

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

BOARD MEMBERS PRESENT: Dean Roberts, Norman Mugford, Kenneth Carruth, Richard LaPadula, Jon Netts, Larry Pulos, Andrew Dodzik, Tameka Maccherone

BOARD COUNSEL PRESENT: Mary Snead

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Stafford, Festa, Hadden, Shelley, MacDonald, Burton, Sagala, Bell, Duran, 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 eight (8) members present. Mr. Dodzik will not be a voting member as he serves as an alternate and a quorum is met with seven (7) regular members present.

C. Approval of the November 1, 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F. Withdrawn Cases: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. 2017100184 - 14 Palm Harbor Village Way
AI# 7	CASE NO. 2017070086 - 20 Blakefield Drive
AI# 10	CASE NO. 2017080829 - 75 Cimmaron Drive
AI# 12	CASE NO. 2017090361 - 219 Boulder Rock Drive
AI# 14	CASE NO. 2017051415 - 45 Brockton Lane
AI# 15	CASE NO. 2017100048 - 1050 Palm Coast Parkway SW
AI# 16	CASE NO. 2017100049 - 3 Pine Cone Drive 101
AI# 17	CASE NO. 2017100027 - 836 Belle Terre Pkwy
AI# 18	CASE NO. 2017091399 - 11 Hargrove Grade (A)
AI# 19	CASE NO. 2017091155 - 37 Wellwood Lane (A)
AI# 21	CASE NO. 2017090728 - 29 White Dove Lane
AI# 22	CASE NO. 2017081510 - 8 Wood Arbor Lane (A)
AI# 33	CASE NO. 2017091445 - 3 Rolling Place
AI# 35	CASE NO. 2017060890 - 15 Classic Court South
AI# 37	CASE NO. 2017020789 - 18 Claymont Court South
AI# 38	CASE NO. 2017051304 - 39 Collingwood Lane
AI# 39	CASE NO. 2017040728 - 31 Cottonwood Court

AI# 40	CASE NO. 2017021108 - 89 Covington Lane
AI# 41	CASE NO. 2017080436 - 21 Lysander Lane
AI# 42	CASE NO. 2017100206 - 1410 Palm Coast Parkway NW
AI# 43	CASE NO. 2017061291 - 26 Panei Lane
AI# 52	CASE NO. 2017010922 - 24 Prestwick Lane
AI# 54	CASE NO. 2017070305 - 17 Llestone Path
AI# 58	CASE NO. 2017081366 - 115 Seattle Trail
AI# 59	CASE NO. 2017080956 - 6 Senorita Place
AI# 60	CASE NO. 2017071507 - 18 Service Tree Place
AI# 61	CASE NO. 2017081307 - 106 Smith Trail
AI# 64	CASE NO. 2017081607 - 159 Ulysses Trail
AI# 65	CASE NO. 2017080495 - 21 Undermount Path
AI# 67	CASE NO. 2017080403 - 3 Wood Arbor Lane

G. Continued Cases:

AI# 2	CASE NO. 2017081736 – 9 Felter Lane
AI# 69	CASE NO. 2017010511 – 1 Palm Harbor Parkway
AI# 70	CASE NO. 2017031322 – 1 Palm Harbor Parkway
AI#71	CASE NO. 2017031323 – 1 Palm Harbor Parkway
AI#72	CASE NO. 2017031325 – 1 Palm Harbor Parkway

1. AI# 68

CASE NO. 2017070806 LM
City of Palm Coast vs. Scott R. & Danielle L. Colvin
300 Bella Harbor Court 101
(Palm Coast Code Section 41-17(19) Prohibited Act Dumped Waste)

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 No Fine Standing Order and Administrative Costs. Scott Colvin, Respondent, presented his side.

Mr. Carruth moved to find that Respondent in this case 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 – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

2. AI# 1

CASE NO. 2017080131 **RECURRING (3)** BMD

City of Palm Coast vs. Virtude F. Pereira

16 Bud Shire Lane

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Virtude Pereira, Respondent, presented her side.

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

Roll was called:

Mr. 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# 55

CASE NO. 2017080392 JS

City of Palm Coast vs. Sherry A. Brumfield

13 Pineland 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 and Administrative Costs. Sherry Brumfield, Respondent, presented her side.

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

Roll was called:

Mr. 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# 44

CASE NO. 2017070157

BR

*City of Palm Coast vs. Robert Joseph & Adriane R. Ackerman
107 Parkview Drive
(Palm Coast Code Section 41-11(a) Trash Containers)*

Code Enforcement Officer Duran presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Duran testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Robert and Adriane Ackerman, Respondents, presented their side.

Ms. Maccherone moved to find in this case that Respondents are in violation of City Code as charged; that Respondent correct the violation no later than two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.

