

CODE ENFORCEMENT BOARD
Wednesday, June 2, 2021 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Gennaro Arcamone, Norman Mugford, Larry Pulos, Dean Roberts, Vincent Sullivan, Geraldine Wright

BOARD MEMBERS EXCUSED: Andrew Dodzik

BOARD COUNSEL PRESENT: J. Giffin Chumley

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Lead Officer 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 10:00 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 six (6) members present.
- C. Approval of the May 5 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- F. Withdrawn Cases**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# 4** CASE NO. 2021010561 – 29 Lancaster Lane
- AI# 6** CASE NO. 2021040268 – 80 Bickford Drive
- AI# 8** CASE NO. 2021031374 – 43 Fort Caroline Lane
- AI# 9** CASE NO. 2021031271 – 12 Randall Place
- AI# 10** CASE NO. 2021031567 – 100 Berkshire Lane
- AI# 12** CASE NO. 2021021216 – 16 Llanes Place
- AI# 13** CASE NO. 2020080275 – 53 Palm Lane
- AI# 14** CASE NO. 2020080418 – 123 Palmwood Drive
- AI# 15** CASE NO. 2020071735 – 4 Princess Kim Place
- AI# 16** CASE NO. 2021030949 – 32 Rainbow Lane
- AI# 17** CASE NO. 2021021147 – 4 Rainstone Lane
- AI# 19** CASE NO. 2021020854 – 24 Ridley Lane
- AI# 22** CASE NO. 2020120389 – 87 Royal Oak Drive
- AI# 23** CASE NO. 2021021325 – 11 Cherry Court
- AI# 24** CASE NO. 2021020415 – 14 Cloverdale Court South

- AI# 25 CASE NO. 2021020416 – 14 Cloverdale Court South
- AI# 27 CASE NO. 2021011083 – 20 Corona Court
- AI# 35 CASE NO. 2021020250 – 110 Rickenbacker Drive
- AI# 39 CASE NO. 2021020992 – 45 Sederholm Path
- AI# 47 CASE NO. 2020090955 – 28 Panei Lane
- AI# 50 CASE NO. 2021010704 – 66 Pebble Beach Drive
- AI# 55 CASE NO. 2021010041 – 15 Promenade Place
- AI# 58 CASE NO. 2021031295 – 11 Hargrove Grade

E. Continued Cases:

- AI# 28 CASE NO. 2020101487 – 18 Farnum Lane
- AI# 42 CASE NO. 2021030774 – 2 Sled Court

1. AI# 51

CASE NO. 2021010338 RECURRING (1) BR

City of Palm Coast vs. Misha Romanovskiy

77 Pebble Beach 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 evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Misha Romanovskiy, Respondent, presented her side.

Mr. Arcamone moved to find in this case that Respondent is in violation of the City Code as charged; that Respondent correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesaid 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. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

2. AI# 49

CASE NO. 2021010339 RECURRING (1) BR

City of Palm Coast vs. James L & Arlene A Motta

42 Pebble Beach 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 evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. James Motta, Respondent and Justin Campbell, Tenant, presented their side.

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

Roll was called:

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

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

Motion unanimously carried.

3. AI# 1

CASE NO. 2021031192 RS
City of Palm Coast vs. Daniel A Faulkner
22 Blyth Place
(Palm Coast Code Section 44-34(d)(2) Parking Boat/ Trailer/ RV)

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

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

Roll was called:

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

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

Motion unanimously carried.

4. AI# 21

CASE NO. 2021031577 RECURRING (4) JK
City of Palm Coast vs. Howard L Jr & Allyson K Lowe Trustees
11 Rosecroft Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

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.

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

Motion unanimously carried.

5. AI# 36

CASE NO. 2021020251 AN
City of Palm Coast vs. Fernando Meza & Juan J. Meza
110 Rickenbacker Drive (A)
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

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 and Administrative Costs. Fernando Meza, Respondent, presented his side.

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

Roll was called:

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

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

Motion unanimously carried.

6. AI# 37

CASE NO. 2021020985

AN

City of Palm Coast vs. Fernando Meza & Juan J. Meza

110 Rickenbacker Drive (A)

(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 and Administrative Costs. Fernando Meza, Respondent, presented his side.

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

Roll was called:

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

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

Motion unanimously carried.

