

CODE ENFORCEMENT BOARD
Wednesday, November 7, 2018 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Jon Netts, Norman Mugford, Dean Roberts, Marc Bellapianta, Andrew Dodzik, Kenneth Carruth, Larry Pulos

BOARD COUNSEL PRESENT: Mary Snead

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Officers Hadden, Festa, Shelley, Risch, Burton, Stafford, Nunez, 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 October 3, 2018 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None to report.
- E. Swearing in of Respondents and staff: The respondents and staff who were present were sworn in by Mary Snead, Counsel for the Code Board.**

- F. Withdrawn Cases:**
- AI# 1** CASE NO. 2018070033 - *398 Lakeview Blvd.*
 - AI# 2** CASE NO. 2018021270 - *58 Peppercorn Lane*
 - AI# 3** CASE NO. 2018071328 - *11 Zorach Place*
 - AI# 4** CASE NO. 2018070905 - *62 Braddock Lane*
 - AI# 6** CASE NO. 2018080623 - *39 Wellhaven Lane (A)*
 - AI# 10** CASE NO. 2018051527 - *10 Emerald Lane (A)*
 - AI# 11** CASE NO. 2018050716 - *13 Richmond Drive*
 - AI# 12** CASE NO. 2018050720 - *13 Richmond Drive*
 - AI# 13** CASE NO. 2018021156 - *30 Riviera Estates Drive*
 - AI# 18** CASE NO. 2018060699 - *4 Blake Court*
 - AI# 20** CASE NO. 2018061100 - *15 Bleau Court*
 - AI# 22** CASE NO. 2018051392 - *34 Faircastle Lane*
 - AI# 23** CASE NO. 2018060488 - *24 Fairchild Lane*
 - AI# 26** CASE NO. 2018050945 - *28 Coral Reef Court South*
 - AI# 27** CASE NO. 2018050941 - *28 Coral Reef Court South*
 - AI# 28** CASE NO. 2018070264 - *34 Ryapple Lane (A)*
 - AI# 32** CASE NO. 2018040995 - *18 Slowdrift Turn*
 - AI# 34** CASE NO. 2018040533 - *5 Utrillo Place*
 - AI# 37** CASE NO. 2018081552 - *9 Burgess Place*
 - AI# 38** CASE NO. 2018081554 - *9 Burgess Place*

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. Bertina Tallaksen, 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 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. 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. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Motion unanimously carried.

3. AI# 15

CASE NO. 2018061980 RECURRING JF

City of Palm Coast vs. Donna A. Vieitez

6 Roxanne Place

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

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. Donna Vieitez, 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. 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. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Motion unanimously carried.

4. AI# 16

CASE NO. 2018061981 RECURRING JF

City of Palm Coast vs. Donna A. Vieitez

6 Roxanne Place

(Palm Coast Code Section 44-34(c) Parking of Comm. Vehicle/Trailer in Res. 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 remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Donna Vieitez, Respondent, presented her side.

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

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes

Mr. Roberts - Yes

Mr. Bellapianta – Yes

Mr. Dodzik - Yes

Mr. Netts – Yes

Motion unanimously carried.

5. AI# 36

CASE NO. 2018071288 JS

City of Palm Coast vs. William & Melody Creek

91 Brookside Lane

(Palm Coast Code Section 44-34(c) Parking of Comm. Vehicle/Trailer in Res. 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 and Administrative Costs. Melody Creek, Respondent, presented her side.

Mr. Dodzik 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. 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. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

6. AI# 29

CASE NO. 2018070342 REPEAT (1) MH
City of Palm Coast vs. Shandra P. Maddox
14 Secretary Trail
(Palm Coast Code Section 15-108(h) Weeds/Overgrowth)

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

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 brought the property into compliance on July 6, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on July 5, 2018; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

7. AI# 30

CASE NO. 2018070343 MH
City of Palm Coast vs. Shandra P. Maddox
14 Secretary Trail
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Shandra Maddox, Respondent, was sworn in and 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 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. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Dodzik seconded the motion.

Roll was called:

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

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes**

Motion unanimously carried.

8. AI# 31

CASE NO. 2018031292 MASSEY MH
City of Palm Coast vs. Shandra P. Maddox
14 Secretary Trail
(Palm Coast Code Section 35-76(d)(1) Nuisance-Fence)

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

Mr. Netts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent brought the property into compliance on September 5, 2018; that a \$200.00 per day fine is imposed for the period of non-compliance from August 16, 2018 to September 4, 2018; totaling \$2,000.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Bellapianta seconded the motion.

Roll was called:

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

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes**

Motion unanimously carried.

9. AI# 25

CASE NO. 2018080645 RECURRING (4) BS
City of Palm Coast vs. Timothy & Rachel L. Jarvis
4 Flamingo Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley testified the property 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. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Dodzik seconded the motion.

Roll was called:

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

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes**

Motion unanimously carried.

10. AI# 7

CASE NO. 2018071752 RECURRING (3) CSR

City of Palm Coast vs. Cassandra Realty Inc.

33 Wellwater Drive (A)

(Palm Coast Code Section 44-34(c) Parking of Comm. Vehicle/Trailer in Res. District

Code 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 – Recurring Violation and Administrative Costs. Thomas Ventura, representative of Respondent, was sworn in and presented his side.

