

20180502
10:00 AM
Intracoastal Room

CODE ENFORCEMENT BOARD
Wednesday, May 2, 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, Richard LaPadula

ALTERNATE MEMBER: Andrew Dodzik

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Officers Romeo, Risch, Festa, Hadden, Shelley, MacDonald, Sagala, Code Enforcement Clerk Wry, 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 seven (7) members present.

C. Approval of the April 4, 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F. Withdrawn Cases: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# 2	CASE NO. 2017081290 - 80 Burroughs Drive
AI# 3	CASE NO. 2018020204 - 8 Eastvue Place
AI# 4	CASE NO. 2018021083 - 55 Eric Drive
AI# 5	CASE NO. 2018010530 - 14 Ethel Lane
AI# 6	CASE NO. 2018020345 - 70 Black Bear Lane
AI# 7	CASE NO. 2017121105 - 5 Farmdale Lane
AI# 8	CASE NO. 2018010305 - 60 Fountain Gate Lane
AI# 11	CASE NO. 2017011174 - 13 Richmond Drive
AI# 14	CASE NO. 2017101594 - 38 Russo Drive
AI# 15	CASE NO. 2018020047 - 30 Ryall Lane
AI# 17	CASE NO. 2018020680 - 326 Wellington Drive
AI# 19	CASE NO. 2018011468 - 100 Westbury Lane
AI# 21	CASE NO. 2018020548 - 27 Whirlaway Drive
AI# 24	CASE NO. 2018020497 - 280 Beachway Drive

AI# 26	CASE NO. 2017111305 - 110 Belvedere Lane
AI# 27	CASE NO. 2018010194 - 6 Brelyn Place
AI# 28	CASE NO. 2017120379 - 30 Brice Lane
AI# 29	CASE NO. 2017121257 - 7 Brunett Lane
AI# 31	CASE NO. 2018010965 - 31 Pillory Lane
AI# 33	CASE NO. 2017120534 - 24 Seven Wonders Trail
AI# 34	CASE NO. 2017120535 - 24 Seven Wonders Trail
AI# 35	CASE NO. 2017111205 - 119 Westrobin Lane
AI# 36	CASE NO. 2018020302 - 2 Carlos Court
AI# 41	CASE NO. 2017120373 - 2 Farraday Lane (A)
AI# 42	CASE NO. 2018010424 - 2 Farraday Lane (A)
AI# 44	CASE NO. 2017091620 - 45 Sederholm Path
AI# 45	CASE NO. 2018020025 - 83 Pheasant Drive
AI# 46	CASE NO. 2017111287 - 12 Pine Cedar Drive
AI# 49	CASE NO. 2017120062 - 40 Pitt Lane
AI# 51	CASE NO. 2018010847 - 33 Pony Lane (A)
AI# 52	CASE NO. 2018020612 - 17 Port Lane
AI# 53	CASE NO. 2018011507 - 16 Princess Luise Lane
AI# 56	CASE NO. 2018020150 - 16 Princess Luise Lane
AI# 57	CASE NO. 2017120583 - 1276 Palm Coast Pkwy SW
AI# 58	CASE NO. 2017110479 - 645 Palm Coast Pkwy SW
AI# 59	CASE NO. 2017060197 - 1150 Palm Coast Pkwy SW
AI# 60	CASE NO. 2017060201 - 1150 Palm Coast Pkwy SW

G. Continued Cases:

AI# 16 CASE NO. 2017100877 – 38 Folcroft Lane

1. AI# 47

CASE NO. 2018010285

BR

City of Palm Coast vs. Roxanne M. Shaffner

28 Pine Croft Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Roxanne Shaffner, 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 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. 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. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

2. AI# 48

CASE NO. 2018010489

BR

City of Palm Coast vs. Roxanne M. Shaffner

28 Pine Croft Lane

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

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

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 \$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.

There was no second for this motion and motion failed. After discussion and clarification of the Ordinance:

Mr. Pulos moved to dismiss this case. Mr. Netts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

3. AI# 43

CASE NO. 2017120771

JS

City of Palm Coast vs. Judith A. Mascenic & Donald G. Kutter

21 Filbert Lane

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

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

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Netts – Yes

Mr. Mugford - Absent

Ms. Maccherone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Motion unanimously carried.

4. AI# 12

CASE NO. 2018020091 RECURRING (3) JF

City of Palm Coast vs. James P. & Ursula Miller

48 Rivera Lane

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

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. James Miller, Respondent, presented his side.

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Motion unanimously carried.

5. AI# 54

CASE NO. 2018020146 RECURRING (4) BR

City of Palm Coast vs. Lloyd A. & Thelma L. Rose

16 Princess Luise Lane

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

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. Lloyd Rose, Respondent, presented his side.

