

CODE ENFORCEMENT BOARD
Wednesday, March 6, 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

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Supervisor Mendez, Code Enforcement Officers Hadden, Festa, Shelley, Risch, Burton, Stafford, Nunez, MacDonald, Romeo, Permitting Supervisor Bembry, Project Specialist Troha, 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 February 6, 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F. Withdrawn Cases: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# 1	CASE NO. 2018110512 - 71 Price Lane
AI# 3	CASE NO. 2018100720 - 5 Pheasant Drive
AI# 4	CASE NO. 2018090653 - 10 Ramrock Lane
AI# 5	CASE NO. 2018050626 - 2 Slingshot Court
AI# 7	CASE NO. 2018120186 - 103 Laramie Drive
AI# 8	CASE NO. 2018110463 - 3 Lindberg Lane
AI# 11	CASE NO. 2018100323 - 13 Zephyr Lily Trail
AI# 14	CASE NO. 2018071203 - 49 Raintree Place
AI# 15	CASE NO. 2018111118 - 38 Rickenbacker Drive
AI# 17	CASE NO. 2018120194 - 32 Ballard Lane
AI# 18	CASE NO. 2018110649 - 25 Banner Lane
AI# 20	CASE NO. 2018070719 - 54 Bradmore Lane
AI# 23	CASE NO. 2018101367 - 117 Fort Caroline Lane
AI# 30	CASE NO. 2018101579 - 3 Wheeler Place (A)
AI# 34	CASE NO. 2018110266 - 38 Pine Grove Drive
AI# 39	CASE NO. 2018111032 - 85 Princess Ruth Lane
AI# 40	CASE NO. 2018120320 - 20 Princeton Lane
AI# 44	CASE NO. 2018091360 - 15 Collins Lane
AI# 46	CASE NO. 2018110701 - 2 Crompton Place C

AI# 47 CASE NO. 2018110168 - 21 Farragut Drive
AI# 48 CASE NO. 2018110169 - 21 Farragut Drive
AI# 49 CASE NO. 2018110230 - 4 Firtree Lane

G. Continued Cases:

AI#42 CASE NO. 2018110441 - 6 Burgess Place

1. AI# 41

CASE NO. 2018110438 RECURRING JS
City of Palm Coast vs. Mannix Leach
181 Bridgehaven Drive
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1am & 6 am)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. 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. Mannix Leach 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. Mugford - Yes
Mr. Carruth – Yes	Mr. Roberts - Yes
Mr. Bellapianta – Yes	Mr. Arcamone - Yes
Mr. Netts – Yes	

Motion unanimously carried.

2. AI# 36

CASE NO. 2018110559 BR
City of Palm Coast vs. Jose M. & Fatima Valerio
6 Plateau Lane (A)
(Palm Coast Code Section 44-34(c) Parking of a Comm. 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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Alina Pekarsky, Property Manager, presented his 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 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. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – No

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion carried 6/1.

3. AI# 12

CASE NO. 2018120541 RECURRING AN

City of Palm Coast vs. Tracy Lee & Jennifer Faye Willford

96 Zephyr Lily Trail

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

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

Mr. Carruth 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. 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# 52

CASE NO. 20181110440 RECURRING JS

*City of Palm Coast vs. Sergio Martins & Irene Santiago Silva
1 Furness Place*

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

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. Robert Borrow, tenant, presented his side.

Mr. Netts 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. 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# 37

CASE NO. 2018120386 RECURRING BR

*City of Palm Coast vs. Candice D. Edwards
42 Pleasant Drive*

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Romeo testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Robert Borrow, tenant, 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. 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 – Not present
Mr. Bellapianta – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

6. AI# 6

CASE NO. 2018110777 BMD
City of Palm Coast vs. George G. Jr. & Dessie B. Watkins
190 Bird of Paradise Drive
(Palm Coast Code Section 15-1- FBC 105.1 No Permit)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is still in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Permitting Supervisor Bembry and Project Specialist Troha also provided testimony on behalf of the City and advised what was required of the Respondent to comply with the City’s request. Dessie Watkins, Respondent, presented her side and submitted photographs to the Board.

