

CODE ENFORCEMENT BOARD
Wednesday, April 7, 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, Geraldine Wright

BOARD MEMBERS EXCUSED: None

BOARD COUNSEL PRESENT: J. Giffin Chumley

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Lead Romeo, Officers, Lott, MacDonald, Kocorowski, Risch, Sagala, 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 seven (7) members present.
- C. Approval of the March 3, 2021 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
Mr. Sullivan refrained from casting a vote for the following: AI #19 -Case #2019020588 – 44 Faith Lane
- 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- F. Withdrawn Cases**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. 2020121065 – 12 Westland Place**
 - AI# 6 CASE NO. 2021010344 – 7 Federal Lane**
 - AI# 7 CASE NO. 2021010346 – 7 Federal Lane**
 - AI# 12 CASE NO. 2020121202 – 1 Richard Place**
 - AI# 17 CASE NO. 2021010399 – 41 Ryecliffe Drive**
 - AI# 19 CASE NO. 2020071574 – 78 Beaverdam Lane**
 - AI# 21 CASE NO. 2020010919 – 67 Westrobin Lane**
 - AI# 23 CASE NO. 2021010777 – 31 White House Drive**
 - AI# 29 CASE NO. 2020071150 – 6 Cherry Court**
 - AI# 30 CASE NO. 2020070027 – 2 Clark Lane**
 - AI# 34 CASE NO. 2020070300 – 18 Flintstone Court**
 - AI# 35 CASE NO. 2021011189 – 17 Burning Ember Lane**
 - AI# 44 CASE NO. 2020120608 – 25 Rosecroft Lane (A)**
 - AI# 46 CASE NO. 2020090413 – 26 Pine Crest Lane**
 - AI #49 CASE NO. 2021020044 – 27 Potomac Drive**
 - AI# 53 CASE NO. 2020111155 – 15 Poppy Lane**

AI# 54 CASE NO. 2020111156 – 15 Poppy Lane

G. Continued Cases

AI# 14 CASE NO. 2020120389 – 87 Royal Oak Drive

AI# 31 CASE NO. 2020061103 – 2 Coral Reef Court South

AI# 41 CASE NO. 2021010772 – 34 Lloleeta Path

1. AI# 20

CASE NO. 2021010776 CR

City of Palm Coast vs. Mirlene & James Pierre Paul

100 Westhampton Drive

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

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. James Pierre Paul, Respondent presented his side.

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 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. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

2. AI# 27

CASE NO. 2020120552 JS

City of Palm Coast vs. Michael & Patricia Hackett

12 Bunker Knolls Lane (A)

(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 and Administrative Costs. Tenant, Teresa Morales 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 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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

3. AI# 28

CASE NO. 2021010155 RECURRING BMD

City of Palm Coast vs. Frank A & Sarah U Del Ponte

26 Buttermilk Drive

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Sarah Del Ponte and Robert Harris, Respondents presented their 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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

4. AI# 13

CASE NO. 2021010986 RECURRING (3) JK

City of Palm Coast vs. Jerome & Jonathan Russell

5 Riverview Place

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

Code Enforcement Officer Kocorowski presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Kocorowski testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Tenant, Jeremy Akins 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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

5. AI# 5

CASE NO. 2021011062 BMD

City of Palm Coast vs. Alex & Cheryl Ruiz

7 Lewisdale Place

(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 evidence was shown to the Respondent. Officer MacDonald testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Alex Ruiz, 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

Ms. Wright - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Mugford - Yes

Motion unanimously carried.

6. AI# 24

CASE NO. 2021010778 RECURRING (1) CR

City of Palm Coast vs. Ervlyn G Lippus-Bratton

31 White House Drive

(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 evidence was shown to the Respondent. Officer Risch testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. April Carey, daughter of Respondent presented her side.

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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

7. AI# 25

CASE NO. 2021010779 RECURRING (1) CR

City of Palm Coast vs. Ervlyn G Lippus-Bratton

31 White House 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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. April Carey, daughter of Respondent presented her side.

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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

8. AI# 56

CASE NO. 2020110126 BR

City of Palm Coast vs. Herionne Vaval

33 Prosperity Lane

(Palm Coast Code Section 15-114 Rubbish and Garbage)

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. Herionne Vaval, Respondent presented her side.

