

CODE ENFORCEMENT BOARD
Wednesday, November 6, 2019 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Gennaro Arcomone, Kenneth Carruth, Andrew Dodzik, Norman Mugford, Jon Netts, Dean Roberts

BOARD MEMBERS EXCUSED: Larry Pulos

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Lead Romeo, Officers Hadden, Burton, Risch, Nunez, Stafford, Kocoroski, Code Enforcement Clerk Bill 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 six (6) members present.
- C. Approval of the October 2, 2019 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 Sneed, Counsel for the Code Board.
- F. Withdrawn Cases:**
- | | |
|--------|---|
| AI# 4 | CASE NO. 2019041026 - 10 Uthorne Place |
| AI# 5 | CASE NO. 2019011524 - 22 Felter Lane |
| AI# 6 | CASE NO. 2019061641 - 22 Felter Lane |
| AI# 8 | CASE NO. 2019030175 - 9 Whitney Place |
| AI# 9 | CASE NO. 2019050685 - 85 Pickering Drive |
| AI# 11 | CASE NO. 2019030840 - 25 Plain View Drive (A) |
| AI# 14 | CASE NO. 2019011244 - 19 Port Royal Drive |
| AI# 20 | CASE NO. 2019060691 - 25 Zinnia Trail |
| AI# 22 | CASE NO. 2019030220 - 25 Banner Lane |
| AI# 29 | CASE NO. 2019040680 - 40 Robinson Drive |
| AI# 33 | CASE NO. 2019060725 - 1 Campbell Court |
| AI# 34 | CASE NO. 2019061112 - 2 Carlos Court |
- G. Continued Cases:**
- | | |
|--------|--|
| AI# 36 | CASE NO. 2019021299 - 49 Coral Reef Court N. |
| AI# 41 | CASE NO. 2019060459 - 20 Palm Harbor Drive |

AI# 41
AI# 65

CASE NO. 2019060270 - 15 Palm Coast Resort Boulevard
CASE NO. 2019060271 - 15 Palm Coast Resort Boulevard

1. AI# 32

CASE NO. 2019050555

JS

City of Palm Coast vs. Nezamodeen Ali & Claire Persad

14 Bunker Knolls Lane A

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

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. Nezamodeen & Claire Ali, Respondents, presented their 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 ten (10) 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

2. AI# 15

CASE NO. 2019070408

BR

City of Palm Coast vs. Ernest M. & Phylis S. Taylor

24 Princess Rose Drive

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

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. Complainants, Thomas Zsiksek and Frank Palermino provided testimony. Rodney Taylor, son of Respondents, presented their 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 November 30, 2019; that in the event the Respondents do not comply with the Order, a fine in the amount of \$200.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondents are further

ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

3. AI# 31

CASE NO. 2019051705 RECURRING (3) JS

City of Palm Coast vs. Christopher & Christal Ghalayini

121 Braddock 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 evidence was shown to the Respondent. Officer Stafford testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Crystal Ghalyini, Respondent, presented her side.

Mr. Roberts moved to find in this case that Respondents were 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 Respondents 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. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

4. AI# 37

CASE NO. 2019060998 RECURRING (3) JS

City of Palm Coast vs. Alexander & Janna Shaket

113 Coral Reef Court North

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

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

Mr. Roberts moved to find in this case that Respondents were 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 Respondents 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. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

5. AI# 39

CASE NO. 2019050541

JS

City of Palm Coast vs. Desiree Delonna Brown & Keith Lamar Neil

2 Felter Lane

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

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 and Administrative Costs. Desiree Brown, Respondent, presented her side.

Mr. Dodzik moved to find in this case that Respondents were 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 Respondents 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. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

6. AI# 10

CASE NO. 2019051002 RECURRING (1) BR

City of Palm Coast vs. Kiona L. & Jimmie L. Gordon

12 Pinto Lane

(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 evidence was shown to the Respondents. Officer Stafford testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Kiona & Jimmy Gordon, Respondents, presented their 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 two (2) 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 Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

7. AI# 1

CASE NO. 2019061175 RECURRING (2) BMD

City of Palm Coast vs. Lagare Land Trust

74 Burroughs Drive

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

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

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

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

8. AI# 2

CASE NO. 2019051213 RECURRING (2) MH
City of Palm Coast vs. Alfred & Sonji Jackson
53 Slowdrift Turn
(Palm Coast Code Section 44-34(f) Improper Parking)

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

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

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

9. AI# 3

CASE NO. 2019040980 MH
City of Palm Coast vs. Toni Spencer
8 Squirrel Place
(Palm Coast Code Section 42-56 R.O.W. Obstruction)

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. Netts moved to find in this case that Respondents 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. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

10. AI# 7

CASE NO. 2019061801 REPEAT (1) CR
City of Palm Coast vs. Jessica Lynn Laks
23 Westridge 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 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. Dodzik 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 July 2, 2019; that a \$100.00 per day fine is imposed for the period of non-compliance on July 1, 2019; 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. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

11. AI# 12

CASE NO. 2019030126 BR
City of Palm Coast vs. Johnny Delahoz
48 Plain View Drive (A)
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Kocoroski presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Kocoroski 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 two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