Mr. Carruth 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 Respondent is 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. Arcamone seconded the motion.

Roll was called:

Mr. Pulos - No
Mr. Carruth - Yes
Mr. Bellapianta - Yes
Mr. Netts - Yes

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

Motion carried 6/1.

7. AI# 50

CASE NO. 2018110716 JS
City of Palm Coast vs. Harold & Concetta P. Bleakley
31 Firtree Lane
(Palm Coast Code Section 44-34(c) Parking of Comm. Vehicle/Trailer in Residential Dist.)

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 and Administrative Costs. Phillip Bleakley, son of Respondents, presented his side.

Mr. Carruth 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 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. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

8. AI# 25

CASE NO. 2018120508 RECURRING BS

City of Palm Coast vs. Minotti Diana L. & Perry J. Miltrano

207 London Drive

(Palm Coast Code Section 16-173(c) Estate/Garage Sales)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondents. Supervisor Mendez testified the property is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Perry Miltrano & Diana Minotti Respondents, presented their 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. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

9. AI# 19

CASE NO. 2018091369

SB

City of Palm Coast vs. Analito Rodriguez

33 Banner Lane

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

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. 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. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts 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# 2

CASE NO. 2018100994

JB

City of Palm Coast vs. Dolores M. Ruilova

125 Bridgehaven Drive

(Land Development Code 11.02.025(e) Removal of Trees w/o Permit)

Landscape Specialist Beudet presented case history, paperwork and photos into evidence. The Respondent was not present. Landscape Specialist Beudet 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. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with

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

Roll was called:

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

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

Motion unanimously carried.

11. AI# 9

CASE NO. 2018120150 RECURRING AN

City of Palm Coast vs. D.J. Cole

31 Karat Path

(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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

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

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

Motion unanimously carried.

12. AI# 10

CASE NO. 2018111294 AN

City of Palm Coast vs. Annette C. Ruggiero

16 Ziegler Place

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Nunez 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.

13. AI# 13

CASE NO. 2018110547 RECURRING JF

City of Palm Coast vs. Felix Sr. & Icxia Baez

4 Rainstone Place

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

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

14. AI# 16

CASE NO. 2018120300 REPEAT JF
City of Palm Coast vs. Joseph & Angie Buchanan
24 Rymesen 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 Respondents were not present. Officer Festa 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 Order entered against the same Respondents for the same violation; that Respondents brought the property into compliance on December 7, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on December 6, 2018; totaling \$100.00. Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Netts seconded the motion.

Roll was called:

Mr. Pulos – Yes	Mr. Mugford - Yes
Mr. Carruth – Yes	Mr. Roberts - Yes
Mr. Bellapianta – Yes	Mr. Arcamone - Yes
Mr. Netts – Yes	

Motion unanimously carried.

15. AI# 21

CASE NO. 2018071615 MASSEY SB
City of Palm Coast vs. Mary L. Roberts
140 Barrington Drive
(Palm Coast Code Section 15-1-FBC 105.1 No Permit)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Burton 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 18, 2018 to February 5, 2019, totaling \$3,600.00 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. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Netts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

16. AI# 22

CASE NO. 2018120548 REPEAT BS
City of Palm Coast vs. Rafael Gomez & Bravo Zunilda
76 Farragut Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Shelley 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 December 12, 2018; that a \$150.00 per day fine is imposed for the period of non-compliance on December 11, 2018 totaling \$150.00. Respondents shall pay Administrative Costs to the City in the amount of \$70.00. 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.

17. AI# 24

CASE NO. 2018071331 MASSEY BS
City of Palm Coast vs. Jose Santos
63 Freemont Turn
(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. 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 December 19, 2018 to March 5 2019; totaling \$1,925.00 and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of compliance has been filed by the Code Enforcement Officer. 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. 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.