****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 seven (7) 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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

9. AI# 57

CASE NO. 2020110131 BR

City of Palm Coast vs. Herionne Vaval

33 Prosperity Lane (Palm Coast Code Section 35-76(d)(2) Nuisance - Broken Elements)

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. Herionne Vaval, Respondent presented her 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 \$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

Ms. Wright - Yes

Mr. Pulos - No

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion carried 6 to 1.

****Roofing Contractor Mr. Joe Ortiz agreed to assist the property owner of 33 Prosperity Drive with the remediation of the above infractions**

10. AI# 58

CASE NO. 2020110132

BR

City of Palm Coast vs. Herionne Vaval

33 Prosperity Lane

(Palm Coast Code Section 42-56 R.O.W. Obstruction)

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. Herionne Vaval, Respondent presented her side.

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 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 \$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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

11. AI# 15

CASE NO. 2020121036 JK
City of Palm Coast vs. Robert S & Jacqueline Henderson
17 Ryberry Drive
(Palm Coast Code Section 44-34(d)(2) Parking Boat/Trailer/RV)

Code Enforcement Officer Kocorowski presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Kocorowski testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Tenant, Jeffrey Scott 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

12. AI# 50

CASE NO. 2020120648 RECURRING (4) BR
City of Palm Coast vs. Steven T & Tina Ann Gromlovits
98 Panorama Drive
(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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Steven Gromlovits, 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 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

13. AI# 37

CASE NO. 2021011045 REPEAT (1) AN

City of Palm Coast vs. James Michael Sr & Christine Marie Brannigan

21 Eastwood Drive

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

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 repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Jeffrey Brannigan, 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 29, 2021; that a \$250.00 per day fine is imposed for the period of non-compliance from January 26, 2021 to January 28, 2021; totaling \$200.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Roberts seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

14. AI# 11

CASE NO. 2021010182 RECURRING (3) BS

City of Palm Coast vs. Jeffrey D & Coriann Vincent

16 Freeman Lane

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

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. Jeffrey Vincent, Respondent presented his side.

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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

15. AI# 38

CASE NO. 2020121008 RECURRING (1) AN

City of Palm Coast vs. Luis Claudio M & Karin Nova

49 Edith Pope Drive

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Property Manager, Ella Chapeyeva presented her side.

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than five (5) days 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. Roberts – Yes

Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

16. AI# 48

CASE NO. 2021020055

RL

City of Palm Coast vs. Dennis Coulbourn

13 Potomac Drive

(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. Dennis Coulbourn, 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

17. AI# 47

CASE NO. 2020090016 RECURRING (2) RL

City of Palm Coast vs. Diana Kay & Eve Basin

16 Pineapple Drive

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

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 – Recurring Violation and Administrative Costs. Jose Ortiz Jr., Respondent presented his side.

Case rescinded by Code Manager Grossman.

18. AI# 22

CASE NO. 2021020022 REPEAT (1) CR

City of Palm Coast vs. Pam P Marques

58 Wheeling 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 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. Occupant, Miguel Bras 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 30, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on January 29, 2021; 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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

19. AI# 1

CASE NO. 2019020588 REDUCTION JB

City of Palm Coast vs. Juran D Moore Sr

44 Faith Lane

(Land Development Code 11.03.01(a) General Landscaping Requirements)

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

Mr. Dodzik moved to reduce the fine in this case from \$10,600.00 to \$250.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan - No Vote (Exparte)

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

20. AI# 3

CASE NO. 2021010067 REPEAT (1) RS

City of Palm Coast vs. Michael Andrews

59 Blare Drive

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley testified 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 3, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on January 2, 2021; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

21. AI# 8

CASE NO. 2021010546 RECURRING (3) BS

City of Palm Coast vs. Beth Ann Taylor

29 Federal 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. 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

22. AI# 9

CASE NO. 2020030740 MASSEY BS
City of Palm Coast vs. Francesca Mignano Trustee
126 Ferndale Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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

Mr. 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 January 22, 2021 to April 6, 2021; totaling \$1,875.00; 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

23. AI# 10

CASE NO. 2020030959 MASSEY BS
City of Palm Coast vs. Brandt & Tien Pasco Saudi Arabian Military Industr
11 Frankford Lane
(Palm Coast Code Section 42-56 R.O.W. Obstruction)

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

Mr. 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 \$1,875.00; 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. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

24. AI# 16

CASE NO. 2020120916

JK

City of Palm Coast vs. Inocentes R & Jovencia S Valencia

1 Ryecast Place

(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 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

Ms. Wright - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Mugford - Yes

Motion unanimously carried.