12. AI# 13

CASE NO. 2019050456 RECURRING (1) BR
City of Palm Coast vs. Neil T. Leipert
30 Point of Woods Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Kocoroski presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Kocoroski testified this is a recurring violation and 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. Arcamone seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

13. AI# 16

CASE NO. 2019061702 REPEAT (2) AN
City of Palm Coast vs. Brian J. & Joanne Christie Shpak
25 Kashmir Trail

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Nunez 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. Dodzik 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 Respondent for the same violation; that Respondents brought the property into compliance on June 27, 2019; that a \$100.00 per day fine is imposed for the period of non-compliance on June 26, 2019; totaling \$100.00 Respondents shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

14. AI# 17

CASE NO. 2019061646 REPEAT (1) AN
City of Palm Coast vs. Jeffrey T. & Stacy L. Barksdale
11 Llovera Place
(Palm Coast Code Section 44-34(i) Parking in Median)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Nunez 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 Respondents were 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 Respondents brought the property into compliance on June 26, 2019; that a \$100.00 per day fine is imposed for the period of non-compliance on June 25, 2019; totaling \$100.00 Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

15. AI# 18

CASE NO. 2019070318 RECURRING AN

City of Palm Coast vs. Esmie Buchanan

38 Rainstone Lane

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Nunez testified this is a recurring violation and 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. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

16. AI# 19

CASE NO. 2019070194 REPEAT (1) AN

City of Palm Coast vs. Annette C. Ruggiero

16 Ziegler Place

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Nunez 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. Carruth moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on July 3, 2019; that a \$100.00 per day fine is imposed for the period of non-compliance on July 2, 2019; totaling \$100.00 Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Netts – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

17. AI# 21

CASE NO. 2019050175 RECURRING (5) AN

City of Palm Coast vs. Marion S. Rocco

18 Zonal Court

(Palm Coast Code Section 44-34(i) Parking in Median)

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

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

Roll was called:

Mr. Carruth – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Mr. Roberts - Yes

Mr. Netts – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

18. AI# 23

CASE NO. 2019051167 RECURRING (2) SB

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

37 Braddock Lane

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Nunez testified this is a recurring violation and 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 Respondents were 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 Respondents 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. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

19. AI# 24

CASE NO. 2019060660 REPEAT (2) SB
City of Palm Coast vs. Philip J. & Christina Sapienza
37 Braddock Lane
(Palm Coast Code Section 41-11(a) Trash Containers)

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 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 September 4, 2019; that a \$50.00 per day fine is imposed for the period of non-compliance from June 12, 2019 to September 3, 2019; totaling \$3,050.00 Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

20. AI# 25

CASE NO. 2019050451 RECURRING (2) SB
City of Palm Coast vs. Philip J. & Christina Sapienza
37 Braddock 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 Respondents were not present. Officer Burton testified this is a recurring violation and 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 Respondents were 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 Respondents 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. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

21. AI# 26

CASE NO. 2018120721 MASSEY SB
City of Palm Coast vs. Cathy Fischer
80 Brunett Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford testified 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 \$25.00 per day fine is imposed for the period of non-compliance from May 17, 2019 to September 25, 2019; totaling \$3,300; that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

22. AI# 28

CASE NO. 2019011041 MASSEY SB

City of Palm Coast vs. Anneke Dillard-Turner

21 Port Royal Drive

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

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondents were 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 and Administrative Costs.

Mr. Carruth moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violations; that the Respondent brought the property into compliance on August 3, 2019; that a \$50.00 per day fine will be imposed for the period of non-compliance from June 21, 2019 to August 2, 2019; totaling \$350.00. Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

23. AI# 30

CASE NO. 2019050864 JS

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

37 Braddock 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 Respondents were 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 Respondents were 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 Respondents 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. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

24. AI# 35

CASE NO. 2019020154 MASSEY JS

*City of Palm Coast vs. Joshua Carl Forbes & Kimberlie Lyn Howe
45 Collingwood Lane*

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Lead Officer Romeo 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. Carruth moved to find in this case that Respondents were in violation of City Code as charged; that Respondents 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 Respondents have not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from June 24, 2019 to November 5, 2019; totaling \$6,750.00; 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. Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents 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. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

25. AI# 38

CASE NO. 2019061266 REPEAT (1) JS

City of Palm Coast vs. Fillippo Como

13 Farver 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 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. Carruth moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on June 28, 2019; that a \$100.00

per day fine is imposed for the period of non-compliance from June 20, 2019 to June 27, 2019; totaling \$200.00 Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

26. AI# 40

CASE NO. 2019061509 REPEAT (1) 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 Respondents were 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. Roberts 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 June 28, 2019; that a \$100.00 per day fine is imposed for the period of non-compliance on June 27, 2019; totaling \$100.00 Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS

Mr. Arcamone wanted clarification on fine reduction cases and who requests them. Board Attorney Mary Snead explained that the respondents do, however if they do not show up for the hearing, then then reduction case is not heard.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on December 4, 2019 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:13 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 Human Resources, 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.