

CODE ENFORCEMENT BOARD
Wednesday, March 3, 2021 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Gennaro Arcamone, Andrew Dodzik, Norman Mugford, Larry Pulos, Dean Roberts, Vincent Sullivan,

BOARD MEMBERS EXCUSED: Geraldine Wright

BOARD COUNSEL PRESENT: J. Giffin Chumley

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Lead Romeo, Officers, Lott, MacDonald, Kocorowski, Risch, Shelley, Stafford, Code Enforcement Clerk Filipe, 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 (6) members present.

C. Approval of the February 3, 2021 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 J. Giffin Chumley, Counsel for the Code Board.

F. Withdrawn Cases

- AI #2 CASE NO. 2020110557 – 21 Bunker View Drive
- AI #6 CASE NO. 2020120782 – 91 Fieldstone Lane (B)
- AI #7 CASE NO. 2020121256 – 7 Fifer Lane
- AI #9 CASE NO. 2020101229 – 27 Red Top Lane
- AI #10 CASE NO. 2020101034 – 2 Riddle Drive
- AI #19 CASE NO. 2020120692 – 10 Watson Place
- AI #20 CASE NO. 2020110895 – 17 Wayland Place
- AI #23 CASE NO. 2021010051 – 45 Llama Trail
- AI #29 CASE NO. 2020120285 – 11 Wasserman Drive
- AI #33 CASE NO. 2020090255 – 68 Blaine Drive
- AI #39 CASE NO. 2020080621 – 22 Cheyenne Court
- AI #41 CASE NO. 2020100950 – 39 Club House Drive
- AI #48 CASE NO. 2020111152 – 32 Pine Crest Lane
- AI #52 CASE NO. 2020070542 – 166 Pritchard Drive
- AI #53 CASE NO. 2020090396 – 33 Prosperity Lane
- AI# 64 CASE NO. 2020060771 – 152 Point Pleasant Drive
- AI# 66 CASE NO. 2020081110 – 11 Porpoise Lane

G. Continued Cases

AI #27 CASE NO. 2020120611 – 12 Rydell Lane

AI #37 CASE NO. 2020100296 – 2 Cedarford Court

1. AI# 15

CASE NO. 2020111227 RECURRING (2) CR

City of Palm Coast vs. Michael Lamonica Sr

33 Beachway Drive

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

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than one (1) day to comply with this Order; 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. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

2. AI# 16

CASE NO. 2020111226 RECURRING (2) CR

City of Palm Coast vs. Michael Lamonica Sr

33 Beachway 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 evidence was shown to the Respondent. Officer Risch testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Michael LaMonica, Respondent presented his side.

Mr. Arcamone 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 to comply with this Order; 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. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

3. AI# 28

CASE NO. 2020120603 RECURRING (1) AN
City of Palm Coast vs. Peter Lund & Elsa Monica Urrutia Cravioto
3 Slingshot Court
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Property Manager, Lance Hopkins presented his side.

Mr. Arcamone 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

4. AI# 34

CASE NO. 2020100586 RECURRING (1) JS
City of Palm Coast vs. Daleko Group LLC
185 Boulder Rock 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 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. Tenant, Michael Marino 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

5. AI# 24

CASE NO. 2020120405

AN

City of Palm Coast vs. Mona M & John L Tompkins Jr

23 Lloshire Path

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

Code Enforcement Officer Lott presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Lott testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Monica and John Tompkins, Respondent presented their side.

Mr. Arcamone 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 to comply with this Order; 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. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

6. AI# 18

CASE NO. 2020120585 RECURRING (5) CR

City of Palm Coast vs. Chad H Carreiro

3 Wainbush Place

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

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. Chad Carreiro, Respondent presented their 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

7. AI# 26

CASE NO. 2020120300 AN

City of Palm Coast vs. Howard L Jr & Allyson K Lowe Trustees

11 Rosecroft Lane (B)

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Howard Lowe, 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 was 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

8. AI# 8

CASE NO. 2020120666 RECURRING (1) BS
City of Palm Coast vs. Steven M & Joanne C Kalabokes
64 Frontier Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

9. AI# 32

CASE NO. 2020121227 AN
City of Palm Coast vs. Brett H Cunningham & James W Menard
12 Evansville Lane
(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./Trailer in Residential District)

Code Enforcement Officer Lott presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Lott testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Tenants Clinton & Kelsey Kubat presented their side.