Mr. Roberts moved to find in this case that Respondent was in violation of City code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation 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. 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. Bellapianta – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes**

Motion unanimously carried.

11. AI# 8

CASE NO. 2018080583 RECURING (3) CSR

City of Palm Coast vs. Misael Santiago

137 Wellwood Lane

(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. 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. 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. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Motion unanimously carried.

12. AI# 9

CASE NO. 2018070647 CSR

City of Palm Coast vs. Magaly Azocar

1 Westlee Place

(Palm Coast Code Section 35-76(d)(1) Nuisance- Stains on Exterior Walls)

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than fifteen (15) 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. 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. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

13. AI# 14

CASE NO. 2018021393 MASSEY JF
City of Palm Coast vs. April M.Descartes
37 Robinson Drive
(Palm Coast Code Section 44-34(c) Parking of Comm. Vehicle/Trailer in Res. District

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 \$50.00 per day fine is imposed for the period of June 15, 2018 to November 6, 2018; totaling \$7,250.00; 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. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

14. AI# 17

CASE NO. 2018070633 RECURRING JF
City of Palm Coast vs. Braian & Jade Merriman Adler
8 Rybar Lane
(Palm Coast Code Section 35-76(d)(1) Nuisance- Accumulations)

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 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 Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

15. AI# 19

CASE NO. 2018040641 MASSEY BS
City of Palm Coast vs. Wiley Scott & Vivian Williams Thomas
12 Blaketown Place
(Palm Coast Code Section 37-76(d)(1) Nuisance- Roof in Disrepair)

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

Mr. Dodzik moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from August 16, 2018 to November 6, 2018; totaling \$4,150.00; 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. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

16. AI# 21

CASE NO. 2018071350 RECURRING BS
City of Palm Coast vs. Luis De Oliveria & Alcides Lopes
34 Faircastle Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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. 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. 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. Mugford - Yes |
| Mr. Carruth – Yes | Mr. Roberts - Yes |
| Mr. Bellapianta – Yes | Mr. Dodzik - Yes |
| Mr. Netts – Yes | |

Motion unanimously carried.

17. AI# 24

CASE NO. 2018071325 REPEAT (1) BS
City of Palm Coast vs. Ragael Gomez & Bravo Zunilda
76 Farragut Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley testified the property 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 July 21, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on July 20, 2018; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

| | |
|--------------------------|--------------------------|
| Mr. Pulos – Yes | Mr. Mugford - Yes |
| Mr. Carruth – Yes | Mr. Roberts - Yes |

Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Dodzik - Yes

Motion unanimously carried.

18. AI# 33

CASE NO. 2018030826

MH

City of Palm Coast vs. Paul F. & Rhonda E. Walsh

44 Utah Place

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

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

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

19. AI# 39

CASE NO. 2018081017

REPEAT (1)

JS

City of Palm Coast vs. Frances Palmer, Trustee

36 Burroughs Drive

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

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

Mr. Roberts moved to find in this case that Respondent was in 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 6, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on August 16, 2018, August 30,

2018, August 31, 2018; totaling \$300.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

20. AI# 42

CASE NO. 2018020702 MASSEY JS
City of Palm Coast vs. Ricky & Wendy Moore, Life Estate
9 Claymont Court South
(Palm Coast Code Section 15-1-FBC 105.1 No Permit)

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 for the period of non-compliance and Administrative Costs.

Mr. Carruth 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 July 27, 2018 to November 6, 2018; totaling \$5,150.00; 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. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes

Motion unanimously carried.

21. AI# 44

CASE NO. 2018080996 REPEAT (1) JS
City of Palm Coast vs. Theresa M. Carey
18 Farmbrook Lane
(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 fine for the period of non-compliance and Administrative Costs.

Mr. Dodzik 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 18, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance on July 17, 2018. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Pulos – Not present
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes**

Motion unanimously carried.

22. AI# 47

CASE NO. 2018010298 BR
City of Palm Coast vs. Nelson J. & Susana M. Furtado
26 Panei Lane
(Land Development Code 11.03.01(H) No HVAC Screening)

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. Carruth 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 \$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. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Bellapianta seconded the motion.

Roll was called:

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

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - Yes**

Motion unanimously carried.

23. AI# 48

CASE NO. 2018070549 RECURRING (3) BR

City of Palm Coast vs. James C. Borgmann

5 Pine Hall Place

(Palm Coast Code Section 44-34(d)(2) Parking Boat/Trailer/RV)

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Motion unanimously carried.

24. AI# 53

CASE NO. 2018080530 BR

City of Palm Coast vs. Fannette B. Thomas

5 Princess Dolores 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 and Administrative Costs.

Mr. Dodzik 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 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. 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

Mr. Roberts - Yes

Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Dodzik - Yes

Motion unanimously carried.

25. AI# 55

CASE NO. 2018071250 REPEAT (1) BR
City of Palm Coast vs. Christopher Dale Berry
11 Princeton Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

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 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 July 20, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on July 19, 2018. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Dodzik - 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, December 5, 2018 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:12 am.

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.