

CODE ENFORCEMENT BOARD
Wednesday, May 5, 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, Code Enforcement Officers, Lott, MacDonald, Kocorowski, Risch, Sagala, Shelley, Stafford, Nunez, Arena, Code Enforcement Clerk Filipe, City Counsel J. Nix

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 10:07 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 April 7, 2021 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
There were no ex-parte communications.
- 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- F. Withdrawn Cases**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 #9 CASE NO. 2021021281 – 55 Boxwood Lane
AI #12 CASE NO. 2021010952 – 142 Foxhall Lane
AI #13 CASE NO. 2021021286 – 62 Frankford Lane
AI #15 CASE NO. 2021010164 – 38 Red Mill Drive
AI #16 CASE NO. 2021020231 – 26 Reybury Lane
AI #17 CASE NO. 2021010684 – 3 Ripcord Lane
AI #20 CASE NO. 2021010479 – 26 Riverdale Lane
AI #22 CASE NO. 2021010358 – 25 Rydell Lane
AI #23 CASE NO. 2020050812 – 27 Patricia Drive
AI #25 CASE NO. 2020110191 – 55 Pennsylvania Lane
AI #26 CASE NO. 2020070861 – 38 Pheasant Drive
AI #27 CASE NO. 2020061651 – 90 Pilgrim Drive
AI #30 CASE NO. 2020110663 – 15 Pony Express Drive
AI #32 CASE NO. 2021020468 – 21 Karat Path
AI #33 CASE NO. 2021010597 – 7 Pickcane Lane
AI #39 CASE NO. 2021020473 – 64 Smith Trail

AI #41 CASE NO. 2021011208 – 91 Wheatfield Drive
AI #53 CASE NO. 2020080275 – 53 Palm Lane
AI #55 CASE NO. 2020081321 – 52 Pony Express Drive
AI #56 CASE NO. 2020061054 – 1 Porcupine Drive
AI #57 CASE NO. 20 AI #62 CASE NO. 2020110362 – 23 Primrose Lane
AI #63 CASE NO. 2020110364 – 23 Primrose Lane
AI #64 CASE NO. 2020071735 – 4 Princess Kim Place

G. Continued Cases:

AI #5 CASE NO. 2020030756 – 27 Berkshire Lane
AI #38 CASE NO. 2021020446 – 24 Seven Wonders Trail
AI #48 CASE NO. 2020100296 – 2 Cedarford Court

1. AI# 46

CASE NO. 2021020214 RECURRING (6) JS
City of Palm Coast vs. Steven R Clemmens Trustee
56 Bunker View Drive (A)
(Palm Coast Code Section 44-33(b) Parking in Swale between 1AM & 6 AM)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The 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. Tara Dulitz, Property Manager, presented her side.

Mr. Arcamone moved to find in this case that Respondent was in violation of the City Code as charged 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Arcamone – Yes	Mr. Roberts – Yes
Mr. Dodzik – Yes	Mr. Sullivan - Yes
Mr. Mugford – Yes	Ms. Wright - Yes
Mr. Pulos – Yes	

Motion unanimously carried.

2. AI# 10

CASE NO. 2021020802 RECURRING (5) BS
City of Palm Coast vs. Frank Massello
28 Farmbrook 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 in evidence. The evidence was shown to the Respondent. Officer Shelley testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Frank Massello, Respondent, presented his side.

Mr. Dodzik moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than seven (7) days after this order is entered into evidence; 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 aforesaid date; that the Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

3. AI# 43

CASE NO. 2021021428 RECURRING (8) JS

City of Palm Coast vs. Emma Pronesti

75 Brunswick Lane

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Jim Pronesti, husband of Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondent was in violation of the City Code as charged 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

4. AI# 44

CASE NO. 2021020944 RECURRING (1) JS

City of Palm Coast vs. Emma & Michael Gerard Pronesti

77 Brunswick Lane

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

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

Mr. Roberts moved to find in this case that Respondent was in violation of the City Code as charged 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Pulos – Yes

Mr. Roberts – Yes

Mr. Sullivan - Yes

Ms. Wright - Yes

Motion unanimously carried.