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 55

CASE NO. 2018020129 RECURRING (1) BR

City of Palm Coast vs. Lloyd A. & Thelma L. Rose

16 Princess Luise Lane

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

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. Lloyd Rose, 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Ms. Maccherone seconded the motion.

Mr. Roberts amended the motion to eliminate the Administrative Costs in this case. Mr. Lapadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

7. AI# 59

CASE NO. 2017111300 Continued from 4/4/18 CB 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)

City Attorney Reischmann explained the reason this case is being presented again. He stated the property is in compliance. The City wishes to withdraw the case.

Mr. Carruth moved to dismiss this case. Mr. Roberts seconded the case.

Roll was called:

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

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

Motion unanimously carried.

8. AI# 18

CASE NO. 2018020873 **RECURRING** (4) CSR
City of Palm Coast vs. Emmett Woodfin
21 Wentworth Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

Roll was called:

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

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

Motion unanimously carried.

9. AI# 40

CASE NO. 2017111152

JS

City of Palm Coast vs. Oscar Celico & Ester Fiorello

5 Fanwood Court

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

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

Mr. LaPadula moved to find in this case that Respondent was 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. 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. LaPadula – Yes**

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

Mr. Netts – Yes

Motion unanimously carried.

10. AI# 1

CASE NO. 2017110646 RECURRING (2) BMD
City of Palm Coast vs. Tommy L. & Kellea R. Snyder
14 Bickshire Lane
(Palm Coast Code Section 44-34(i) Parking in Median)

Code Enforcement Office 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. Tommy Snyder, Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) year 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 them motion.

Roll was called:

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

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

Motion unanimously carried.

11. AI# 20

CASE NO. 2017111215 RECURRING (4) CSR
City of Palm Coast vs. James H. III & Kim M. Davis
43 Westfield Lane
(Palm Coast Code Section 44-34(c) Parking of Comm. Veh./Trailer in Residential Dist.)

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) year 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.

There was no second to the motion.

Mr. Carruth amended the motion to eliminate the Administrative Cost. Ms. Roberts seconded the motion.

Roll was called:

Mr. Pulos – No

Mr. Carruth – Yes

Mr. LaPadula – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Ms. Maccherone - Yes

Mr. Roberts - Yes

Motion carried 6/1.

Ms. Maccherone left the meeting. Mr. Dodzik, alternate Code Enforcement Board member, will continue as a voting member of the Board.

12. AI# 9

CASE NO. 2018020256 REPEAT (4) BS

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

25 Freneau Lane

(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 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 May 1, 2018; that a fine of \$450.00 per day fine is imposed for the period of non-compliance from February 7, 2018 to May 1, 2018; that a fine of \$450.00 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 \$71.00. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

13. AI# 10

CASE NO. 2018020349

BS

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

25 Freneau Lane

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

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 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. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

14. AI# 22

CASE NO. 2018011137

SB

City of Palm Coast vs. Jesse D. Sadej, Life Estate

52 Barkwood Lane

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

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

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

Roll was called:

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

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

Motion unanimously carried.

15. AI# 23

CASE NO. 2018010156 RECURRING (4) SB

City of Palm Coast vs. Ella Harpster

280 Beachway Drive

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

Roll was called:

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

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

Motion unanimously carried.

16. AI# 25

CASE NO. 2017121125

SB

City of Palm Coast vs. Angela & Scott Lapete
140 Beechwood Lane
(Palm Coast Code Section 15-1-FBC 105.1 No Permit for Structure)

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 I 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. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

17. AI# 30

CASE NO. 2017031063 MASSEY MH
City of Palm Coast vs. Ronald K. & Helen Vetter
38 Cottonwood Court
(Palm Coast Code Section 35-76(d) Nuisance-Roof Painted with Tar)

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 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 non-compliance from February 23, 2018 to May 1, 2018; totaling \$3,400.00 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. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

18. AI# 32

CASE NO. 2017121114

MH

City of Palm Coast vs. Benson Jr. Family Trust

35 Regent Lane (A)

(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 Respondent was not present. Officer Hadden testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. LaPadula moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than seven (7) 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. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

19. AI# 38

CASE NO. 2017120285

JS

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

Mr. LaPadula moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

20. AI# 39

CASE NO. 2018020235 RECURRING (3) JS

City of Palm Coast vs. Philip Danza

8 Colleen Court

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

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

Mr. 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 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. LaPadula – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

21. AI# 50

CASE NO. 2018011060 REPEAT (1)

BR

City of Palm Coast vs. Catherine Mcerlane

1 Plumtree Place (B)

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

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. LaPadula 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 22, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance from January 20, 2018 to January 21, 2018; totaling \$200.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes

Mr. Dodzik - Yes

Mr. LaPadula – Yes

Mr. Roberts - Yes

Mr. Netts – Yes

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS

Board members requested discussion, review and clarification of some of the Code of Ordinances be held at the next Code Enforcement Board meeting in June, 2018.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, June 6, 2018 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:45 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.