

CODE ENFORCEMENT BOARD
Wednesday, December 5, 2018 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

BOARD MEMBERS ABSENT: Norman Mugford

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, Landscape Specialist Beaudet, 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. Roberts, followed by the Pledge of Allegiance.

B. Roll Call and Determination of Quorum.

Roll was called. A quorum was met with six (6) members present.

C. Approval of the November 7, 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F. Withdrawn Cases: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. 2018081620 - 2 Bunker View Drive
AI# 3	CASE NO. 2018051543 - 136 Bayside Drive
AI# 7	CASE NO. 2018061201 - 8 Piedmont Drive
AI# 8	CASE NO. 2018070109 - 11 Zebu Place
AI# 11	CASE NO. 2018090432 - 77 Covington Lane
AI# 16	CASE NO. 2018061786 - 20 Felshire Lane
AI# 17	CASE NO. 2018061945 - 15 Fernon Lane
AI# 18	CASE NO. 2018080605 - 55 Flemingwood Lane
AI# 23	CASE NO. 2018080899 - 14 Ridley Lane
AI# 28	CASE NO. 2018081339 - 64 Parkway Drive
AI# 29	CASE NO. 2018080534 - 13 Pine Grove Drive
AI# 34	CASE NO. 2018080160 - 21 Princess Luise Lane
AI# 37	CASE NO. 2018051681 - 2 Columbia Lane
AI# 38	CASE NO. 2018061031 - 2 Columbia Lane
AI# 40	CASE NO. 2018031292 - 14 Secretary Trail
AI# 41	CASE NO. 2018060802 - 49 Selma Trail (A)
AI# 44	CASE NO. 2018071700 - 89 Ulaturn Trail

AI# 45 CASE NO. 2018061025 - 42 Woodlawn Drive
AI# 47 CASE NO. 2018081383 - 43 Village Circle
AI# 48 CASE NO. 2018080212 - 55 Wedgewood Lane
AI# 49 CASE NO. 2018080210 - 55 Wedgewood Lane
AI# 50 CASE NO. 2018080098 - 24 Wellham Lane (A)
AI# 52 CASE NO. 2018080378 - 17 Wellwood Lane (A)
AI# 53 CASE NO. 2018080585 - 2 Wheel Place (A)

G. Continued Cases

AI# 24 CASE NO. 2018040167 – 2 Rocket Lane

1. AI# 57

CASE NO. 2018091014

AN

City of Palm Coast vs. Andrea McIntyre & Britian Harrison

5 Zinc Place

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Britian Harrison, Respondent, presented her side.

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 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. Roberts - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

2. AI# 46

CASE NO. 2018080016

CSR

City of Palm Coast vs. Wendy E. Murnane

7 Federal Lane

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

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

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 fifteen (15) 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 aforestated 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 – No
Mr. Carruth – Yes
Mr. Bellapianta – Yes**

**Mr. Netts - Yes
Mr. Roberts - Yes
Mr. Dodzik – Yes**

Motion carried 5-1.

3. AI# 13

CASE NO. 2018090433 RECURRING (3) JS

City of Palm Coast vs. Alton Dixon

61 Florida Park Drive

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

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. Dale Dixon, father of Respondent, presented his 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 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. Roberts - Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

4. AI# 32

CASE NO. 2017081672 REQ. FORECLOSURE

BR

City of Palm Coast vs. Joseph Alisca & Evelyn M. Benjamin

5 Ponderosa Lane (A)

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

Code Enforcement Officer Romeo presented case history and paperwork into evidence. The Respondent was not present. Officer Romeo testified the property remains in violation. Staff requests the Code Enforcement Board to authorize the City Attorney to move forward with foreclosure proceedings.