5. AI# 36

CASE NO. 2021020354 RECURRING (3) AN

City of Palm Coast vs. Jessica Marie Smith

127 S Hummingbird Place

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

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 – Recurring Violation and Administrative Costs. Robert Bey, husband of Respondent, presented his side.

Mr. Arcamone moved to find in this case that Respondent was in violation of the City Code as charged 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

6. AI# 47

CASE NO. 2021010844 JS

City of Palm Coast vs. Eduardo M Dias

12 Bunker View Drive (B)

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

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

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

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

7. AI# 51

CASE NO. 2021021433 REPEAT (1) JS

City of Palm Coast vs. Graham Laeske & William Graham Laeske

20 Faith Lane

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

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

Mr. Arcamone moved to find in this case that the 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 the Respondent brought the property into compliance on April 22, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance from February 25, 2021 to April 15, 2021 totaling \$800.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

8. AI# 2

CASE NO. 2021021402 RECURRING (2) RS

City of Palm Coast vs. Gerard J & Mary E Ihnat

36 Black Bear Lane

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

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

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than one (1) day after this order is entered in writing; that, in the event the Respondent does not comply with the Order a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesaid date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

9. AI# 35

CASE NO. 2020120611 RECURRING AN

City of Palm Coast vs. Laura Hess

12 Rydell Lane

(Palm Coast Code Section 44-33(b) Parking in Swale between 1AM & 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 – Recurring Violation and Administrative Costs. Laura Hess, Respondent, presented her side.

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

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

10. AI# 40

CASE NO. 2021020950 RECURRING (4) AN
*City of Palm Coast vs. Erika L Clark & Coleman L Robinson
68 Smith Trail
(Palm Coast Code Section 44-34(f) Improper Parking)*

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. Coleman Robinson, Respondent, presented his side.

Mr. Arcamone moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than one (1) day after this order is entered in writing; that, in the event the Respondent does not comply with the order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

11. AI# 65

CASE NO. 2020080674 LM
City of Palm Coast vs. J W Flagler Inc
5935 State Highway 100 E
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

Mr. Dodzik moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

12. AI# 1

CASE NO. 2020060425 MASSEY PA
City of Palm Coast vs. Charles Stephen Gilmer
43 Westmill Lane
(Palm Coast Code Section 35-76(d)(1) Nuisance - Hazard Tree)

Code Enforcement Officer Arena presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Arena 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 Respondent was in violation of the City as charged; that the 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 the Respondent brought the property into compliance on February 19, 2021; that a \$50.00 per day fine is imposed for the period of non-compliance from December 23, 2020 to February 18, 2021; totaling \$2,900.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

13. AI# 3

CASE NO. 2021021382 BMD

City of Palm Coast vs. Guadalupe Ginocchio
5 Laredo Place

(Palm Coast Code Section FBC 6.02.1.2 Potable Water Required)

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 the Respondents were in violation of the City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State law for which a fine of up to \$5,000.00 per day may be imposed. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

14. AI# 4

CASE NO. 2020071298 MASSEY BMD

City of Palm Coast vs. Emily Allen
71 Leaver Drive

(Palm Coast Code Section 24-159(a) Swale Maintenance)

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 fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent in this case was in violation of the City Code as charged; that the 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 the Respondent brought the property into compliance on March 8, 2021; that a \$50.00 per day fine is imposed for the period of non-compliance from January 22, 2021 to March 7, 2021; totaling \$2,250.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

15. AI# 6

CASE NO. 2020070221 MASSEY CR
City of Palm Coast vs. Margaret Charlene Nicholson
26 Westland Place
(Palm Coast Code Section 35-76(d)(1) Nuisance - Accumulations)

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

Mr. Arcamone moved to find in this case that the Respondent was in violation of the City Code as charged; that the 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 the 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 May 4, 2021; totaling \$2,575.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an affidavit of compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