Based on the testimony of the Respondents and after conferring with City Attorney Reischmann, Manager Grossman opted to withdraw this case.

10. AI# 4

CASE NO. 2020120752 RECURRING (4) BS

City of Palm Coast vs. Avelino & Angelina Medeiros

68 Fairbank Lane

(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 evidence was shown to the Respondent. Officer Shelley testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Angelina Medeiros, Respondent presented her side.

Mr. Arcamone 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

11. AI# 22

CASE NO. 2019081679 REDUCTION CR

City of Palm Coast vs. Neil R Grannum

21 Woodfair Lane

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

Code Enforcement Officer Risch presented case history and stated the Respondent was present to request a Reduction of Fine. Neil Grannum, Respondent presented his request for reduction.

Mr. Roberts moved to reduce the fine in this case from \$7,575.00 to \$750.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

12. AI# 25

CASE NO. 2020120926 REPEAT (3) AN

City of Palm Coast vs. Kurt Lawrence

24 Pine Hill Lane

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Kurt Lawrence, Respondent presented his 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 violation; that Respondent brought the property into compliance on January 23, 2021; that a \$250.00 per day fine is imposed for the period of non-compliance on December 18, 2020, January 8, 2021 and January 22, 2021; totaling \$750.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50 Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - No

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - No

Mr. Arcamone - Yes

Motion carried 4 to 2.

13. AI# 49

CASE NO. 2020110360 REPEAT (3) BR

City of Palm Coast vs. Kurt Lawrence

24 Pine Hill Lane

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Lead 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. Kurt Lawrence, Respondent presented his side.

Mr. Dodzik moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on November 15, 2020; that a \$250.00 per day fine is imposed for the period of non-compliance from November 6, 2020 to November 14, 2020; totaling \$2,250.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50 Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - No
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion carried 5 to 1.

14. AI# 50

CASE NO. 2020100958 REPEAT (3) BR
City of Palm Coast vs. Kurt Lawrence
24 Pine Hill Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Lead 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. Kurt Lawrence, Respondent presented his 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 violation; that Respondent brought the property into compliance on October 21, 2020; that a \$250.00 per day fine is imposed for the period of non-compliance from October 14, 2020 to October 20, 2020; totaling 1,750.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50 Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

15. AI# 42

CASE NO. 2020080622 JS
City of Palm Coast vs. Christopher D & Jerri C Berry
37 Comanche Court
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

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

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. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

16. AI# 1

CASE NO. 2020060988 MASSEY MH
City of Palm Coast vs. Frances Whitfield
4 Slate Place
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from December 21, 2020 to March 2, 2021; totaling \$1,800.00; that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

17. AI# 3

CASE NO. 2020110558 BMD

City of Palm Coast vs. Armen & Rosie Avedissian

21 Bunker View Drive

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

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

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

18. AI# 5

CASE NO. 2021010231 RECURRING (4) BS

City of Palm Coast vs. Keith E & Janine Lee Purvis

25 Felton Lane

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

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

Mr. Dodzik 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

19. AI# 11

CASE NO. 2020121071 RECURRING (4) JK

City of Palm Coast vs. Anton A Lorenzo

171 Ryan Drive

(Palm Coast Code Section 35-76(d)(2) Nuisance - Accumulations)

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

Mr. Arcamone 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

20. AI# 12

CASE NO. 2020121072 REPEAT (1) JK

City of Palm Coast vs. Anton A Lorenzo

171 Ryan Drive

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

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. 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 December 23, 2020; that a \$50.00 per day fine is imposed for the period of non-compliance on December 22, 2020; totaling \$50.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.00 Mr. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

21. AI# 13

CASE NO. 2020120590 RECURRING (1) JK
City of Palm Coast vs. Wendy Lecille Smith
44 Rycroft Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

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

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

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

22. AI# 14

CASE NO. 2020120347 RECURRING (5) CR
City of Palm Coast vs. Donald J Haight Sr
9 Ballard Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Arcamone 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Dodzik seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

