

CODE ENFORCEMENT BOARD
Wednesday, April 4, 2018 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

MEMBERS ABSENT: Richard LaPadula

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Stafford, Festa, Hadden, Shelley, MacDonald, Arena, Code Enforcement Clerk Wry, Schragger, Construction Site Supervisor, Troha, Project Specialist, Lee, Chief Building Official, 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 six (6) members present.

C. Approval of the March 7, 2018 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F. Withdrawn Cases: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# 1	CASE NO. 2017110392 - 1185 Central Avenue
AI# 4	CASE NO. 2017101285 - 9 Rainbow Lane (A)
AI# 5	CASE NO. 2017081067 - 37 Robinson Drive
AI# 9	CASE NO. 2018010441 - 47 Farragut Drive
AI# 12	CASE NO. 2017061843 - 41 Club House Drive
AI# 13	CASE NO. 2017110684 - 37 Rolling Fern Drive
AI# 14	CASE NO. 2018010346 - 24 Sea Shark Path
AI# 15	CASE NO. 2018010347 - 52 Sea Trail
AI# 16	CASE NO. 2017120475 - 17 Smollett Place
AI# 27	CASE NO. 2017121241 - 83 Pheasant Drive
AI# 33	CASE NO. 2017110815 - 21 Providence Lane
AI# 34	CASE NO. 2018011021 - 9 Blyth Place
AI# 36	CASE NO. 2018010365 - 45 Westfalls Lane

AI# 38	CASE NO. 2017120253 - 43 Westglen Lane
AI# 39	CASE NO. 2018011081 - 2 Westrose Place
AI# 41	CASE NO. 2017121054 - 119 White Hall Drive
AI# 42	CASE NO. 2017111225 - 4 White Star Drive
AI# 44	CASE NO. 2018011075 - 90 Woodside Drive
AI# 50	CASE NO. 2017120277 - 3 Columbia Lane (A & B)
AI# 55	CASE NO. 2017120768 - 162 London Drive

G. Continued Cases

AI# 59	CASE NO. 2017060197 - 1150 Palm Coast Pkwy SW
AI# 60	CASE NO. 2017060201 - 1150 Palm Coast Pkwy SW

1. AI# 57

CASE NO. 2017100081 REDUCTION JS
City of Palm Coast vs. Sokhom & Thida Kim Neou
9 Russo Drive
(Palm Coast Code Section 44-34(c) Parking of Comm. Veh/Trailer in Residential District

Code Enforcement Officer Stafford presented case history into evidence. The fine in this case is currently \$1,700.00. Patricia Hoskins, Property Manager for this property, presented her side.

Mr. Carruth moved that the fine be reduced in this case from \$1,700.00 to \$400.00, and that Respondent has thirty (30) days to pay the reduced amount. If not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – No	Mr. Mugford - Yes
Mr. Carruth – Yes	Ms. Maccherone - Yes
Mr. Netts – Yes	Mr. Roberts – Yes

Motion carried 5/1.

2. AI# 58

CASE NO. 2017100082 REDUCTION JS
City of Palm Coast vs. Sokhom & Thida Kim Neou
9 Russo Drive
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

Code Enforcement Officer Stafford presented case history into evidence. The fine in this case is currently \$900.00. Patricia Hoskins, Property Manager for this property, presented her side.

Mr. Carruth moved that the fine be reduced in this case from \$900.00 to \$100.00 and that Respondent has thirty (30) days to pay the reduced amount. If not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion carried 5/1.

3. AI# 56

CASE NO. 2017040236 REDUCTION JS

City of Palm Coast vs. Anna Kolesnik

18 Princess Luise Lane

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

Code Enforcement Officer Stafford presented case history into evidence. The fine in this case is currently \$4,850.00. Lydia Kolesnik, Property Manager for this property, presented her side.

Mr. Roberts moved that the fine be reduced in this case from \$4,850.00 to \$970.00 and that Respondent has thirty (30) days to pay the reduced amount. If not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion carried 5/1.

4. AI# 2

CASE NO. 2018010318 APPEAL HEARING REQUEST PA

City of Palm Coast vs. Paul Ricci Sr.

6 Random Place

(Palm Coast Code Section 35-76 Imminent Public Health Threat - Hazard Tree)

Tree Inspector Arena presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Inspector Arena explained the request is for an appeal of the City's determination of an imminent hazardous tree, Section 35-76(a) (1) of the City Code. The hazard tree was cut down and removed

from the property by the City. Inspector Arena requested the City uphold the determination for the hazard tree. Paul Ricci, Sr., explained his request.

