

CODE ENFORCEMENT BOARD
Wednesday, August 2, 2017 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Kenneth Carruth, Dean Roberts, Neil Copeland, Norman Mugford, Richard LaPadula, Tameka Maccherone, Kimble Medley

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Stafford, Festa, Hadden, and Shelley, Lee, Building Official, Code Enforcement Clerk Wry, City Counsel Reischmann

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 10:00 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.
- B. Roll Call and Determination of Quorum.**
Roll was called. A quorum was met with seven (7) members present.
- C. Approval of the July 5, 2017 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None to report.
- E. Swearing in of Respondents: The respondents who were present were sworn in by Mary Sneed, Counsel for the Code Board.**
- F. Withdrawn Cases:**
AI# 4 CASE NO. 2017040756 - 123 Burroughs Drive
AI# 7 CASE NO. 2017050477 - 1 Cooper Lane
AI# 12 CASE NO. 2017050720 - 90 Farragut Drive
AI# 14 CASE NO. 2017041043 - 19 Flemington Lane (A)
AI# 15 CASE NO. 2017041042 - 19 Flemington Lane (B)
AI# 18 CASE NO. 2017031236 - 57 Pin Oak Drive
AI# 20 CASE NO. 2017040723 - 3 Princess Geraldine Place
AI# 21 CASE NO. 2017041010 - 4 Princess Geraldine Place
AI# 27 CASE NO. 2017041210 - 17 Undermount Path
AI# 28 CASE NO. 2017020558 - 101 Plain View Drive (B)
AI# 32 CASE NO. 2017030102 - 32 Prescott Lane
AI# 33 CASE NO. 2017010784 - 20 Prince Anthony Lane
AI# 36 CASE NO. 2017021028 - 321 Beachway Drive
AI# 37 CASE NO. 2017030736 - 22 Beaverdam Lane

AI# 38 CASE NO. 2017050975 - 56 Bracken Lane
AI# 41 CASE NO. 2017030080 - 50 Bronson Lane
AI# 42 CASE NO. 2017050742 - 500 Palm Coast, Pkwy SW

G.

Continued Cases:

AI# 9 CASE NO. 2017021108 - 89 Covington Lane
AI# 10 CASE NO. 2016090522 - 1 Yacht Club Drive
AI# 19 CASE NO. 2017051096 - 24 Pine Hill Lane

1. AI# 35

CASE NO. 2017041087 RECURRING (2) BR

City of Palm Coast vs. Allen L. & Carolyn Crosby & Tasha L. Davis
89 Princeton Lane

(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. In Residential Dist.)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Allen Crosby, Respondent, 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. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - Yes

Motion unanimously carried.

2. AI#29

CASE NO. 2017041074 REPEAT (1) BR

City of Palm Coast vs. John & Doreen Lazzano
241 Pine Grove Drive

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

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

Mr. Copeland moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on April 23, 2017; that a \$100.00 fine is imposed for the period of non-compliance from April 21, 2017 to April 23, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Maccherone seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

3. AI#16

CASE NO. 2017050407 REPEAT (1) CSR

City of Palm Coast vs. Jayne & James Harris

61 Folcroft Lane

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

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 fine for the period of non-compliance and Administrative Costs. James Harris, Respondent, presented his side.

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 the Respondent brought the property into compliance on May 10, 2017; that a \$100.00 per day fine is imposed for the period of non-compliance on May 9, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

4. AI#24

CASE NO. 2017040720 RECURRING JS

City of Palm Coast vs. Desir Desinor & Bergette Presume

34 Rymer 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. Bergette Presume, Respondent and J. Desinor (daughter), presented their side.

Mr. Carruth 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. Ms. Medley seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Ms. Medley - Yes

Motion unanimously carried.

5. AI#2

CASE NO. 2017050915 REPEAT JF

City of Palm Coast vs. Frank & Theresa Porta & David Ward

6 Rolls Royce Court South

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

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 fine for the period of non-compliance and Administrative Costs. David Ward, Respondent, presented his side.

Mr. Copeland moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on May 16, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance on May 15, 2017; totaling \$50.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - Yes

Motion unanimously carried.

6. AI#3

CASE NO. 2017050918 REPEAT JF

City of Palm Coast vs. Frank & Theresa Porta & David Ward

6 Rolls Royce Court South

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

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 fine for the period of non-compliance and Administrative Costs. David Ward, Respondent, presented his side.

