

CODE ENFORCEMENT BOARD
Wednesday, January 9, 2019 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Larry Pulos, Jon Netts, Dean Roberts, Marc Bellapianta, Norman Mugford, Kenneth Carruth, Gennaro Arcamone, Andrew Dodzik & Covita Grey, (Alternates)

BOARD COUNSEL PRESENT: Mary Snead

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Officers Hadden, Festa, Shelley, Risch, Burton, Stafford, Nunez, MacDonald, Romeo, Code Enforcement Clerk Wry, City Counsel Nix

- 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 December 5, 2018 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None to report.
- E. Swearing in of New Code Enforcement Board Members**
The new members of the Board were introduced and sworn in by Mary Snead, attorney for Code Enforcement Board.
- F. Swearing in of Respondents and Staff**
The respondents and staff who were present were sworn in by Mary Sneed, Counsel for the Code Board.
- G. Withdrawn Cases:**
- | | |
|---------------|---|
| AI# 10 | CASE NO. 2018090481 - 229 Parkview Drive |
| AI# 11 | CASE NO. 2018090309 - 39 Pine Hurst Lane |
| AI# 12 | CASE NO. 2018090915 - 24 Poplar Drive |
| AI# 17 | CASE NO. 2018081489 - 53 Sea Trail |
| AI# 19 | CASE NO. 2018090932 - 29 Blyth Place |
| AI# 24 | CASE NO. 2018091432 - 55 Forest Hill Drive |
| AI# 27 | CASE NO. 2018100278 - 6 Cerrudo Lane |
| AI# 28 | CASE NO. 2018100166 - 6 Cerrudo Lane |
| AI# 31 | CASE NO. 2018090637 - 28 Clearview Court South |
| AI# 32 | CASE NO. 2018090232 - 25 Club House Drive |
| AI# 33 | CASE NO. 2018080374 - 12 Fern Court |
| AI# 39 | CASE NO. 2018081719 - 93 Rickenbacker Drive |
| AI# 40 | CASE NO. 2018081730 - 8 Riverview Place |
| AI# 42 | CASE NO. 2018061426 - 37 Rolling Fern Drive |

1. AI# 15

CASE NO. 2018091303 **RECURRING** MH

City of Palm Coast vs. Susie K. Obama

35 Pillory Lane

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

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. Susie K. Obama, Respondent, was present but preferred not to speak.

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

2. AI# 26

CASE NO. 2018091142 JS

City of Palm Coast vs. David & Deborah Cote

8 Big Bear Lane

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. David Cote, 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. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

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

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

3. AI# 14

CASE NO. 2018070147

MH

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 Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Eric McGill, Respondent, presented his 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

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

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

4. AI# 41

CASE NO. 2018080686

JF

City of Palm Coast vs. Daniel Lusinski

22 Renn Lane

(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 evidence was shown to the Respondent. Officer Festa testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Elisha Lusinski, wife of Respondent, presented her side. She also

made a complaint and provided a photo of a violation in her neighborhood she requested be addressed by Code Enforcement.

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

5. AI# 1

CASE NO. 2018090383

SB

City of Palm Coast vs. Angela & Scott Lapete

140 Beechwood Lane

(Palm Coast Code Section 42-56 Basketball Hoop in City R.O.W.)

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

Mr. 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 the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

6. AI# 2

CASE NO. 2018100107 REPEAT (4) SB

City of Palm Coast vs. Monica T. Mers

36 Bressler Lane

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

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

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 October 6, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance from October 1, 2018 to October 5, 2018; totaling \$500.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes

Mr. Roberts - Yes

Mr. Bellapianta – Yes

Mr. Arcamone - Yes

Mr. Netts – Yes

Motion unanimously carried.

7. AI# 3

CASE NO. 2018081605 BMD

City of Palm Coast vs. Talendieu & Merita D. St. Julien

11 Bickwick Lane

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property remain 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Netts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Carruth – Yes

Mr. Roberts - Yes

Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

8. AI# 4

CASE NO. 2018081606

BMD

City of Palm Coast vs. Talendieu & Merita D. St. Julien

11 Bickwick Lane

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

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 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. 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. Roberts - Yes

Mr. Bellapianta – Yes

Mr. Arcamone - Yes

Mr. Netts – Yes

Motion unanimously carried.

