

CODE ENFORCEMENT BOARD
Wednesday, August 7, 2019 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Marc Bellapianta, Kenneth Carruth, Gennaro Arcomone, Norman Mugford, Jon Netts, Larry Pulos, Dean Roberts

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Lead Romeo, Officers Hadden, Burton, Risch, Nunez, Stafford, Shelley, Landscape Specialist Beaudet, 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 seven (7) members present.
- C. Approval of the July 3, 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- F. Withdrawn Cases:**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# 6 CASE NO. 2019050617 - *68 Fallen Oak Lane*
 - AI# 9 CASE NO. 2019041206 - *4 Fayy Lane*
 - AI# 10 CASE NO. 2019050509 - *44 Secretary Trail*
 - AI# 11 CASE NO. 2019050615 - *44 Secretary Trail*
 - AI# 17 CASE NO. 2019031522 - *39 Eton Lane (B)*
 - AI# 18 CASE NO. 2019050471 - *15 Karat Path*
 - AI# 25 CASE NO. 2019011395 - *17 Pine Crest Lane*
 - AI# 27 CASE NO. 2019030568 - *165 Plain View Drive (A & B)*
 - AI# 30 CASE NO. 2019030560 - *165 Plain View Drive (A & B)*
 - AI# 31 CASE NO. 2018081433 - *28 Ponderosa Lane*
 - AI# 41 CASE NO. 2019050779 - *26 Westland Place*
 - AI# 42 CASE NO. 2019040544 - *40 Westridge Lane*
 - AI# 43 CASE NO. 2019040979 - *70 White Star Drive*
 - AI# 45 CASE NO. 2019041298 - *2 Wood Arbor Lane (A)*
 - AI# 47 CASE NO. 2019050057 - *9 Bassett Lane*
 - AI# 48 CASE NO. 2019040940 - *67 Beechwood Lane*
 - AI# 49 CASE NO. 2019041651 - *74 Boston Lane*
 - AI# 50 CASE NO. 2019031290 - *30 Brice Lane*
 - AI# 51 CASE NO. 2019040066 - *1000 Palm Coast Pkwy NW*

AI# 53 CASE NO. 2019031673 - 28 Powder Horn Drive
AI# 56 CASE NO. 2019040176 - 43 Whispering Pine Drive
AI# 59 CASE NO. 2019031235 - 20 Blyth Court
AI# 60 CASE NO. 2019041087 - 53 Bud Field Drive

G. Continued Cases:

AI# 1 CASE NO. 2019020588 – 44 Faith Lane
AI# 77 CASE NO. 2019011504 – 16 Rosecroft Lane
AI# 79 CASE NO. 2019020962 – 13 Egret Trail

1. AI# 13

CASE NO. 2018080093 REDUCTION MH
City of Palm Coast vs. Chantal Clark
20 Smollett Place
(Palm Coast Code Section 15-108(d.) Weeds/Overgrowth)

Code Enforcement Officer Hadden presented case history and stated the Respondent was present to request a Reduction of Fine. Chantal Clark Respondent, presented her request for reduction.

Mr. Roberts moved to reduce the fine in this case from \$4,550.00 to \$1,000.00. 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.

2. AI# 14

CASE NO. 2018080094 REDUCTION MH
City of Palm Coast vs. Chantal Clark
20 Smollett Place
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Officer Hadden presented case history and stated the Respondent was present to request a Reduction of Fine.

Mr. Netts moved to reduce the fine in this case from \$4,550.00 to \$0.00. Mr. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes	Mr. Mugford - Yes
Mr. Carruth – No	Mr. Roberts - Yes

Mr. Bellapianta – Yes
Mr. Netts – Yes

Mr. Arcamone - Yes

Motion carried 6/1.

3. AI# 35

CASE NO. 2017061112 REDUCTION MH

City of Palm Coast vs. Wilfredo & Maritza Velazquez

22 Freeland Lane

(Land Development Code 13.02.06(b-3c) Non-Approved House Color)

Code Enforcement Officer Hadden presented case history and state the Respondents were present to request a Reduction of Fine. Attorney, Kevin Vangovie presented a request for reduction on behalf of his clients, Wilfredo & Maritza Velazquez (Respondents).

Mr. Roberts moved to reduce the fine in this case from \$23,550.00 to \$2,355.00. Mr. Netts seconded the motion.

Roll was called:

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

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - No

Motion failed 4/3.

