

**CODE ENFORCEMENT BOARD**  
**Wednesday, August 1, 2018 at 10:00 a.m.**  
*Intracoastal Room*  
*Palm Coast City Hall*  
**160 Lake Avenue, Palm Coast, Florida**

**BOARD MEMBERS PRESENT:** Richard LaPadula, Jon Netts, Norman Mugford, Dean Roberts, Tameka McDowell, Kenneth Carruth, Andrew Dodzik (alternate)

**MEMBERS ABSENT:** Larry Pulos

**BOARD COUNSEL PRESENT:** Mary Snead

**STAFF MEMBERS PRESENT:** Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Officers Hadden, Romeo, Sagala, Festa, Nunez, Shelley, Risch, Code Enforcement Clerk Wry, City Counsel Reischmann

- A. Call to Order and Pledge of Allegiance.**  
The meeting was called to order at 10:00 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.
- B. Roll Call and Determination of Quorum.**  
Roll was called. A quorum was met with seven (7) members present.
- C. Approval of the July 11, 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- F. Withdrawn Cases:**
- |               |  |
|---------------|--|
| <b>AI# 3</b>  | <b>CASE NO. 2017121137 - 11 Lloret Place</b>       |
| <b>AI# 4</b>  | <b>CASE NO. 2018040478 - 71 Rose Drive (A)</b>     |
| <b>AI# 6</b>  | <b>CASE NO. 2018041064 - 22 Wellwood Lane (A)</b>  |
| <b>AI# 7</b>  | <b>CASE NO. 2018040322 - 22 Wellwood Lane (A)</b>  |
| <b>AI# 11</b> | <b>CASE NO. 2018011374 - 8 Fairbank Lane</b>       |
| <b>AI# 16</b> | <b>CASE NO. 2017120297 - 76 Utah Place</b>         |
| <b>AI# 20</b> | <b>CASE NO. 2018011206 - 37 Pine Circle Drive</b>  |
| <b>AI# 21</b> | <b>CASE NO. 2018040048 - 26 Post Tree Lane</b>     |
| <b>AI# 23</b> | <b>CASE NO. 2018031117 - 5 Princess Mari Place</b> |
| <b>AI# 24</b> | <b>CASE NO. 2018031121 - 5 Princess Mari Place</b> |
| <b>AI# 25</b> | <b>CASE NO. 2018031120 - 5 Princess Mari Place</b> |
| <b>AI# 26</b> | <b>CASE NO. 2018031122 - 5 Princess Mari Place</b> |
- G. Continued Cases:**
- |               |   |
|---------------|---|
| <b>AI# 17</b> | <b>CASE NO. 2018041399 - 1 Walter Place</b> |
|---------------|---|

**1. AI# 18**

**CASE NO. 2018021270** BR

*City of Palm Coast vs. Jose M. & Celestina Nicholas*

**58 Peppercorn Lane**

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

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. Celestina Nicholas, Respondent, presented her side.

**Mr. Netts moved to find in this case that Respondents are in violation of City Code as charged; that Respondents correct the violation no later than fifteen (15) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine I the amount of \$50.00 will be imposed for each and every day the violation continues past the aforestated date; that Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Ms. McDowell seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes**

**Mr. Netts -Yes**

**Mr. Roberts - Yes**

**Mr. LaPadula - Yes**

**Mr. Mugford - Yes**

**Ms. McDowell - Yes**

**Motion unanimously carried.**

**2. AI# 1**

**CASE NO. 2017120820** SB

*City of Palm Coast vs. Philip J. & Christina A. Sapienza*

**37 Braddock Lane**

*(Palm Coast Code Section 35-76(d)(2) Nuisance – Dead Grass)*

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

**Mr. Roberts moved to find in this case that Respondents are in violation of City Code as charged; that Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine I the amount of \$100.00 will be imposed for each and every day the violation continues past the aforestated date; that Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.**

**Roll was called:**

Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes

Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell - No

**Motion carried 5/1.**

**3. AI# 19**

**CASE NO. 2018040250 REPEAT BR**

*City of Palm Coast vs. Aliona Kladava & Henadzi Kladau*

**65 Pin Oak Drive**

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

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

**Mr. Netts moved to find in this case that Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that Respondents brought the property into compliance on April 9, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance from April 4, 2018 to April 8, 2018 totaling \$500.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.**

**Roll was called:**

Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes

Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell - Yes

**Motion unanimously carried.**

**4. AI# 2**

**CASE NO. 2018030116 REPEAT RS**

*City of Palm Coast vs. Jason Hambrick*

**18 Emmons Lane**

*(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 this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

**Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on April 23, 2018; that a**

**\$2,000.00 per day fine is imposed for the period of non-compliance from April 3, 2018 to April 22, 2018 totaling \$40,000.00. Respondent shall pay Administrative Costs to the City in the amount of \$73.00. Mr. LaPadula seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes**

**Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell - Yes**

**Motion unanimously carried.**

**5. AI# 5**

**CASE NO. 2017120161      MASSEY      JF**  
*City of Palm Coast vs. Leonard Maellaros*  
**22 Roxboro Drive**  
*(Palm Coast Code Section 44-3415-108(h) Unlicensed Vehicle)*

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

**Mr. Roberts moved to find in this case that Respondent 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 June 19, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance from April 17, 2018 to June 18, 2018; totaling \$3,150.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes**

**Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell - Yes**

**Motion unanimously carried.**

**6. AI# 8**

**CASE NO. 2017120968      MASSEY      CSR**  
*City of Palm Coast vs. Sand Land & Water Inc.*  
**30 Whittier Lane**  
*(Palm Coast Code Section 15-1-FBC 105.1 No Permit)*

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified this is a Massey case and the property remains in violation. 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 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 April 19, 2018 to July 31, 2018 totaling \$5,200.00; 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 shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes**

**Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell - Yes**

**Motion unanimously carried.**

**7. AI# 9**

**CASE NO. 2018040641**

**BS**

*City of Palm Coast vs. Wiley Scott & Vivian Williams Thomas*

**12 Blaketown Place**

*(Palm Coast Code Section 35-76 (d)(1) Nuisance – Tarp & Gutters)*

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondents were 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 Respondents are in violation of City Code as charged; that Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do 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 the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. LaPadula seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes**

**Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell - Yes**

**Motion unanimously carried.**

**8. AI#10**

**CASE NO. 2017051183      REQ. FORECLOSURE**

BS

*City of Palm Coast vs. Egbert H. & Shirley F. Profitt*

**104 Bridgehaven Drive**

*(Palm Coast Code Section 35-76(d)(1) Nuisance – Broken Garage Door)*

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Shelley testified the City is requesting authorization from the Code Enforcement Board to initiate the foreclosure process.

**Mr. LaPadula moved to start the foreclosure process, as requested by the City. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes**

**Mr. Netts -Yes**

**Mr. Roberts - Yes**

**Mr. LaPadula - Yes**

**Mr. Mugford - Yes**

**Ms. McDowell - Yes**

**Motion unanimously carried.**

**9. AI# 12**

**CASE NO. 2017120862      MASSEY**

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 this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

**Mr. LaPadula moved to find in this case that the Respondent is in violation of City Code as charged; that the Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from April 23, 2018 to July 31, 2018; totaling \$2,500.00 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 shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes**

**Mr. Netts -Yes**

**Mr. Roberts - Yes**

**Mr. LaPadula - Yes**

**Mr. Mugford - Yes**

**Ms. McDowell - Yes**

**Motion unanimously carried.**

**10. AI# 13**

**CASE NO. 2018041208      MASSEY      MH**

*City of Palm Coast vs. John Barrett*

**44 Cooper Lane**

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

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Hadden testified this is a Massey case and 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 the Respondent is in violation of City Code as charged; that the Respondent has not brought the property into compliance; that a \$100.00 per day fine is imposed for the period of non-compliance from April 24, 2018 to July 31, 2018; totaling \$9,900.00 and that a fine of \$100.00 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 shall pay Administrative Costs to the City in the amount of \$69.50. Ms. McDowell seconded the motion.**

**Roll was called:**

**Mr. Carruth - Yes**

**Mr. Netts - Yes**

**Mr. Roberts - Yes**

**Mr. LaPadula - Yes**

**Mr. Mugford - Yes**

**Ms. McDowell - Yes**

**Motion unanimously carried.**

**11. AI# 14**

**CASE NO. 2018050215      REPEAT      MH**

*City of Palm Coast vs. Bruce M. Fraser c/o Rebecca Dority*

**34 Coral Reef Court N. A**

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

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

**Mr. Roberts moved to find in this case that the Respondents were in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondents for the same violation; that the Respondents brought the property into compliance on May 11, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance from May 3, 2018 to May 10, 2018; totaling \$400.00. The Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.**

**Roll was called:**

Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes

Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell – Yes

**Motion unanimously carried.**

**12. AI# 15**

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

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 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 \$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 \$69.50. Ms. McDowell seconded the motion.**

**Roll was called:**

Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes

Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell – Yes

**Motion unanimously carried.**

**13. AI# 22**

**CASE NO. 2018040086                      REQ. FORECLOSURE                      BR**  
*City of Palm Coast vs. Josephine Villarvede Camiquel*  
**3 Powder Horn Drive**  
*(Palm Coast Code Section 17-39(a) Residential Rental Program)*

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified the City is requesting authorization from the Code Enforcement Board to initiate the foreclosure process.

**Mr. Roberts moved to start the foreclosure process, as requested by the City. Mr. LaPadula seconded the motion.**

**Roll was called:**



Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes

Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell – Yes

**Motion unanimously carried.**

**14. AI# 27**

**CASE NO. 2018030635**

LM

*City of Palm Coast vs. Gary Metzger*

**72 Farragut Drive**

*(Palm Coast Code Section 35-76 (d)(1) Nuisance – Broken Elements – Roof)*

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez testified this is a Massey case and 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 the Respondent is in violation of City Code as charged; that the Respondent has not brought the property into compliance; that a \$150.00 per day fine is imposed for the period of non-compliance from July 27, 2018 to July 31, 2018; totaling \$750.00 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. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. LaPadula seconded the motion.**

**Roll was called:**

Mr. Carruth - Yes  
Mr. Netts -Yes  
Mr. Roberts - Yes

Mr. LaPadula - Yes  
Mr. Mugford - Yes  
Ms. McDowell – Yes

**Motion unanimously carried.**

**OLD BUSINESS:**

None to report.

**NEW BUSINESS**

Mr. Mugford advised he submitted his paperwork to be reappointed to the Code Board. Ms. McDowell stated she will not be requesting reappointment.

**ANNOUNCEMENT OF NEXT MEETING:**

The next meeting of the Code Enforcement Board will be held on Wednesday, September 5, 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.*