7. AI# 11

CASE NO. 2021031569

RECURRING (1) RL

City of Palm Coast vs. Charles E Campbell

100 Berkshire Lane

(Palm Coast Code Section 44-33(i) Parking in Median)

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. Charles Campbell, 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 shall 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. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone – Yes**

Motion unanimously carried.

8. AI# 53

CASE NO. 2021010037

BR

City of Palm Coast vs. Deborah M Testa

97 Pickering 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 evidence was shown to the Respondent. Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Brian Lynch, tenant, presented his side.

Mr. Arcamone moved to find in this case that 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 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 – No
Ms. Wright – Yes
Mr. Pulos – No**

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

Motion carried 4/2.

9. AI# 18

CASE NO. 2021021058

RECURRING (4) JK

City of Palm Coast vs. Sheila J Hinds

110 Renshaw Drive

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

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

Mr. Roberts moved to find in this case that Respondent is in violation of the City Code as charged; that the Respondent correct the violation no later than two (2) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

10. AI# 2

CASE NO. 2021030524 CR
City of Palm Coast vs. Richard O Smith Life Estate
170 Bren Mar Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified 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 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 Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

11. AI# 3

CASE NO. 2021030915 RECURRING CR
City of Palm Coast vs. Marcin & Izabela Owczarczyk
24 Wellshire Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

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

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

Roll was called:

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

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

Motion unanimously carried.

12. AI# 5

CASE NO. 2021030120 RECURRING (2) BMD
City of Palm Coast vs. Svyatoslav & Yelena Maryan
3 Larchmont 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 Respondent was not present. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Sullivan – No
Ms. Wright – Yes
Mr. Pulos – Yes

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

Motion carried 5/1.

13. AI# 7

CASE NO. 2021040183 RECURRING (5) BS
City of Palm Coast vs. Frank K Jonas
8 Farragut Drive
(Palm Coast Code Section 15-108(d) Weeds/ Overgrowth)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Shelley testified 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 Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

14. AI# 20

CASE NO. 2021010195 JK
City of Palm Coast vs. Charlene Lashinsky
9 Ripple Place
(Land Development Code 11.03.01 General Landscaping Requirements - HVAC Screening)

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

Mr. Roberts moved to find in this case that Respondent is in violation of the City Code as charged; that Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 per day 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. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

15. AI# 26

CASE NO. 2020090561 MASSEY JS
City of Palm Coast vs. Albert W & Amy S Wiggins
16 Cold Spring Court
(Palm Coast Code Section 15-108(g) Dock in Disrepair)

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

Mr. Sullivan moved to find in this case that Respondent was in violation of the 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 brought the property into compliance on May 5, 2021; that a \$50.00 per day fine is imposed for the period of non-compliance from March 1, 2021 to May 4, 2021; totaling \$3,250.00. 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. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone – Yes

Motion unanimously carried.

16. AI# 29

CASE NO. 2021020203 JS
City of Palm Coast vs. Thomas P Rhodes
6 Fleetwood Drive
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 & 6 AM)

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

Roll was called:

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

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

Motion unanimously carried.

17. AI# 30

CASE NO. 2021030643 REPEAT (4) JS

City of Palm Coast vs. Alton Dixon

61 Florida Park Drive

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

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford testified 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 the Respondent brought the property into compliance on March 17, 2021; that a \$600.00 per day fine is imposed for the period of non-compliance on March 16, 2021; totaling \$600.00. Respondent shall pay Administrative Costs to the City in the amount of \$71.50. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Ms. Wright – Yes
Mr. Pulos – No**

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

Motion carried 5/1.

18. AI# 31

CASE NO. 2021030715 REPEAT (1) JS
City of Palm Coast vs. Alton Dixon
61 Florida Park Drive
(Palm Coast Code Section 41-11(a) Trash Containers)

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 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 the Respondent brought the property into compliance on March 17, 2021; that a \$50.00 per day fine is imposed for the period of non-compliance on March 16, 2021; totaling \$50.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Ms. Wright – No
Mr. Pulos – No

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

Motion carried 4/2.

19. AI# 32

CASE NO. 2020101634 MASSEY JS
City of Palm Coast vs. Welllife Physician Consulting
2 Lyons Place
(Palm Coast Code Section 17-39(a) Residential Rental Program)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford testified the property remains in violation. Staff recommends a fine 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 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 March 22, 2021 to June 2, 2021; totaling \$1,800.00; 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. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

20. AI# 33

CASE NO. 2021010772 AN
City of Palm Coast vs. Dominique & Tyler Bligen
34 Lloleeta Path
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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

Roll was called:

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

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

Motion unanimously carried.