25. AI# 18

CASE NO. 2020121190 CR
City of Palm Coast vs. Kevin & Katherine Allio
113 Beacon Mill Lane
(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 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 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

26. AI# 26

CASE NO. 2020120559 REPEAT (4) 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. 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 7, 2021; that a \$200.00 per day fine is imposed for the period of non-compliance between December 10, 2021 and

December 30, 2021; totaling \$600.00. 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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

27. AI# 28

CASE NO. 2020120559 REPEAT (4) 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 January 14, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on January 21, 2021; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan - Yes

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

28. AI# 32

CASE NO. 2020110501 JS

City of Palm Coast vs. Richard Gaisford

53 Fawn Lane

(Palm Coast Code Section 15-114 Rubbish and Garbage)

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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

29. AI# 33

CASE NO. 2020120199 REPEAT (1) JS
*City of Palm Coast vs. Mark A & Cheri O Fort
11 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 March 4, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance between December 3, 2020 and February 25, 2021; totaling \$1,200.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50 Mr. Sullivan seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

30. AI# 40

CASE NO. 2021010798 RECURRING (5) AN

City of Palm Coast vs. Michelle Diane Prenatt

10 Llestone Path

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

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

Ms. Wright - Yes

Mr. Pulos - Yes

Mr. Arcamone - Yes

Mr. Roberts - Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Motion unanimously carried.

31. AI# 42

CASE NO. 2021010282 AN

City of Palm Coast vs. Dante Kamil Moore Sr

1000 Madison Green Circle, Apt 1002

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence Respondent was not present. Officer Nunez 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

32. AI# 43

CASE NO. 2021010027 AN
City of Palm Coast vs. Dante Kamil Moore Sr
1000 Madison Green Circle, Apt 1002
(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 Respondent was not present. Officer Nunez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Sullivan 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 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. Roberts seconded the motion.

Roll was called:

Mr. Sullivan - Yes
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes

Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes

Motion unanimously carried.

33. AI# 45

CASE NO. 2020080756 MASSEY AN
City of Palm Coast vs. Cynthia Dianne Tackett & Michael Hourahan
8 Zanzibar Balsan Court
(Palm Coast Code Section 42-56 R.O.W. Obstruction)

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

Mr. Roberts moved to find in this case that Respondents were in violation of City Code as charged; that Respondents failed to correct the violation by the time specified by the Code

Enforcement Board in the Board’s Order entered into evidence in this case; that Respondents brought the property into compliance on March 27, 2021 that a \$50.00 per day fine is imposed for the period of non-compliance from January 18, 2021 to March 26, 2021; totaling \$2,475.00 Respondents shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

34. AI# 51

CASE NO. 2020120596 REPEAT (4) BR
City of Palm Coast vs. Carlton B Bennett
54 Pheasant Drive
(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 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. Sullivan 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 13, 2021; that a \$450.00 per day fine is imposed for the period of non-compliance from December 10, 2020 to December 12, 2020; totaling \$1,350.00. Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Sullivan - Yes
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

35. AI# 52

CASE NO. 2020120355 RECURRING (3) BR
City of Palm Coast vs. Vladimir Slobodkin & Lyudmila Slobodkina
27 Pony Express Drive (A)
(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 – 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - Yes**

Motion unanimously carried.

36. AI# 55

CASE NO. 2020100706

BR

City of Palm Coast vs. Arthur & Jaime McMullen

25 Prince Kaarel 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. 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
Ms. Wright - Yes
Mr. Pulos - Yes
Mr. Arcamone - Yes**

**Mr. Roberts - Yes
Mr. Dodzik - Yes
Mr. Mugford - 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 May 5, 2021 at 10:00 am.

ADJOURNMENT:

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