**Mr. Netts moved to authorize the City Attorney to move forward with foreclosure proceedings.
Mr. Bellapianta seconded the motion.**

Roll was called:

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

**Mr. Netts - Yes
Mr. Roberts - Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

5. AI# 2

CASE NO. 2018080897

JB

City of Palm Coast vs. Anthony J. Gardiner

23 Butternut Drive

(Palm Coast Code Section 35-76(d)(1)(2) Nuisance-Hazard Trees not Removed)

Landscape Specialist Beaudet presented case history, paperwork and photos into evidence. The Respondent was not present. Specialist Beaudet 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 five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$250.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Landscape Specialist 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. Roberts - Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

6. AI# 4

CASE NO. 2018070719

SB

City of Palm Coast vs. Alberto Villarreal

54 Bradmore Lane

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

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

Mr. Netts moved to find in this case that 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 aforestated date; that Respondent is further ordered to contact the Landscape Specialist 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. Roberts - Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

7. AI# 5

CASE NO. 2017120285

AN

City of Palm Coast vs. Matthew A. & Lisa C. Maslin

35 Cold Spring Court

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Nunez testified the property is in compliance. 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 brought the property into compliance on September 26, 2018; that a \$25.00 per day fine is imposed for the period of non-compliance from May 21, 2018 to September 25, 2018; totaling \$3,200.00. 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. Bellapianta – Yes**

**Mr. Netts - Yes
Mr. Roberts - Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

8. AI# 6

CASE NO. 2018080932

RECURRING

AN

City of Palm Coast vs. Craig M. & Cheryl L. Griswold

1 Katrina Court

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

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts - Yes

Mr. Roberts - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

9. AI# 9

CASE NO. 2018080660

JS

City of Palm Coast vs. John Mcvicker

15 Burma Place

(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 No Fine Standing Order 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 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. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts - Yes

Mr. Roberts - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

10. AI# 22

CASE NO. 2017081835 MASSEY JF

City of Palm Coast vs. Danielle L. Williams & David J. & Kim Riker

9 Regina Lane

(Palm Coast Code Section 14-114(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. Danielle Williams, Respondent, was sworn in and 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 November 16, 2018; that a \$250.00 per day fine is imposed for the period of non-compliance from July 23, 2018 to November 15, 2018; totaling \$29,000. Respondent shall pay Administrative Costs to the City in the amount of \$69.50.

The motion was amended to adjust the fine to \$22,500.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – No

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts - Yes

Mr. Roberts - Yes

Mr. Dodzik – No

Motion carried 4/2.

11. AI# 10

CASE NO. 2018081194 JS

City of Palm Coast vs. Bert K. & Andy Swanson

21 Coral Reef Court South

(Palm Coast Code Section 44-34(c) Parking of Comm. Veh./Trailer in 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 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 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. Bellapianta seconded the motion.

Roll was called:

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

Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

12. AI# 12

CASE NO. 2018090142 RECURRING (3) JS
City of Palm Coast vs. Serey Ty
12 Fern Court
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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 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. Netts seconded the motion.

Roll was called:

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

Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

13. AI# 14

CASE NO. 2018081507 JS
City of Palm Coast vs. Hung Hoange Nguyen
20 Lema 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 the property is in compliance. Staff recommends a No Fine Standing Order 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 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 \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Bellapianta seconded the motion.

Roll was called:

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

Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

14. AI# 15

CASE NO. 2018071615 BS
City of Palm Coast vs. Mary L. Roberts
140 Barrington Drive
(Palm Coast Code Section 15-1-FBC 105.1 No Permit)

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

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 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. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

15. AI# 19

CASE NO. 2018081689 REPEAT (2) BS
City of Palm Coast vs. Lisa Riccardi
57 Forrester Place
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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. 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 September 13, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance from August 28, 2018 to September 12, 2018; totaling \$1,600.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Carruth seconded the motion.

Roll was called:

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

**Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

16. AI# 20

CASE NO. 2018071331

BS

City of Palm Coast vs. Jose Santos

63 Freemont Turn

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

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charted; 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. 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

17. AI# 21

CASE NO. 2018071203

RECURRING

JF

City of Palm Coast vs. American Homes 4 Rent

49 Raintree Place

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

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 charted; 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; 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

18. AI# 25

CASE NO. 2018040167

JF

City of Palm Coast vs. Suzette Garcia & Tyler Hurry

29 Rolling Sands 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. 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 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 aforestated 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

19. AI# 26

CASE NO. 2018061039

JF

City of Palm Coast vs. Suzette Garcia & Tyler Hurry
29 Rolling Sands Drive
(Palm Coast Code Section 15-110 (a)(7) Roof in Disrepair)

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. 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 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. Bellapianta seconded the motion.

