yes

Mr. Mugford - Yes

Motion unanimously carried.

20. AI# 28

CASE NO. 2016070752 REPEAT (2) BS

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

212 Beechwood Lane

(Palm Coast Code Section 44-34(d)(2) Parking of a Trailer in Residential District)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley 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. Branin 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 July 19, 2016; that a \$150.00 per day fine is imposed for the period of non-compliance from July 13, 2016 to July 18, 2016 totaling \$900.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Carruth seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

21. AI# 29

CASE NO. 2016071501 RECURRING (1) BS

City of Palm Coast vs. Kay Johnston

56 Bracken Lane

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley testified the property 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. Carruth seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

22. AI# 33

CASE NO. 2016061778 REPEAT (1) CSR

City of Palm Coast vs. York G. & Phyllis Halyard

19 Fayette Lane

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch testified this is a Repeat case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Ms. McDowell 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 has not brought the property into compliance as of June 29, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance from

June 29, 2016 to October 4, 2016 totaling \$4,900.00; 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

23. AI# 38

CASE NO. 2016071076 REPEAT (1) CSR

City of Palm Coast vs. William J. & Barbara Ann Mulvey

197 Frankford Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Res. District)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Risch 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.

Ms. McDowell 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 October 4, 2016; that a \$100.00 per day fine is imposed for the period of non-compliance from July 17, 2016 to October 3, 2016 totaling \$800.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

24. AI# 48

CASE NO. 2016061491 RECURRING JF

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

1 Rylin Lane

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa testified the property is in compliance. Staff recommends a 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. Carruth seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

25. AI# 51

CASE NO. 2016061387 RECURRING (3) BR

City of Palm Coast vs. Robert M. & Eileen R. Loque

364 Parkview Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were 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. Mr. Carruth seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

26. AI# 54

CASE NO. 2016070298 REPEAT (1) BR

City of Palm Coast vs. Rudolf Wohlfarth

22 Pillory Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were 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. Branin 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 July 19, 2016; that a \$50.00 per day fine is imposed for the period of non-compliance from July 6, 2016 to July 16, 2016 totaling \$550.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

27. AI# 56

CASE NO. 2016050946 BR

City of Palm Coast vs. Eyvonne M. Green

13 Pine Grove Drive

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

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. Branin moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$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. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Ms. McDowell - Yes

Mr. Carruth – Yes
Mr. Copeland - Yes

Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

28. AI# 57

CASE NO. 2016070190 RECURRING (1) BR

City of Palm Coast vs. Qin Yi Lin

29 Pope 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 remains in violation. Staff recommends a Fine - Violation Order and Administrative Costs.

Mr. Branin moved to find 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 \$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. Medley seconded the motion.

Roll was called:

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

Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes

Motion unanimously carried.

29. AI # 59

CASE NO. 2016061562 BR

City of Palm Coast vs. Richard Glenn & Penny Jean York

76 Princess Ruth Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Vehicle in Res. District)

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

Mr. Copeland 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 any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be

imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

30. AI# 64

CASE NO. 2016061312 LM

City of Palm Coast vs. Gary W. & Petra H. Catogge

37 White Feather Lane

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

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

Mr. Branin moved to find that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$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. Medley seconded the motion.

Roll was called:

Mr. Branin – Yes

Mr. Carruth – Yes

Mr. Copeland - Yes

Ms. McDowell - Yes

Ms. Medley - Yes

Mr. Mugford - Yes

Motion unanimously carried.

31. AI# 65

CASE NO. 2016061314 **RECURRING** (9) LM

City of Palm Coast vs. Gary W. & Petra H. Catogge

37 White Feather Lane

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

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez 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 any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

**Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

32. AI# 66

CASE NO. 2016061316 RECURRING (4) LM
City of Palm Coast vs. Gary W. & Petra H. Catogge
37 White Feather Lane
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez 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. Carruth seconded the motion.

Roll was called:

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

**Ms. McDowell - Yes
Ms. Medley - Yes
Mr. Mugford - 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, October 5, 2016 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:05 p.m.

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson

Secretary to the Board

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

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