

CODE ENFORCEMENT BOARD
Wednesday, September 1, 2021 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

BOARD MEMBERS EXCUSED: Geraldine Wright, Norman Mugford

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, Risch, Shelley, Stafford, Nunez, Code Enforcement Clerk Filipe, City Counsel Jennifer Nix

A. Call to Order and Pledge of Allegiance.

The meeting was called to order at 10:00 a.m. by Mr. Roberts, followed by the Pledge of Allegiance.

B. Roll Call and Determination of Quorum.

Roll was called. A quorum was met with five (5) members present.

C. Approval of the August 4, 2021 Meeting Minutes

The Minutes were unanimously approved.

D. Disclosure of Ex-Parte Communications.

Re: Case #2021041340 – 38 Collingwood Lane A - Mr. Sullivan disclosed he previously had a discussion with the property owner in relationship to this case, however, he did not believe their conversation would affect his ability to make an impartial decision.

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F. Withdrawn Cases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 #1 CASE NO. 2021060113 – 68 Burbank Drive

AI #2 CASE NO. 2021040193 – 1 Lynton Place

AI #8 CASE NO. 2021061205 – 26 Fountain Gate Lane

AI #9 CASE NO. 2021061210 – 11 Old Kings Road

AI #13 CASE NO. 2021060518 – 1 Ryken Lane

AI #21 CASE NO. 2021041281 – 8 Rosecroft Lane

AI #25 CASE NO. 2021030774 – 2 Sled Court

AI #29 CASE NO. 2021041476 – 95 Ulaturtn Trail

AI #30 CASE NO. 2021051565 – 60 Black Alder Drive

AI #32 CASE NO. 2021040397 – 25 Burning Sands Drive

AI #36 CASE NO. 2021050907 – 14 Courtney Place

AI #39 CASE NO. 2021030494 – 19 Louvet Lane

AI #40 CASE NO. 2021030589 – 59 North Waterview Drive

AI #43 CASE NO. 2021051089 – 12 Poinsettia Lane

G. Continued Cases
AI #44 CASE NO. 2021051607 – 23 Point Pleasant Drive

- 1. AI# 33**
CASE NO. 2021030669 JS
City of Palm Coast vs. George W & Suzette Lockett
26 Clarendon Court S
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

After much deliberation, Mr. Pulos moved to dismiss the case. Mr. Dodzik seconded the motion. Property owner was advised to obtain a permit for future renovations/building.

Roll was called:

Mr. Sullivan – No
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik - Yes
Mr. Arcamone - Yes

Motion carried 4/1.

- 2. AI# 37**
CASE NO. 2020101487 MASSEY JS
City of Palm Coast vs. Elo Restoration
18 Farnum Lane
(Palm Coast Code Section 41-17(a)(14) Dumpster Franchise Fee)

Code Enforcement Supervisor Mendez informed the Board he had a discussion with Respondent Joshua Dawes and advised this case would be continued to the October Code Board meeting.

- 3. AI# 34**
CASE NO. 2021041340 JS
City of Palm Coast vs. Stanley H & Joann Rosenbaum
38 Collingwood Lane A
(Palm Coast Code Section 35-76(d)(2) Nuisance - Accumulations)

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

Mr. Arcamone moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (1) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with the Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

4. AI# 6

CASE NO. 2021060617 RECURRING (3) BS
City of Palm Coast vs. Andrea Insinilla
33 Farragut Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

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

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

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yees**

Motion unanimously carried.

5. AI# 42

CASE NO. 2021051143 RECURRING (1) BR
City of Palm Coast vs. Jake Lee Clark & Laura M Chadwick

111 Pine Circle Drive

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

Code Enforcement Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to Respondent. Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Laura Chadwick and Jake Clark, Respondents, presented their side.

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

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – No
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion carried 4/1

6. AI# 23

CASE NO. 2021041513 REPEAT (1) AN

City of Palm Coast vs. Shawn R & Rebecca Ann Ramnarine Singh

4 Seaside Court

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to Respondent. Officer Nunez testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Shawn & Ramnarine Singh, Respondents, presented their side.