21. AI# 34

CASE NO. 2020120405 **MASSEY** AN
City of Palm Coast vs. Mona M & John L Tompkins Jr
23 Lloshire Path
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property remains in violation. 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 violation of the 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 March 19, 2021 to June 2, 2021; totaling \$1,600.00; 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. 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

22. AI# 38

CASE NO. 2021030934 RECURRING (5) AN
City of Palm Coast vs. Joseph G & Christal Casanova
53 Seattle Trail
(Palm Coast Code Section 44-34(i) Parking in Median)

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 shall 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. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone – Yes

Motion unanimously carried.

23. AI# 40

CASE NO. 2021031139 REPEAT (1) AN
City of Palm Coast vs. Dorothy Soellner
3 Service Tree Place

(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 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 March 24, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on March 23, 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. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone – Yes**

Motion unanimously carried.

24. AI# 41

CASE NO. 2021031140 REPEAT (1) AN
City of Palm Coast vs. Dorothy Soellner
3 Service Tree Place
(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 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 24, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on March 23, 2021; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

25. AI# 43

CASE NO. 2021031141 RECURRING (3) AN

City of Palm Coast vs. Kelsie Reiter

27 Slowdrift Turn

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

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

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

26. AI# 44

CASE NO. 2021030233 RECURRING (2) AN

City of Palm Coast vs. Erika L Clark & Coleman L Robinson

68 Smith Trail

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

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. Arcamone moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

27. AI# 45

CASE NO. 2021030819 REPEAT (5) AN
City of Palm Coast vs. Toni Spencer
8 Squirrel Place
(Palm Coast Code Section 44-34(i) Parking in Median)

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 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 18, 2021; that a \$650.00 per day fine is imposed for the period of non-compliance on March 17, 2021; totaling \$650.00. Respondent shall pay Administrative Costs to the City in the amount of \$71.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Ms. Wright – No
Mr. Pulos – Yes

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

Motion carried 5/1.

28. AI# 46

CASE NO. 2021031024 RECURRING (4) AN
City of Palm Coast vs. June E Brown
40 Underwick Path
(Palm Coast Code Section 44-34(i) Parking in Median)

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 Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed.

Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

29. AI# 48

CASE NO. 2021010340

BR

City of Palm Coast vs. Addison & Carli Alexandria Wieda

186 Parkview 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. 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 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 \$5000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

30. AI# 52

CASE NO. 2021010709

BR

City of Palm Coast vs. Paul L Snow

153 Persimmon 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. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Sullivan moved to find in this case that 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 \$5000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

31. AI# 54

CASE NO. 2021020188 RECURRING (6) BR

City of Palm Coast vs. Eyvonne M Green

13 Pine Grove 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. 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 shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

32. AI# 56

CASE NO. 2021010042 BR

City of Palm Coast vs. David & Nelya Levyash Trustees

23 Ruth 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. 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 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 \$5000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

33. AI# 57

CASE NO. 2020010615 MASSEY LM

City of Palm Coast vs. Dylan Patrick Reilly

67 Beechwood Lane

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

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez testified the property remains in violation. 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 violation of the 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 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 November 9, 2020 to June 1, 2021; totaling \$9,750; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Wright seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

OLD BUSINESS:

None to Report

NEW BUSINESS:

Supervisor Mendez addressed the Board to provide clarification in reference to trash container, as well as commercial vehicle cases.

Supervisor Mendez informed the Board of regulated times (as written in City code) for trash containers in public view. In addition, he apprised of the enforcement process, along with factors that are taken in to consideration; to include monitoring, as well as the number of violation occurrences, prior to ultimately scheduling the property/property owner for a Hearing.

In reference to the case for 97 Pickering Drive, Supervisor Mendez shared with the Board he was able to explain and get the Respondent to understand why the property was in violation of the commercial vehicle code. Ms. Wright inquired as to whether City staff should first confer with Respondents before presenting their cases to Board. Board Attorney Chumley provided an explanation regarding the process, to include the responsibility of the Board to listen to testimony and make decisions based on the evidence, as well as the facts that are presented.

Mr. Pulos inquired about vehicles he noticed “parked all over the place” on City property. Supervisor Mendez clarified the vehicles observed are parking on the City Rights of Way, which he advised is permitted up to 1:00 am, whereas median parking is prohibited at all times.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on July 7, 2021 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:55 am.

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.