Mr. Arcamone moved to reduce the fine in this case from \$23,500.00 to \$11,775.00. No one seconded the motion.

Mr. Carruth moved to reduce the fine in this case from \$23,550.00 to \$6,000.00 Mr. Bellapianta seconded the motion.

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

Mr. Mugford - Yes
Mr. Roberts - No
Mr. Arcamone - No

Motion carried 5/2.

4. AI# 34

CASE NO. 2019030683 BR

City of Palm Coast vs. Joao M., Anna P. Antonio & Susanna Carnevalheira

31 Prince John Lane

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

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

Mr. Roberts moved to find in this case that Respondents are in violation of City Code as charged; that Respondents correct the violation by obtaining and receiving a final inspection no later than thirty (30) 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. 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# 75

CASE NO. 2019041313 REPEAT SB

City of Palm Coast vs. Terrance Crook

38 Rickenbacker Drive

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

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. 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. Terrance Crook, Respondent, presented his side.

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 April 23, 2019; that a \$100.00 per day be waived for the period of non-compliance on March 22, 2019 totaling \$0.00. 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. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

6. AI# 62

CASE NO. 2018091539 REDUCTION 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 and stated the Respondent was present to request a Reduction of Fine. Daniel Jr. & Rosemary Boone, Respondents, presented their request for reduction.

Mr. Roberts moved not to reduce the \$1,000.00 fine. Mr. Pulos 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.

7. AI# 15

CASE NO. 2019041311 REPEAT MH
City of Palm Coast vs. Sweetwater Custom Homes, Inc.
17 Ullman Court
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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 May 3, 2019; that a \$50.00 per day fine is imposed for the period of non-compliance from April 22, 2019 to May 2, 2019; totaling \$550.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. 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.

8. AI# 20

CASE NO. 2019051240 RECURRING AN
City of Palm Coast vs. Harold D. & Gendora R. Cook
28 Kaywood Place
(Palm Coast Code Section 44-34(i) Parking in the Median)

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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Harold Cook, Respondent, 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 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# 69

CASE NO. 2019051355 RECURRING JS
City of Palm Coast vs. Saihua Jiang & Yong Chen
35 Felter Lane
(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 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. Evgenia Menshchikova, Tenant, 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. Pulos – Yes

Mr. Carruth – Not present

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

10. AI# 24

CASE NO. 2019060134 RECURRING AN

City of Palm Coast vs Gwyn D. & Matthews Kehrle

16 Zephyr Lily Trail

(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 evidence was shown to the Respondent. 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. Matt Kehrle, Respondent, 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 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 – Not present

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

11. AI# 54

CASE NO. 2019040697 RECURRING SB

City of Palm Coast vs. Ronald J. Ward & Nicollette J. Mayer

6 Utide Court

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

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

Mr. Arcamone moved to find in this case that Respondents are 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 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. 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# 40

CASE NO. 2019050054 RECURRING CSR

City of Palm Coast vs. Gladys Patricia & Guillermo Rodriguez

157 Westhampton 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. Officer Risch testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Guillermo Rodriguez, Respondent, 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 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. 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# 21

CASE NO. 2019050337 RECURRING AN
City of Palm Coast vs. Sergio & Marisol Rodriguez
29 Llama Trail
(Palm Coast Code Section 44-34(f) Vehicle/Trailer/Boat Improperly Parked)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. 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. Marisol Rodriguez, 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. 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# 67

CASE NO. 2019041496 JS
City of Palm Coast vs. Gary E. Cox, Jr.
98 Farmsworth Drive
(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 and Administrative Costs. Gary Cox Jr., Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation 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.

15. AI# 70

CASE NO. 2019011566 JS

City of Palm Coast vs. Harold C & Concetta P Bleakley

31 Firtree Lane

(Palm Coast Code Section 44-34(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 and Administrative Costs. Phillip Bleakley, Son, 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 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.

16. AI# 33

CASE NO. 2019020996 BR

City of Palm Coast vs. Debbie L. Mekkelsen

22 Poppy Lane

(Palm Coast Code Section 35-76(d-1) Nuisance – Mold Covering House)

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

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than thirty (30) 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. 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.

17. AI# 44

CASE NO. 2019050596 REPEAT CSR

City of Palm Coast vs. Jacqueline Rogelio Esquivel

5 Willard Place

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

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Jacqueline Esquivel, Respondent, presented her side.