Mr. Arcamone moved to fine in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on April 29, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on April 28, 2021; totaling 100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

7. AI# 18

CASE NO. 2021061405 RECURRING (3) CR

City of Palm Coast vs. Robert A Pierce

56 Wheeling Lane

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

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

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

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Roberts – Yes

Mr. Dodzik – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

8. AI# 26

CASE NO. 2021040960 AN

City of Palm Coast vs. Vladimir & Natalya Kogan

40 Sloganeer Trail

(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 evidence was shown to the Respondent. Officer Nunez testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Benin Trotter, Tenant, presented his side.

Mr. Arcamone moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than one (1) day 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. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

9. AI# 22

CASE NO. 2021041511 RECURRING (5) AN

City of Palm Coast vs. Kristen L Yakovich

53 Sea Trail

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

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

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

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

10. AI# 11

CASE NO. 2021070264 RECURRING (3) JK

City of Palm Coast vs. Kelly Cristina De Moraes & Raul Alexandre Miranda Melo

10 Ryder Place

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Shelley testified the property is in compliance. Staff recommends a No

Fine Standing Order – Recurring Violation and Administrative Costs. Raul Melo, Respondent, presented his side.

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

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

11. AI# 31

CASE NO. 2021051557 REPEAT (1) JS
City of Palm Coast vs. Michael D Schroeder
21 Blairmore Place
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 AM & 6 AM)

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

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 June 17, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance from May 27, 2021 to June 10, 2021; totaling \$300.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

12. AI# 3

CASE NO. 2021060417 RL

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

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

13. AI# 4

CASE NO. 2021060258 RECURRING (2) RL
City of Palm Coast vs. Paul T Allen Jr
162 Boulder Rock Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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. 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. Pulos seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

14. AI# 5

CASE NO. 2021060445 RL
City of Palm Coast vs. Daniel & Constance Parham
68 Brunett Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

City staff advised the Board this case has been withdrawn.

15. AI# 7

CASE NO. 2021051582 **RECURRING** (4) BS
City of Palm Coast vs. Raymond L Jr & Juanita S Trivett Gray
43 Fort Caroline Lane
(Palm Coast Code Section 15-114 Rubbish and Garbage)

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

Mr. 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 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

16. AI# 10

CASE NO. 2021051540 **RECURRING** (1)JK
City of Palm Coast vs. Yuriy & Yelena Shendrik
184 Ryan Drive
(Palm Coast Code Section 35-76(d)(2) Nuisance - Unattractive)

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. Dodzik seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

17. AI# 12

CASE NO. 2021061008 RECURRING (2) JK

City of Palm Coast vs. Wendy Lecille Smith-Ulsh

44 Ryecroft Lane

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The 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. 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. Dodzik seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

18. AI# 14

CASE NO. 2021030524 MASSEY CR

City of Palm Coast vs. Richard O. Smith

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 for the period of non-compliance and Administrative Costs.

Mr. Arcamone moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from June 11, 2021 to August 31, 2021; totaling \$4,100.00; 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. 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
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

19. AI# 15

CASE NO. 2021061006 RECURRING (2) CR
City of Palm Coast vs. Jacob Joseph & Elizabeth A Horovsky
11 Wasserman Drive
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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

Roll was called:

Mr. Sullivan – Yes

Mr. Dodzik – Yes

Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

20. AI# 16

CASE NO. 2021060876 CR
City of Palm Coast vs. Belinda & Philip Wayne Smith
40 Westmore Lane
(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 the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Dodzik moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than 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 aforestated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

21. AI# 17

CASE NO. 2021060484 **RECURRING** (2) CR
City of Palm Coast vs. Edith Marie Victory
92 Wheatfield Drive
(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. Sullivan moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than 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 aforestated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance

with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

22. AI# 19

CASE NO. 2021041282 AN
City of Palm Coast vs. Kurt & Rhonda McGilton
2 Palm 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 and Administrative Costs.