Mr. Carruth moved to accept the City's recommendation to uphold the determination of hazard tree. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

5. AI# 17

CASE NO. 2018010080

MH

City of Palm Coast vs. Margaret H. Hayes, Trustee

26 Weidner Place

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

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. Margaret Hayes, Respondent and Margaret Miller, tenant, presented their 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 as fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

6. **AI# 47**

CASE NO. 2017111300

JS

City of Palm Coast vs. The Br & K Family Limited Partnership

2 Columbia Lane

(Palm Coast Code Section 15-110(A)(6) Stucco/Siding Damage)

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

Mr. Netts moved that this case be continued until the next Code Enforcement Board meeting with the condition that Respondent provide verification of the status of progress for compliance. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

7. **AI# 48**

CASE NO. 2017111111

JS

City of Palm Coast vs. The Br & K Family Limited Partnership

2 Columbia Lane

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Denise Yanasheski, Property Manager, 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 fourteen (14) 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. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Netts – Yes

Mr. Roberts – Yes

Motion unanimously carried.

8. AI# 49

CASE NO. 2017111309

JS

City of Palm Coast vs. The Br & K Family Limited Partnership

2 Columbia Lane

(Palm Coast Code Section 15-110(A)(13) Broken Window)

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

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 fourteen (14) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

9. AI# 29

CASE NO. 2018010218 REPEAT (1)

BR

City of Palm Coast vs. Sergey Y. Cheban

33 Pony Lane (B)

(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 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. Yuri Cheban, tenant, 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 Respondent brought the property into compliance on January 4, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on January 3, 2018; totaling \$100.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

10. AI# 25

CASE NO. 2018010519 RECURRING (2) BR
City of Palm Coast vs. Janet E. Stott
149 Parkview Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

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. Janet Stott, Respondent, presented her side.

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

Roll was called:

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

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

Motion unanimously carried.

11. AI# 40

CASE NO. 2018020363 RECURRING (4) CSR
City of Palm Coast vs. Pam P. Marques
58 Wheeling 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 evidence was shown to the Respondent. Officer Risch testified the property is in compliance. Miguel Bros, son of Respondent, presented his side.

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

Roll was called:

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

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

Motion unanimously carried.

12. AI# 43

CASE NO. 2017120968

CSR

City of Palm Coast vs. Sand Land & Water Inc.

30 Whittier Lane

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

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. James Williams, Respondent, presented his side. Building Official Lee was called upon to provide permitting information.

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 \$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. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

13. AI# 54

CASE NO. 2017081134 REDUCTION JS

City of Palm Coast vs. Mikhail Braslavskiy

11 Kathryn Place

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

Code Enforcement Officer Stafford presented case history into evidence. The current fine for this property is \$1,620.00. Tatiana Mica, Property Manager, presented her side.

Mr. Roberts moved that the fine be reduced in this case from \$1,620.00 to \$320.00, and that Respondent has thirty (30) days to pay the reduced amount. If not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

14. AI# 46

CASE NO. 2017120725 JS

City of Palm Coast vs. Vernon Glen & Susan F. McCravy

9 Cedarfield Court

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

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. 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 fourteen (14) 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 \$100.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Netts – Yes

Mr. Roberts – Yes

Motion unanimously carried.

- 15. CASE NO. 2017091533 MASSEY** JF
City of Palm Coast vs. Thomas & Lorraine Thomson
57 Rae 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 January 19, 2018 to April 3, 2018; totaling \$1,875.00; 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. Mr. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

- 16. AI# 6**
CASE NO. 2017121198 RECURRING JF
City of Palm Coast vs. Leonard Maellaro
22 Roxboro Drive
(Palm Coast Code Section 44-34(c) Parking of Comm. Veh/Trailer in Residential District)

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation 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. Pulos seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

17. AI# 7

CASE NO. 2017120161 JF
City of Palm Coast vs. Leonard Maellaro
22 Roxboro Drive
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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

Mr. 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 three (3) 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

18. AI# 8

CASE NO. 2017120862 BS
City of Palm Coast vs. Manuel A. Alvarado
23 Farragut Drive
(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. 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 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. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

19. AI# 10

CASE NO. 2018011378 REPEAT (2) BS

City of Palm Coast vs. Charles & Anita Blum

18 Felter Lane

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

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 January 27, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on January 26, 2018; totaling \$100.00. 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. Mugford - Yes
Ms. Maccherone - Yes
Mr. Roberts – Yes**

Motion unanimously carried.

20. AI# 11

CASE NO. 2017111307

BS

City of Palm Coast vs. Brian Lynch

48 Forrester Place

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

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. 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 two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforestated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

21. AI# 18

CASE NO. 2018010471

BMD

City of Palm Coast vs. Marc H. Ichart

3 Buffalo Bill Place

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

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

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

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes
Mr. Netts – Yes

Ms. Maccherone - Yes
Mr. Roberts – Yes

Motion unanimously carried.