Roll was called:

**Mr. 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# 45

CASE NO. 2017061811

BR

*City of Palm Coast vs. Robert Joseph & Adriane R. Ackerman
107 Parkview Drive
(Palm Coast Code Section 35-76(d)(1) Nuisance Accumulations)*

Code Enforcement Officer Duran presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Duran testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Robert and Adriane Ackerman, presented their side.

Mr. LaPadula moved to find in this case that Respondents are in violation of City Code as charged; that Respondent correct the violation no later than two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that 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. Mugford – Yes

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

Ms. Maccherone - Yes
Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 23

CASE NO. 2016110560 REDUCTION SB

City of Palm Coast vs. Robert Mkrtchyan

21 Wood Crest Lane

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

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Burton testified the property is in compliance. The Respondent is requesting a Reduction of Fine. The fine is presently \$2,325.00.

Armon Krtchyan, son of Respondent, presented his request for reduction of fine.

Mr. Roberts moved that the fine be reduced in this case from \$2,325.00 to \$300.00, and that Respondent has until 30 days from the date of invoicing to pay the reduced amount and if not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. 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# 63

CASE NO. 2017081365 RECURRING (3) JS

City of Palm Coast vs. Neville A. & Barbara Kelly

32 Squash Blossom Trail

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

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. Neville and Barbara Kelly, Respondents, presented their 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 time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat

violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes

Mr. Mugford – Yes
Ms. Maccherone - Yes

Mr. LaPadula – Yes
Mr. Netts – Yes

Mr. Roberts - Yes

Motion unanimously carried.

8. AI# 34

CASE NO. 2017081766

JF

City of Palm Coast vs. Eugene & Zoya Kravets, Trustees

38 Russo Drive

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

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Festa testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Stanley Tambusc (tenant) 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 was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Not present
Mr. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

9. AI# 20

CASE NO. 2017081701 RECURRING (3) SB

City of Palm Coast vs. Robert P. Orourke

70 Whippoorwill 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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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. 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.

10. AI# 24

CASE NO. 2017081734 SB
City of Palm Coast vs. Robert Greene
27 Woodlawn Drive
(Palm Coast Code Section 15-108(g) Fence Maintenance)

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

Ms. Maccherone moved to find in this case that Respondent is in violation of the 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 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.

11. AI# 25

CASE NO. 2017091606 **RECURRING** (5) SB
City of Palm Coast vs. Edward Christopher Turner
32 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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

**Mr. 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# 66

CASE NO. 2017031332 MASSEY JS

City of Palm Coast vs. Rafael A. Diaz

210 Underwood Trail

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified this is a Massy case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Rafael Diaz, Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondent was in violation of the City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case, that Respondent brought the property into compliance on November 15, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from September 26, 2017 to November 14, 2017; totaling \$2,500.00. 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 – No
Mr. LaPadula – Yes
Mr. Netts – No**

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

Motion carried 5 - 2.

13. AI# 8

CASE NO. 2017091120 RECURRING ((3) RS

City of Palm Coast vs. Renee Campanaro Life Estate

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

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Sagala testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Renee Campanaro, Respondent, presented her 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 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. Pulos – No
Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Netts – Yes**

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

Motion carried 6 - 1.

14. AI# 4

CASE NO. 2017081738 REPEAT (1) CSR
City of Palm Coast vs. Astrid Cruz
13 Zenith Court
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified 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. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on September 2, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from August 29, 2017 to September 1, 2017; totaling \$150.00. 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.

15. AI# 5

CASE NO. 2017081740 RECURRING (5) CSR

City of Palm Coast vs. Astrid Cruz

13 Zenith Court

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

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. 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# 6

CASE NO. 2017080136 RECURRING RS

City of Palm Coast vs. Jessica L. Hoffman

65 Black Bear Lane

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

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

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

17. AI# 9

CASE NO. 2017081497 RECURRING RS
City of Palm Coast vs. Horacio & Pearl Downs, Trustee
88 Blare Castle Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

Roll was called:

Mr. 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# 11

CASE NO. 2017091209 RECURRING (4) BS
City of Palm Coast vs. Mark R. & Elizabeth C. Foran
42 Barrister Lane
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

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

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

Roll was called:

Mr. 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# 13

CASE NO. 2017051183 MASSEY (1) BS

City of Palm Coast vs. Egbert H. & Shirley F. Profitt

104 Bridgehaven Drive

(Palm Coast Code Section 35-76(d)(1) Nuisance Broken Garage Door)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley 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. 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 September 22, 2017 to December 5, 2017; totaling \$3,750.00. A fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance an Affidavit of Compliance will be issued. 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.

20. AI# 26

CASE NO. 2017091627 JF

City of Palm Coast vs. Ginette M. Young

66 Raleigh 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 the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Ms. Maccherone moved to find in this case that 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. 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.

21. AI# 27

CASE NO. 2017100043 JF
City of Palm Coast vs. Ginette M. Young
66 Raleigh Drive
(Palm Coast Code Section 41-11(a) Trash Containers)

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. 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 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. 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.