18. AI# 26

CASE NO. 2018081039 MASSEY CSR

*City of Palm Coast vs. James V. Tiffany & Carmela P. & Cammbareri Fortunato & Fortunata
282 Wellington Drive*

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were 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 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 \$25.00 per day fine is imposed for the period of non-compliance from December 21, 2018 to March 5, 2019; totaling \$1,875.00 and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of compliance has been filed by the Code Enforcement Officer. 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. 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.

19. AI# 27

CASE NO. 2018111173 REPEAT CSR

City of Palm Coast vs. Cassandra Realty

33 Wellwater Drive A

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

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. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on November 28, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance on November 27, 2018; totaling \$50.00. 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.

20. AI# 28

CASE NO. 2018111175 REPEAT CSR

City of Palm Coast vs. Cassandra Realty

33 Wellwater Drive A

(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. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on November 28, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance on November 27, 2018; totaling \$50.00. 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.

21. AI# 29

CASE NO. 2018111241 REPEAT CSR
City of Palm Coast vs. Petr & Raisa Miroshnik
33 Westminster Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondents were 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. Netts moved to find in this case that Respondents were in repeat violation of City Code as charged based on the Board’s Order entered against the same Respondents for the same violation; that Respondents brought the property into compliance on February 20, 2019; that a \$50.00 per day fine is imposed for the period of non-compliance from November 28, 2018 to February 19, 2019; totaling \$4,200.00. Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

22. AI# 31

CASE NO. 2018120466 REPEAT CSR
City of Palm Coast vs. Christopher L. Wallace
71 Whispering Pine Drive
(Palm Coast Code Section 44-34(c) Parking of Comm. Vehicle/Trailer in Residential Dist.)

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. Carruth moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on December 11, 2018; that a \$50.00 per day fine is imposed for the period of non-compliance on December 10, 2018; totaling \$50.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

23. AI# 32

CASE NO. 2018010298 MASSEY BR

City of Palm Coast vs. Nelson J. & Susana M. Furtado

26 Panei Lane

(Land Development Code 11.03.01(H) HVAC Not Screened)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo 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 oved 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 by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondents brought the property into compliance on February 21, 2019; that a \$25.00 per day fine is imposed for the period of non-compliance from November 21, 2018 to February 20, 2019; totaling \$2,300.00. Respondents 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.

24. AI# 33

CASE NO. 2018100357 REPEAT BR

City of Palm Coast vs. Carlton Bennett

26 Panei Lane

(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. 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.

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on January 6, 2019; that a \$250.00 per day fine is imposed for the period of non-compliance from November 20, 2018 to January 5, 2019; totaling \$11,750.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Arcamone 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# 35

CASE NO. 2018110692 REPEAT BR

City of Palm Coast vs. Margaret Franzen, Trustee

8 Pine Haven Drive A

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified 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 November 15, 2018; that a \$100.00 per day fine is imposed for the period of non-compliance on November 14, 2018; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

26. AI# 38

CASE NO. 2018111176 RECURRING BR

City of Palm Coast vs. Michael & Lisa Hale

33 Prince Anthony Lane

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified this is a recurring violation and 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 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. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

27. AI# 43

CASE NO. 2018101020 JS

City of Palm Coast vs. Gregory Bruce Sheran

5 Cedar Hollow Court

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

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 one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date;

that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone 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.

28. AI# 45

CASE NO. 2018110709 JS
City of Palm Coast vs. Kjell Oddvar Hegland
20 Coral Reef Court North A
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1am & 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. Belapianta 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.

29. AI# 51

CASE NO. 2018110780 JS
City of Palm Coast vs. Frank A. & Ashley Demaio
29 Flagler Place
(Palm Coast Code Section 44-34(f) Improper Parking)

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. Netts 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. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS

Code Manager Barbara Grossman advised the Board that guests from Palatka will be attending the next the April 3, 2019 Code Board Hearing, as a means to see and hear how Palm Coast conducts code board cases. She also shared that the representatives from Palatka advised they heard good things about our Code Enforcement Board. Manager Grossman extended her personal thanks to the Board members for what they do.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, April 3, 2019 at 10:00am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:00 p.m.

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.