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

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

23. AI# 20

CASE NO. 2021031378 AN
City of Palm Coast vs. Fatima Canavan
17 Pickford Drive
(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 and Administrative Costs.

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

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

24. AI# 24

CASE NO. 2021040169 AN
City of Palm Coast vs. Izodor & Margarita Voskoboynik
53 Selma Trail
(Palm Coast Code Section 44-33(b) Parking in Swale Between 1 AM & 6

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 and Administrative Costs.

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

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

25. AI# 27

CASE NO. 2021041285 REPEAT (1) AN
City of Palm Coast vs. Alfred & Sonji Jackson
53 Slowdrift Turn
(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 compliance. The Respondent was not present. Officer Nunez 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 Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on April 24, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on April 21, 2021; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Sullivan seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

26. AI# 28

CASE NO. 2021041475 RECURRING (4) AN
City of Palm Coast vs. Vladimir D & Lyudmila Slobodkin
89 Ulturn Trail
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

27. AI# 35

CASE NO. 2021050292 JS
City of Palm Coast vs. Kelly W Zhang
3 Comanche Court
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

Mr. Dodzik moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days 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. Pulos seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

28. AI# 38

CASE NO. 2021040089 JS
City of Palm Coast vs. Nuno A & Paula Aquiles Alves
45 Felshire 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 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 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. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Dodzik – Yes

Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

29. AI# 41

CASE NO. 2021010037 MASSEY 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 Respondent was not present. Lead Officer Romeo testified the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Dodzik moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from June 11, 2021 to August 31, 2021; totaling \$4,100.00 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. 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
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

30. AI# 45

CASE NO. 2021060177 REPEAT (2) BR

City of Palm Coast vs. Jose Azevedo

37 Price Lane

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

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

Mr. Dodzik moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on June 6, 2021; that a \$150.00

per day fine is imposed for the period of non-compliance from June 1, 2021 to June 5, 2021; totaling \$750.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

31. AI# 46

CASE NO. 2021051141 RECURRING (1) BR
City of Palm Coast vs. Rachel D & Alicia D Stomber
58 Providence Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. 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. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes

Mr. Dodzik – Yes
Mr. Arcamone - Yes

Motion unanimously carried.

32. AI# 47

CASE NO. 2021051142 RECURRING (2) BR
City of Palm Coast vs. Rachel D & Alicia D Stomber
58 Providence Lane
(Palm Coast Code Section 15-108(g) Shed/ Fence/ Wall Maintenance)

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 – Violation Order and Administrative Costs.

Mr. Sullivan moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than 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 aforestated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

33. AI# 48

CASE NO. 2021041461 RECURRING (4) BR
City of Palm Coast vs. John Sanchez
82 Providence Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. 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. Arcamone seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Roberts – Yes**

**Mr. Dodzik – Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

OLD BUSINESS:

NEW BUSINESS:

Mr. Dodzik asked with the implementation of the Senate House Bill 60, requiring complainants to provide their name and address, would it change how the cases are presented to the Board. Manager Grossman advised no changes would be made and proceeded to share that a number of the cases the officers bring before the Board are self-initiated, as the officers are proactive, in addition to being reactive. Mr. Arcamone asked with complaint initiated cases, would the Board have to be informed of who the complainants are. Board Attorney Giffin- Chumley stated it was not necessary, however, he advised if the Board was curious to know who the complainant was, City staff would be able to supply that information. He also explained the Statue indicates complainants may no longer remain anonymous, thus making the information they provide public record. In addition, Attorney Giffin-Chumley advised if someone wanted to know who registered a complaint, the City would be obligated to disclose the information to the requestor. Mr. Sullivan requested for City staff to start including on the Agenda whether each of the Board cases are self-initiated or complaint generated. Manager Grossman stated staff would do so with any code board cases that were written after the law went in to effect on July 1, 2021.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on October 6, 2021 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:54 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.