23. AI# 17

CASE NO. 2020111258 CR
City of Palm Coast vs. Theodore & Eva Graham
19 Bruning Lane
(Palm Coast Code Section 17-58(a) Abandoned Property Registration)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence Respondent was not present. Officer Risch 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 to comply with this Order; 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. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

24. AI# 21

CASE NO. 2020120325 RECURRING (5) CR
City of Palm Coast vs. Linda Ascione
41 Westridge Lane
(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./Trailer in Residential District)

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

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

Roll was called:

**Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

25. AI# 30

CASE NO. 2020110968 RECURRING (2) AN

City of Palm Coast vs. Steve E & Lisa M Barneski

7 Zachary Place

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

Code Enforcement Officer Lott presented case history, paperwork and photos into evidence. The evidence Respondent was not present. Officer Lott 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 to comply with this Order; 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. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

26. AI# 31

CASE NO. 2020121013 REPEAT (1) AN

City of Palm Coast vs. Cynthia Dianne Tackett & Michael Hourahan

8 Zanzibar Balsan Court

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

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

Mr. Dodzik moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on December 22, 2020; that a \$100.00 per day fine is imposed for the period of non-compliance on December 21, 2020; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

27. AI# 35

CASE NO. 2020121251 REPEAT (1) JS

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

37 Braddock Lane

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

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

Mr. 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 January 7, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on December 30, 2020; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

28. AI# 36

CASE NO. 2020110649 REPEAT (1) JS
City of Palm Coast vs. Philip J & Christina A Sapienza
37 Braddock Lane
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The 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 November 19, 2020; that a \$150.00 per day fine is imposed for the period of non-compliance on November 12, 2020; totaling \$150.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00 Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

29. AI# 38

CASE NO. 2020120397 JS
City of Palm Coast vs. Gregory & Janet Marr
9 Chelsea Court
(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./Trailer in Residential District)

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

Mr. Dodzik 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 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

30. AI# 40

CASE NO. 2020060926 JS
City of Palm Coast vs. James F Jr & Mary O'Brien
31 Christopher Court
(Palm Coast Code Section 15-108(g) Dock in Disrepair)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence 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 thirty (30) days to comply with this Order; 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. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

31. AI# 43

CASE NO. 2020080450 JS
City of Palm Coast vs. Edward R Collins Jr
15 Farmbrook Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence 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 forty five (45) days to comply with this Order;

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. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

32. AI# 44

CASE NO. 2020101487 JS
City of Palm Coast vs. ELO Restoration Inc
18 Farnum Lane
(Palm Coast Code Section 41-17(a)(14) Dumpster Franchise Fee)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence 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 five (5) days to comply with this Order; 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. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

33. AI# 45

CASE NO. 2020120670 REPEAT (1) JS
City of Palm Coast vs. 22 F Land Trust
22 Felter Lane
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

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

Mr. 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 January 14, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance from December 17, 2020 to January 7, 2020; totaling \$300.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

34. AI# 46

CASE NO. 2020101634

JS

City of Palm Coast vs. Welllife Physician Consulting

2 Lyons 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. Dodzik 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 to comply with this Order; 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. Sullivan - Yes
Mr. Pulos - Yes
Mr. Mugford - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

35. AI# 47

CASE NO. 2020100413 RECURRING (1) BR

City of Palm Coast vs. Matthew T Sr & Brittany A Bentley

32 Pine Cottage Lane

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

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. Dodzik 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 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 all pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Pulos - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

36. AI# 51

CASE NO. 2020101273 REPEAT (3) BR

City of Palm Coast vs. Mark Scott & Beth Ann Shuman

24 Poindexter Lane

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead 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. 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 violation; that Respondent brought the property into compliance on October 30, 2020; that a \$250.00 per day fine is imposed for the period of non-compliance from October 20, 2020 to October 29, 2020; totaling \$2,500.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50 Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Mr. Roberts - Yes

Mr. Pulos - Yes
Mr. Mugford - Yes

Mr. Dodzik - Yes
Mr. Arcamone - 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 April 7, 2021 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:17 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.