Mr. Arcamone 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 May 11, 2019; that a \$400.00 fine will be imposed for the period of non-compliance from May 7, 2019 to May 10, 2019. Respondent shall pay Administrative Costs 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.

18. AI# 57

CASE NO. 2019021018 RECURRING SB

City of Palm Coast vs. Jacqueline Rogelio Esquivel

5 Willard Place

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

Code Enforcement Officer Burton 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. Jacqueline Esquivel, Respondent, presented her 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. 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.

19. AI# 52

CASE NO. 2019030091 SB

City of Palm Coast vs. Gregory Zvierko

37 Pinwheel Lane

(Palm Coast Code Section 44-34(b) Parking in Swale between 1 am & 6 am)

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

20. AI# 2

CASE NO. 2019050391 JB

City of Palm Coast vs. 75 Farragut Dr. Trust

72 Farragut Drive

(Land Development Code 11.02.05(a-1) Removal of Trees w/o Permit/Authorization)

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. 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.

21. AI# 3

CASE NO. 2019051633 **RECURRING** BMD

City of Palm Coast vs. Igor Kourbatov

13 Bud Hollow Drive

(Palm Coast Code Section 41-17(a-5) Trash Containers)

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

22. AI# 4

CASE NO. 2019051059 RECURRING BMD

City of Palm Coast vs. Michael & Blanca Peppin

14 Buffalo Grove Place

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

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

23. AI# 5

CASE NO. 2019060024 BS

City of Palm Coast vs. Marissa A. & Michael Duran

59 Blaine Drive

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

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

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than 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. 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.

24. AI# 7

CASE NO. 2018061602 BS

City of Palm Coast vs. Crystal E. Murphy & Elizabeth A. Clark

6 Farragut Drive

(Palm Coast Code Section 35-76 (d-1) Driveway in Disrepair)

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

Mr. Netts moved to find in this case that Respondents are 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 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. 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# 8

CASE NO. 2019041559 REPEAT BS
City of Palm Coast vs. Rafael Gomez & Bravo Zunilda
76 Farragut Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was 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. Arcamone 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 violations; that the Respondents brought the property into compliance on April 26; that a \$200.00 fine will be imposed for the period of non-compliance on April 25, 2019. Respondent shall pay Administrative Costs in the amount of \$70.50. 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.

26. AI# 12

CASE NO. 2019041705 MH
City of Palm Coast vs. James F. Jr. & Harlena A. McHugh
2 Sled Court
(Palm Coast Code Section 35-76(d) Nuisance – Debris)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Hadden testified this is a repeat 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 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 have not brought the property into compliance as of August 6, 2019; that a \$100.00 per day fine is imposed for the period of non-compliance from May 1, 2019 to

August 6, 2019; totaling \$9,800.00; that a fine of \$100.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. 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 \$70.00. 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.

27. AI# 16

CASE NO. 2019041689 REPEAT AN

City of Palm Coast vs. Jason Hambrick

18 Emmons Lane

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

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. 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 May 4, 2019; that a \$2,000.00 per day fine is imposed for the period of non-compliance on May 3, 2019 totaling \$2,000.00. Respondent shall pay Administrative Costs to the City in the amount of \$75.50. 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.

28. AI# 19

CASE NO. 2019050563 REPEAT AN

City of Palm Coast vs. Brian J Shpak & 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 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. 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 May 9, 2019; that a \$50.00 per day fine is imposed for the period of non-compliance on May 8, 2019 totaling \$50.00. 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. Mugford - Yes

Mr. Carruth – Yes

Mr. Roberts - Yes

Mr. Bellapianta – Yes

Mr. Arcamone - Yes

Mr. Netts - Yes

Motion unanimously carried.

29. AI# 22

CASE NO. 2019051191 RECURRING AN
City of Palm Coast vs. Corey & Maria Olinda Nedean
30 Lloyd Trail
(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 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. Arcamone 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.

30. AI# 23

CASE NO. 2019050143 AN

City of Palm Coast vs. George Sangster

1 Zeolite Place

(Palm Coast Code Section 44-34(c) Parking of Commercial 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 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 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. 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.