22. AI# 28

CASE NO. 2017100044 JF
City of Palm Coast vs. Ginette M. Young
66 Raleigh Drive
(Palm Coast Code Section 44-34(f) Vehicle Improperly Parked)

Code Enforcement Officer Festa presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Festa testified the property 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 one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. 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.

23. AI# 29

CASE NO. 2017091559

JF

City of Palm Coast vs. Ginette M. Young

66 Raleigh Drive

(Palm Coast Code Section 35-76 Nuisance Blue Tarp on Car)

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

Roll was called:

**Mr. 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# 30

CASE NO. 2017091626

JF

City of Palm Coast vs. Ginette M. Young
66 Raleigh Drive
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle

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. Netts moved to find in this case that 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 aforestated date. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. 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.

25. AI# 31

CASE NO. 2017070134 JF
City of Palm Coast vs. Eloiza & Pedro Huaranga
39 Red Barn Drive
(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. 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. 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.

26. AI# 32

CASE NO. 2017081067

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

27. AI# 36

CASE NO. 2017040934

MH

City of Palm Coast vs. Aida Ruth Bernald Life Estate

14 Claymont Court South

(Palm Coast Code Section 35-76(d) Nuisance Dock 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. 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 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. 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. Mugford – Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Mr. Netts – Yes

Motion unanimously carried.

28. AI# 46

CASE NO. 2017071156 RECURRING (8) BR
City of Palm Coast vs. John E. & Geraldine T. Blackwell
230 Parkview Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

Roll was called:

Mr. 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# 47

CASE NO. 2017080543 REPEAT (1) BR
City of Palm Coast vs. Margaret Franzen
8 Pine Haven Drive (A)
(Palm Coast Code Section 35-76(d)(1) Nuisance- Accumulations)

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. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on August 10, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from August 8, 2017 to August 9, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Ms. Maccherone seconded the motion.

Roll was called:

Mr. 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# 48

CASE NO. 2017080424 RECURRING (2) BR

City of Palm Coast vs. Ronald P. & Dolores Adams

37 Port Echo Lane

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

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 Cost.

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

Roll was called:

Mr. 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# 49

CASE NO. 2017080422 RECURRING (1) BR

City of Palm Coast vs. Ronald P. & Dolores Adams

37 Port Echo Lane

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

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 Cost.

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 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. 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# 50

CASE NO. 2017080425 RECURRING (1) BR
City of Palm Coast vs. Ronald P. & Dolores Adams
37 Port Echo Lane
(Palm Coast Code Section 42-56 R.O.W. Obstruction)

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 Cost.

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

Roll was called:

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

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

Motion carried 6 - 1.

33. AI# 51

CASE NO. 2017080347 RECURRING (1) BR
City of Palm Coast vs. Josephine Villaverde Camiquel
3 Powder Horn Drive
(Palm Coast Code Section 35-76(d)(1) Nuisance Accumulations)

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 Cost.

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

Roll was called:

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

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

Motion unanimously carried.

34. AI# 53

CASE NO. 2017081134 REPEAT (1) JS

City of Palm Coast vs. Mikhail Braslavskiy

11 Kathryn Place

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford 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.

Mr. Netts 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 has not brought the property into compliance as of August 31, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance from August 17, 2017 to August 30, 2017; totaling \$1,600.00. 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. 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.

35. AI# 56

CASE NO. 2017040236 MASSEY JS

City of Palm Coast vs. Anna Kolesnik

18 Princess Luise 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 Respondent was not present. Officer Stafford testified this is a Massey case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Netts moved to find in this case that Respondent was in violation of City Code as charted; 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 16, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance from August 11, 2017 to November 15, 2017; totaling \$4,850.00. 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.

36. AI# 57

CASE NO. 2017050825 REDUCTION JS
City of Palm Coast vs. Michael M. Sankowski, Jr. & lillian Z. Waters
3 Seamanship Trail
(Palm Coast Code Section 44-34(c) Parking of a Trailer in a Residential District)

The Respondent was not present, therefore the request was not heard.

37. AI# 62

CASE NO. 2017080923 REPEAT (4) JS
City of Palm Coast vs. Michelle Whalen
20 Squash Blossom 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 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 Respondent was in repeat violation of City Code as charted based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on August 20, 2017; that a \$450.00 per day fine is imposed for the period of non-compliance from August 15, 2017 to August 19, 2017; totaling \$2,250.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.00. 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.

OLD BUSINESS:

None to report.

NEW BUSINESS

Ballots were distributed to the Code Enforcement Board members for the purpose of electing a Chairman and Vice Chairman for the committee. Mary Snead, Attorney for the Board, tallied the ballots. Mr. Mugford was selected as Chairman for the Board. There was a tie for Vice Chairman and a second vote was taken. Mr. Roberts was selected as Vice-Chairman of the Board.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, January 3, 2018 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:20
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.