16. AI# 7

CASE NO. 2020100721 MASSEY CR

City of Palm Coast vs. Margaret Charlene Nicholson

26 Westland Place

(Palm Coast Code Section 15-110(13) Garage Door in Disrepair)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch 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 Respondent in this case was in violation of the City Code as charged; that the 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 the Respondent brought the property into compliance on February 17, 2021; that a fine of \$50.00 is imposed for the period of non-compliance from January 20, 2021 to February 16, 2021; totaling \$1,400.00. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Pulos – Yes

Mr. Roberts – Yes

Mr. Sullivan - Yes

Ms. Wright - Yes

Motion unanimously carried.

17. AI# 8

CASE NO. 2020030892 MASSEY CR

City of Palm Coast vs. Rosando Peter Horsford Jr

65 White Hall Drive

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

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

Mr. Roberts moved to find in this case that the Respondent was in violation of the City Code as charged; that the 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 the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from January 4, 2021 to May 4, 2021; totaling \$6,050.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an affidavit of compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$70.00, and when the

property comes into compliance, an affidavit of compliance will be issued. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

18. AI# 11

CASE NO. 2021020464 REPEAT (2) BS
City of Palm Coast vs. Thomas P Rhodes
6 Fleetwood 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 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 repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that the Respondent has not brought the property into compliance as of May 4, 2021; that a \$150.00 per day fine is imposed for the period of non-compliance from February 9, 2021 to May 4, 2021; totaling \$12,750.00; that a fine of \$150.00 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. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay administrative costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

19. AI# 14

CASE NO. 2021020292 RECURRING (4) BS
City of Palm Coast vs. Daniel J Schmidt & Nicole M Pauga
167 Frontier 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 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 the Respondent was in violation of the 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

20. AI# 18

CASE NO. 2021020855 RECURRING (3) JK

City of Palm Coast vs. Charlene Lashinsky

9 Ripple Place

(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. Roberts moved to find in this case that the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Pulos seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

21. AI# 19

CASE NO. 2021010472 RECURRING (3) JK

City of Palm Coast vs. Igor & Polina Rotar & Irna & Inna Rotar

37 Rippling Brook Drive

(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 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 the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Pulos – Yes

Mr. Roberts – Yes

Mr. Sullivan - Yes

Ms. Wright - Yes

Motion unanimously carried.

22. AI# 21

CASE NO. 2021020937 RECURRING (1) JK

City of Palm Coast vs. Joseph P Freeman

11 Ryarbor Drive

(Land Development Code 13.03.03(D)(2) Hurricane Shutters)

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 the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

23. AI# 24

CASE NO. 2020050814 RL

City of Palm Coast vs. Linda J Pillar

27 Patricia Drive

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

Code Enforcement Officer Lott presented case history, paperwork and photos into evidence. The 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 the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than ten (10) days after this order is entered in writing; that in the event the Respondent does not comply with the order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

24. AI# 28

CASE NO. 2020090594 MASSEY RL

City of Palm Coast vs. Carlos A Pimentel Et Al

44 Point of Woods Drive

(Land Development Code 4.01.02.3G Unauthorized Fencing)

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

Mr. Arcamone moved to find in this case that the Respondent was in violation of the City Code as charged; that the 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 the Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from February 17, 2021 to May 4, 2021; totaling \$1,925.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an affidavit of compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

25. AI# 29

CASE NO. 2020090954 MASSEY RL

City of Palm Coast vs. Carlos A Pimentel Et Al

44 Point of Woods Drive

(Land Development Code 3.02.02 Farm Animals Prohibited 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 Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Arcamone moved to find in this case that the Respondent was in violation of the City Code as charged; that the 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 the Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from February 17, 2021 to May 4, 2021; totaling \$1,925.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an affidavit of compliance has been filed by the Code Enforcement Officer. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

26. AI# 31

CASE NO. 2021020571 RECURRING (2) RL

City of Palm Coast vs. Frank & Theresa Porta & David Ward

6 Rolls Royce Court South

(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 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 the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Pulos – Yes

Mr. Roberts – Yes

Mr. Sullivan - Yes

Ms. Wright - Yes

Motion unanimously carried.