31. AI# 26

CASE NO. 2019030857 BR

City of Palm Coast vs. John F. Gomes

6 Plain View Drive (A & B)

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order 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 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. Pulos – Yes

Mr. Carruth – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Bellapianta – Yes
Mr. Netts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

32. AI# 28

CASE NO. 2019040717 BR

City of Palm Coast vs. John F. Gomes

6 Plain View Drive (A)

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

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

33. AI# 29

CASE NO. 2019030854 REPEAT BR

City of Palm Coast vs. John F. Gomes

6 Plain View Drive (B)

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo 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 \$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. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

34. AI# 32

CASE NO. 2019011505

BR

City of Palm Coast vs. Joao & Christiana Fernandes

29 Pony Express Drive (A)

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo 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 aforestated 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. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Netts - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

35. AI# 36

CASE NO. 2019050026

RECURRING

CSR

City of Palm Coast vs. Todd & Donna Brown

51 Waters Drive

(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 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. 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.

36. AI# 37

CASE NO. 2019041616 RECURRING CSR

City of Palm Coast vs. Todd & Donna Brown

51 Waters Drive

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

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

37. AI# 38

CASE NO. 2019050025 CSR

City of Palm Coast vs. Todd & Donna Brown

51 Waters Drive

(Palm Coast Code Section 44-34(c) Parking of Commercial 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 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. 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.

38. AI# 39

CASE NO. 2019041446 **RECURRING** CSR

City of Palm Coast vs. Charlena Alden

110 Wellstone Drive

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

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

39. AI# 46

CASE NO. 2019030034 SB
City of Palm Coast vs. Dillan L. Walls
24 Barring Place
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle/Trailer in Residential Dist.)

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

40. AI# 55

CASE NO. 2019030448 **RECURRING** SB
City of Palm Coast vs. Jessica Lynn Laks
23 Westridge Lane
(Palm Coast Code Section 44-33(b) Parking in Swale between 1 am & 6 am)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondent was 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. 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. 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.

41. AI# 58

CASE NO. 2019040230 JS
City of Palm Coast vs. Valeri Grichine
1 Blaketown Place
(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. 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. Pulos 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.

42. AI# 61

CASE NO. 2019050538 RECURRING JS
City of Palm Coast vs. Dennis Sleighter
6 Burroughs Drive
(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 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. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes**

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

Motion unanimously carried.

43. AI# 65

CASE NO. 2019050829 REPEAT JS
City of Palm Coast vs. David H. Beare
55 Courtney Court
(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 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 May 15, 2019; that a \$200.00 per day fine is imposed for the period of non-compliance on May 14, 2019 totaling \$200.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. 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.

44. AI# 66

CASE NO. 2019020357 JS
City of Palm Coast vs. George Whelan
9 Crompton Place
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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. 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 \$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. 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.

45. AI# 71

CASE NO. 2019041142 **RECURRING** JS
City of Palm Coast vs. Raymond L. Jr. & Juanita S. Trivett Gray
43 Fort Caroline 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 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. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

46. AI# 72

CASE NO. 2019050539 RECURRING JS
City of Palm Coast vs. Sophal Phoeun & Sakun Hong
36 Londonderry Drive
(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 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. Pulos – Yes
Mr. Carruth – Yes
Mr. Bellapianta – Yes
Mr. Netts – Yes

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

Motion unanimously carried.

47. AI# 73

CASE NO. 2019051030 JS
City of Palm Coast vs. Applied Building Development of Orlando – PC Inc.
1 New Leatherwood Drive
(Palm Coast Code Section 15-1-FBC 105.1 No Permit)

.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. 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. Roberts seconded the motion.

Roll was called:

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

Motion unanimously carried.

48. AI# 74

CASE NO. 2019040983 RECURRING CSR
City of Palm Coast vs. Joseph R. Berandino
69 Raemoor Drive
(Palm Coast Code Section 44-33(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 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. Bellapianta seconded the motion.

Roll was called:

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

Motion unanimously carried.

49. AI# 78

CASE NO. 2019041377 RECURRING BMD

*City of Palm Coast vs. Christopher A. & Carolyn E. Loveman & Austin H. Moore
80 Rymshaw Drive*

(Palm Coast Code Section 44-33(c) Parking of Commercial Vehicle/Trailer in Residential Dist.)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald 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. Bellapianta seconded the motion.

Roll was called:

Mr. Pulos – Yes

Mr. Carruth – Yes

Mr. Bellapianta – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Netts – Yes

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS

None to report.

ANNOUNCEMENT OF NEXT MEETING:

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

ADJOURNMENT:

There being no further business, the meeting was adjourned at 1:05 pm

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.