9. AI# 5

CASE NO. 2018071142 MASSEY CSR

City of Palm Coast vs. Harold R. & Jacqueline A. Browne

63 Wellstream Lane

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified 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 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 October 11, 2018 to January 8, 2019; totaling \$4,500.00; 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. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

10. AI# 6

CASE NO. 2018070053 MASSEY CSR

City of Palm Coast vs. Daniel E. Jr., Aimee Lee & Abigail Taylor Siegel

50 Westfield Lane

(Palm Coast Code Section 17-58(a) Abandoned Property Not Registered)

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. 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 October 18, 2018 to January 8, 2019; totaling \$2,075.00; 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. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

11. AI# 7

CASE NO. 2018090472 RECURRING (12) AN
City of Palm Coast vs. Kenneth L. Vanderschaaf
18 Zealand Place
(Palm Coast Code Section 35-76(d)(2) Overgrown Conditions)

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

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

12. AI# 8

CASE NO. 2018090874 AN
City of Palm Coast vs. Kenneth L. Vanderschaaf
18 Zealand Place
(Palm Coast Code Section 35-76(d)(2) Satellite Dish in Disrepair)

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

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

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

Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

13. AI# 9

CASE NO. 2018090875 AN
City of Palm Coast vs. Kenneth L. Vanderschaaf
18 Zealand Place
(Palm Coast Code Section 35-76(d)(2) Roof & Screen Enclosure in Disrepair)

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

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that, in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

14. AI# 13

CASE NO. 2018031290 MASSEY BR
City of Palm Coast vs. Haward L. Willard, Jr.
19 Prince Walter Lane
(Palm Coast Code Section 15-108(g) Shed/Fence/Wall Maintenance)

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

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 November 9, 2018 to January 8, 2019; totaling \$3,050.00; 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. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

15. AI# 16

CASE NO. 2018080354

MH

City of Palm Coast vs. Andrey & Myryna Afonin

34 Point of Woods Drive

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

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

16. AI# 18

CASE NO. 2018081640

RECURRING (5) MH

City of Palm Coast vs. Darren A. & Marcy A. & Flores Kannan

36 Upshire Path

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

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

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

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

17. AI# 22

CASE NO. 2018091554 HEARING REQUEST

BS

City of Palm Coast vs. Rafael Gomez & Bravo Zunilda

76 Farragut Drive

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

Respondent was not present and case was not heard.

18. AI# 25

CASE NO. 2018091020

BS

City of Palm Coast vs. Brian Lynch

48 Forrester Place

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

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

19. AI# 29

CASE NO. 2018091539 JS
City of Palm Coast vs. Daniel T.Boone , Jr., Life Estate
6 Cerrudo Lane
(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. 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 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

20. AI# 30

CASE NO. 2018091338 **RECURRING** (3) JS
City of Palm Coast vs. Mark L. Phillips
30 Cheyenne Court
(Palm Coast Code Section 44-34(f) Improper Parking)

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

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

violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

21. AI# 34

CASE NO. 2018090584 JS
City of Palm Coast vs. Silvino Domingues
39 Flemingwood Lane
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 AM & 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. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

22. AI# 35

CASE NO. 2018091497 REPEAT (1) JS
City of Palm Coast vs. Aae Holdings LLC
4 Lynn Place
(Palm Coast Code Section 44-34(c) Parking of Comm. Veh./Trailer in Residential District)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford testified 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. Netts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on September 28, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on September 27, 2018; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

23. AI# 36

CASE NO. 2018091141

JS

City of Palm Coast vs. Mary Josephine Ray

11 Lynton Place

(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 AM & 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. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

24. AI# 37

CASE NO. 2018081455 RECURRING (1) JF

City of Palm Coast vs. Jesse J. & Khadijah Gray

54 Russo Drive

(Palm Coast Code Section 15-108(h) Inoperable 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 the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

25. AI# 38

CASE NO. 2018081693 JF

City of Palm Coast vs. Jesse J. & Khadijah Gray

54 Russo Drive

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

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

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

Roll was called:

Mr. Pulos – Yes

Mr. Mugford - Yes

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

Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS

Ballots were distributed to appoint a new Chairman for the Code Enforcement Board. Ms. Snead tallied the ballots and results are as follows:

Chairman – Norman Mugford
Vice Chairman – Dean Roberts

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, February 6, 2019 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:07 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.