27. AI# 34

CASE NO. 2021011195 RECURRING (3) AN

City of Palm Coast vs. Gwendolyne Gil

18 Rosecroft Lane

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

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 the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

28. AI# 37

CASE NO. 2021010431 RECURRING (2) AN
City of Palm Coast vs. Gypsy Longoria
46 Sedgwick Trail
(Palm Coast Code Section 15-114 Rubbish and Garbage)

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

Mr. Roberts moved to find in this case that the Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesaid date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. The Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes

Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes

Motion unanimously carried.

29. AI# 42

CASE NO. 2021021265 RECURRING (3) JS
City of Palm Coast vs. Jessica A Medellin, Vincent Louis Pasqueralli Jr, & John P Medellin
17 Bannerwood Lane
(Palm Coast Code Section 44-33(b) Parking in Swale between 1 AM & 6 AM)

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

Mr. Sullivan moved to find in this case that the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes
Mr. Pulos – Yes**

**Mr. Roberts – Yes
Mr. Sullivan - Yes
Ms. Wright - Yes**

Motion unanimously carried.

Mr. Roberts was not present for the remainder of the meeting.

30. AI# 45

CASE NO. 2021010848 JS

City of Palm Coast vs. Nancy Berton

7 Bunker View Drive

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

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

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

Roll was called:

**Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes**

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

Motion unanimously carried.

31. AI# 49

CASE NO. 2021011124 RECURRING (3) JS

City of Palm Coast vs. John & Catherine M Cooper

48 Cochise 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 – Recurring violation and Administrative Costs.

Mr. Dodzik moved to find in this case that the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Pulos – Yes

Mr. Sullivan - Yes

Ms. Wright - Yes

Motion unanimously carried.

32. AI# 50

CASE NO. 2021021436 RECURRING (4) JS

City of Palm Coast vs. Duane L & Angela S Taylor

7 Faith Lane

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

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

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Pulos – Yes

Mr. Sullivan - Yes

Mr. Mugford – Yes

Ms. Wright - Yes

Motion unanimously carried.

33. AI# 54

CASE NO. 2021010531 REPEAT (5) 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 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 the 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 the Respondent brought the property into compliance on January 20, 2021; that a fine of \$650.00 per day fine is imposed for the period of non-compliance from January 13, 2021 to January 19, 2021; totaling \$4,550.00. The Respondent shall pay Administrative Costs to the City in the amount of \$71.50. Ms. Wright seconded the motion.

Roll was called:

Mr. Arcamone – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Pulos – Yes

Mr. Sullivan - Yes

Ms. Wright - Yes

Motion unanimously carried.

34. AI# 60

CASE NO. 2021010648 RECURRING (4) BR

City of Palm Coast vs. Douglas L White & Christine Villanti-White

18 Powder 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. Officer Romeo 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 the Respondent was in violation of the 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 this 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. The Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Arcamone – Yes
Mr. Dodzik – Yes
Mr. Mugford – Yes

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

Motion unanimously carried.

OLD BUSINESS:

None to Report

NEW BUSINESS:

Code Enforcement Supervisor Mendez introduced newly hired Code Officer Paterno to the Board.

Due to questions arising from members of the Board in relationship to a case involving animals, Supervisor Mendez informed the Board animal control personnel have involvement in these types of cases, as they will investigate, as well as educate animal owners regarding related City codes.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on June 2, 2021 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:05 pm.

Respectfully submitted,

Yvonne Robinson

Yvonne Robinson
Secretary to the Board

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact Human Resources, at 386-986-3720 at least 48 hours prior to the meeting or visit Palm Coast City Offices, 160 Lake Avenue, Palm Coast, FL 32164. If any person decides to appeal a decision made by the Code Enforcement Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made. The City of Palm Coast is not responsible for any mechanical failure of recording equipment.

All pagers and cell phones are to remain OFF while the Code Enforcement Board hearing is in session.