Roll was called:

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

**Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

20. AI# 27

CASE NO. 2018020560 MASSEY^{JF}
City of Palm Coast vs. Jessie James Mitchell
19 Roxboro 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. 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 \$25.00 per day fine is imposed for the period of non-compliance from July 31, 2018 to December 4, 2018; totaling \$3,175.00; 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. 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. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Bellapianta seconded the motion.

Roll was called:

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

Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

21. AI# 28

CASE NO. 2018081339 RECURRING (2) BR
City of Palm Coast vs. Alexander Gourin
64 Parkway 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. 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. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

22. AI# 30

CASE NO. 2018080204 BR
City of Palm Coast vs. Eyvonne M. Green
13 Pine Grove Drive
(Palm Coast Code Section 35-76(d)(2) Nuisance-Lawn Damage)

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 ten (10) days after this Order is entered in writing; that in the event 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. Roberts seconded the motion.

Roll was called:

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

Mr. Netts – Yes
Mr. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

23. AI# 31

CASE NO. 2018080535 BR
City of Palm Coast vs. Eyvonne M. Green
13 Pine Grove Drive
(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 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 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. Roberts – Yes
Mr. Dodzik – Yes

Motion unanimously carried.

24. AI# 33

CASE NO. 2018090062 REPEAT (1) BR
City of Palm Coast vs. Jose Azevedo
37 Price Lane
(Palm Coast Code Section 44-34(c) Parking of Comm. Veh./Trailer in Residential District)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the property is in compliance. Staff recommends a 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 brought the property into compliance on September 13, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance from September 1, 2018 to September 2, 2018; totaling \$200.00. 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

25. AI# 35

CASE NO. 2018041020 RECURRING (3) BR

City of Palm Coast vs. Christopher Dale Berry

11 Princeton 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 Costs.

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 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

26. AI# 36

CASE NO. 2018041021 BR

City of Palm Coast vs. Christopher Dale Berry

11 Princeton Lane

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

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. 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 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

27. AI# 42

CASE NO. 2018080093 RECURRING (3) MH
City of Palm Coast vs. Chantal Clark
20 Smollett Place
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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. Carruth 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 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

28. AI# 43

CASE NO. 2018080094 RECURRING (3) MH
City of Palm Coast vs. Chantal Clark

20 Smollett Place

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

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 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. 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

29. AI# 51

CASE NO. 2018081039

CSR

*City of Palm Coast vs. James V. & Carmela P. Tiffany & Cambareri Fortunato & Fortunata
282 Wellington Drive
(Palm Coast Code Section 17-39(a) Residential Rental Program)*

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. Netts 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 \$25.00 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. 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. Roberts – Yes
Mr. Dodzik – Yes**

Motion unanimously carried.

30. AI# 54

CASE NO. 2018090198 RECURRING (7) CSR

City of Palm Coast vs. Alton & Deborah Svitzer

4 Whittier 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. 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 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. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Roberts – Yes

Mr. Dodzik – Yes

Motion unanimously carried.

31. AI# 55

CASE NO. 2018090211 REPEAT (1) CSR

City of Palm Coast vs. Alton & Deborah Svitzer

4 Whittier Lane

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

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 fine for the period of non-compliance and Administrative Costs.

Mr. Carruth 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 9, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance from September 5, 2018 to September 8, 2018; totaling \$200.00. 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. Netts – Yes

Mr. Roberts – Yes

Mr. Bellapianta – Yes

Mr. Dodzik – Yes

Motion unanimously carried.

32. AI# 56

CASE NO. 2018020772 MASSEY LM

City of Palm Coast vs. Pc Parkway Investments Holdings LLC

4895 Belle Terre Pkwy.

(Land Development Code 2.05.04(G) Development Order Modification)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez testified the property remains in violation. Staff recommends a fine 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 \$150.00 per day fine is imposed for the period of non-compliance from September 20, 2018 to December 4, 2018; totaling \$11,400.00; and that a fine of \$150.00 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. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Netts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – 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, January 9, 2019 at 10:00am.

DJOURNMENT:

There being no further business, the meeting was adjourned at 11:41 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.