Ms. Maccherone moved to fine in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on May 16, 2017; that a \$50.00 per day fine is imposed for the period of non-compliance on May 15, 2017; 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. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - Yes

Motion unanimously carried.

7. AI#31

CASE NO. 2017040303 RECURRING (4) BR

City of Palm Coast vs. Caroline Disarno & James A. St. Pierre

3 Potterville Lane

(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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Patricia Disarno Griffin and Allison Ibrahem (niece) presented their side.

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

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

8. AI#8

CASE NO. 2017030461 MH

City of Palm Coast vs. John Barrett

44 Cooper Lane

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

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Building Official Lee provided information relating to the Florida Building Code. John Barrett, Respondent, presented his side.

Mr. Roberts 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 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 aforestated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Medley seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

9. AI#1

CASE NO. 2017011174 MASSEY JF

City of Palm Coast vs. Vilaine Senat

13 Richmond 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 for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from May 22, 2017 to August 1, 2017; totaling \$1,800.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Carruth –Not present

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Ms. Medley - Yes

Motion unanimously carried.

10. AI#5

CASE NO. 2017050841 RECURRING (3) MH

City of Palm Coast vs. Gregory & Janet Marr

9 Chelsea Court

(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. In Residential Dist.)

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

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

Roll was called:

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - Yes

Motion unanimously carried.

11. AI#6

CASE NO. 2017040625 MH

City of Palm Coast vs. Guillermo Perez

28 Clearview Court South

(Palm Coast Code Section 35-67(d) Nuisance-Boat House Roof 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.

Ms. 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 aforestated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - Yes

Motion unanimously carried.

12. AI#11

CASE NO. 2017050929 RECURRING (4) CSR

City of Palm Coast vs. Frank K. Jonas

8 Farragut Drive

(Palm Coast Code Section 44-34(c) Parking of a Commercial Veh. In Residential Dist.)

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

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

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

13. AI#13

CASE NO. 2017050691 RECURRING (3) CSR
City of Palm Coast vs. Margaret Franzen, Trustee
55 Fischer Lane
(*Palm Coast Code Section 42-56 R.O.W. Obstruction*)

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

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

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

14. AI#17

CASE NO. 2017060079 RECURRING (4) 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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Ms. Medley - Yes

Motion unanimously carried.

15. AI#22

CASE NO. 2017050906 RECURRING (2) JS

City of Palm Coast vs. Felisberto & Cecilia Portal

21 Princess Kim Lane

(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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Medley seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. LaPadula – Not present

Mr. Roberts - Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Ms. Medley - Yes

Motion unanimously carried.

16. AI#23

CASE NO. 2017040236 JS

City of Palm Coast vs. Anna Kolesnik

18 Princess Luise Lane

(Palm Coast Code Section 44-33(b) Parking in Swale between 1AM & 6 AM)

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

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

Roll was called:

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Ms. Medley - Yes

Motion unanimously carried.

17. AI#25

CASE NO. 2017050596 REPEAT⁽¹⁾ 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)

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

Ms. Maccherone moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on May 9, 2017; that as \$100.00 per day fine is imposed for the period of non-compliance on May 8, 2017; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

18. AI#26

CASE NO. 2017041310 JS

City of Palm Coast vs. Michael M. Sankowski, Jr. & Lillian Z. Waters
3 Seamanship Trail
(Palm Coast Code Section 36-76(d)(2) Nuisance-Dead Vegetation)

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as Charted 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. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes**

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

Motion unanimously carried.

19. AI#30

CASE NO. 2017040910 BR

City of Palm Coast vs. Sandra Hardy

38 Port Echo Lane

(Palm Coast Code Section 41-17(a)(5) Trash Containers

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. Copeland moved to find in this case that Respondent is 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. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Copeland – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Ms. Medley - Yes

Motion unanimously carried.

20. AI#34

CASE NO. 2017040909 RECURRING (3) BR

City of Palm Coast vs. Christopher Dale Berry

11 Princeton Lane

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

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

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

Roll was called:

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - Yes

Motion unanimously carried.

21. AI#40

CASE NO. 2017050833 RECURRING (1) BS
City of Palm Coast vs. Christina Rose Fredricks
30 Brice Lane
(*Palm Coast Code Section 15-114(a) Rubbish/Trash/Garbage*)

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

Roll was called:

Mr. Carruth – Yes
Mr. LaPadula – Yes
Mr. Roberts - Yes
Mr. Copeland – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Ms. Medley - 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, September 6, 2017 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:15 a.m.

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson

Secretary to the Board

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

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