22. AI# 19

CASE NO. 2018010469 RECURRING BMD

City of Palm Coast vs. Marc H. Ichart

3 Buffalo Bill Place

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

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

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

Roll was called:

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

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

Motion unanimously carried.

23. AI# 20

CASE NO. 2017081290 MASSEY BMD

City of Palm Coast vs. Robert S. & Jennifer A. Hubbs

80 Burroughs Drive

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

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

Mr. Netts moved to find in this case that Respondent was in violation of City Code as 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 January 29, 2018; that a \$25.00 per day fine is imposed

for the period of non-compliance from January 19, 2018 to January 28, 2018; totaling \$250.00. 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. Mugford - Yes
Ms. Maccherone - Yes
Mr. Roberts – Yes

Motion unanimously carried.

24. AI# 21

CASE NO. 2018010185 BMD
City of Palm Coast vs. Leonard J. Fries
50 La Mancha Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

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

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the 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. Netts – Yes

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

Motion unanimously carried.

25. AI# 22

CASE NO. 2018010186 BMD
City of Palm Coast vs. Leonard J. Fries
50 La Mancha Drive
(Land Development Code 13.03.03(d)(2) Hurricane Shutters Still On)

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the 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. Netts – Yes**

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

Motion unanimously carried.

26. AI# 23

CASE NO. 2018010187

BMD

City of Palm Coast vs. Leonard J. Fries

50 La Mancha Drive

(Palm Coast Code Section 15-110(A)(6) Damaged Siding Over Garage Door)

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the 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. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

27. AI# 24

CASE NO. 2017120169

BMD

City of Palm Coast vs. Claire D. Schwartz

46 Langdon Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald 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. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Ms. Maccherone seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

28. AI# 26

CASE NO. 2018010108 RECURRING (2) BR

City of Palm Coast vs. Galina Bocharova

91 Pebble Beach Drive

(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 No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

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

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

Motion unanimously carried.

29. AI# 28

CASE NO. 2018010107 RECURRING (5) BR

City of Palm Coast vs. Mark A. Turner

57 Piedmont Drive

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

Roll was called:

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

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

Motion unanimously carried.

30. AI# 30

CASE NO. 2018010764 BR

City of Palm Coast vs. Josephine Villaverde Camiquel

3 Powder Horn Drive

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

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. 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. Ms. Maccherone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

31. AI# 31

CASE NO. 2018010371 REPEAT (1) BR
City of Palm Coast vs. Josephine Villaverde Camiquel
3 Powder Horn Drive
(Palm Coast Code Section 35-76(d)(1) Nuisance-Accumulations

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the property 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 repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent has not brought the property into compliance as of April 3, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance from January 5, 2018 to April 3, 2018; totaling \$4,450.00 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. Netts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

32. AI# 32

CASE NO. 2018010109 RECURRING BR

City of Palm Coast vs. Josephine Villaverde Camiquel

3 Powder Horn Drive

(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 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. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

33. AI# 35

CASE NO. 2017080266 MASSEY CSR

City of Palm Coast vs. Marta Bilek

133 Foxhall Lane

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

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 for the period of non-compliance and Administrative Costs.

Mr. Netts moved to find in this case that Respondent was in violation of City Code as 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 January 17, 2018 to April 3, 2018; totaling \$1,925.00; 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.

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. Netts – Yes**

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

Motion unanimously carried.

34. AI# 37

CASE NO. 2018010981 RECURRING CSR

City of Palm Coast vs. Steven Matthew Ray

9 Westfield Lane

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

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. Netts – Yes**

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

Motion unanimously carried.

35. AI# 45

CASE NO. 2017120761 JS

City of Palm Coast vs. Frances Palmer

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 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. Carruth seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

36. AI# 51

CASE NO. 2017120386

JS

*City of Palm Coast vs. John F. Sedlesky, Jr. & Nicole F. Cassaro
79 Florida Park Drive
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)*

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

Roll was called:

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

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

Motion unanimously carried.

37. AI# 52

CASE NO. 2017120390

JS

City of Palm Coast vs. John F. Sedlesky, Jr. & Nicole F. Cassaro

79 Florida Park Drive

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

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. 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. The 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. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts – Yes

Motion unanimously carried.

38. AI# 53

CASE NO. 2017120711

JS

City of Palm Coast vs. Angelina Devito & Gordon Todd Knaeble

25 Freneau 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. 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. 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. Netts – Yes

Mr. Mugford - Yes
Ms. Maccherone - Yes
Mr. Roberts – 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, May 2, 2018 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:35 pm.

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.