



CODE ENFORCEMENT BOARD
Wednesday, November 2, 2022 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Norman Mugford, Larry Pulos, Dean Roberts, Vincent Sullivan, Andrew Dodzik, Geraldine Wright

BOARD MEMBERS EXCUSED: Gennaro Arcamone

BOARD COUNSEL PRESENT: J. Giffin Chumley

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Compliance Supervisor Mendez, Code Enforcement Lead Officer Romeo, Code Enforcement Officers Lott, Olivarria, Nunez, Risch, MacDonald, Reilly, Paterno, 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. 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 October 5, 2022 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None.
- 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- F. Withdrawn Cases**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 #2022051674 – 4 Bickshire Lane
AI #7 CASE #2022071083 – 22 Cheyenne Court
AI #8 CASE #2022071078 – 24 Cimmaron Drive
AI #9 CASE #2022060542 – 29 Florida Park Drive
AI #14 CASE #2022050322 – 28 Rosepetal Lane (A)
AI #16 CASE #2022060666 – 12 Ryall Lane
AI #27 CASE #2022040810 – 70 Red Mill Drive (B)
AI #41 CASE #2022070964 – 18 Poinbury Drive
AI #43 CASE #2022080767 – 6 Fairhill Lane
AI #44 CASE #2022050724 – 44 Flamingo Drive

G. Continued Cases:

AI #20 CASE #2022081505 – 92 Wheatfield Drive

AI #26 CASE #2022080805 – 31 Potomac Drive

1. AI# 12

CASE NO. 2022070927 RECURRING (3) DR

City of Palm Coast vs. Bozena Kajewska Pielarz

21 Raleigh Drive

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

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

Mr. Dodzik moved to find in this case that the 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 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. 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. Dodzik - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

2. AI# 38

CASE NO. 2022080172 RECURRING (4) BR

City of Palm Coast vs. Stephen B & Bonnie A Waters

30 Perrotti Lane

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

Code Enforcement Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Lead Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Respondents, Stephen Waters & Jesse Waters (son), presented their side.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat

violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

3. AI# 10

CASE NO. 2022070722 RL

City of Palm Coast vs. Kelly Trust

135 Florida Park Drive

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

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

Mr. Dodzik moved to dismiss this case. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

4. AI# 35

CASE NO. 2022040541 RECURRING (2) AN

City of Palm Coast vs. Thomas N & Nichole D Adams

14 Seton Place

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

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. Thomas Adams, Respondent, presented his side.

Mr. Roberts moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

5. AI# 36

CASE NO. 2022040612 RECURRING (1) AN
City of Palm Coast vs. Thomas N & Nichole D Adams
14 Seton Place
(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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Thomas Adams, Respondent, presented his side.

Mr. Roberts moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

6. AI# 37

CASE NO. 2022040613 RECURRING (3) AN
City of Palm Coast vs. Michael Ronald Ash
21 Seward Trail E (B)
(Palm Coast Code Section 44-34(i) Parking in Median)

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. Ann Carlson, tenant, presented her side.

Mr. Sullivan moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

7. AI# 11

CASE NO. 2022071404 RECURRING (3) DR
City of Palm Coast vs. Hannele Gretchen Frederica Finck
165 Rae Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Roberts moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

8. AI# 40

CASE NO. 2022041809 BR

City of Palm Coast vs. Tatyana Voskresenskaya

65 Pine Haven Drive

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Lead Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Tatyana Voskresenskaya, Respondent, presented her side.

Mr. Sullivan moved to find in this case that the 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. Roberts seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

9. AI# 30

CASE NO. 2022051393 RECURRING (4) AN

City of Palm Coast vs. Amanda-Maria Renee Leno & James Christian Leno

44 Sea Front Trail

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

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

Mr. Roberts moved to find in this case that the 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
Ms. Wright – Yes
Mr. Pulos – Yes

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

Motion unanimously carried.

10. AI# 31

CASE NO. 2022051395 RECURRING (4) AN
City of Palm Coast vs. Amanda-Maria Renee Leno & James Christian Leno
44 Sea Front Trail
(Palm Coast Code Section 44-34(i) Parking in Median)

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

Mr. Roberts moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried.

11. AI# 3

CASE NO. 2022090674 RECURRING (3) HO
City of Palm Coast vs. Baldwin Brothers Inc. c/o Matthew J Baldwin
4851 Belle Terre Parkway
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Olivarria presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Olivarria testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Tenant, Joe Cox, with J. Quint, LLC, presented his side.

Mr. Roberts moved to find in this case that the 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. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

12. AI# 33

CASE NO. 2022030682 AN
City of Palm Coast vs. Henry Josefow
117 Seattle Trail
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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. Henry Josefow, Respondent, presented his side.

Mr. Sullivan moved to find in this case that the 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. 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

13. AI# 23

CASE NO. 2022080619 RECURRING (3) CR
City of Palm Coast vs. Christopher & Darlene T Watson
12 Wood Arbor Lane
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle/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. Darlene Watson, Respondent, presented her side.

Mr. Roberts moved to find in this case that the 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. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

14. AI# 34

CASE NO. 2022040492 REPEAT (3) AN
City of Palm Coast vs. Louiman & Christianiste Thomas
4 Senseney Path
(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 is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Louiman Thomas, Respondent, presented his side.

Mr. Sullivan 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 15, 2022; that a \$250.00 per day fine is imposed for the period of non-compliance on April 8, 2022; totaling \$250.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

15. AI# 39

CASE NO. 2022060881 BR

City of Palm Coast vs. Kelly Bunnich

13 Pine Haven Drive

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Lead Officer Romeo testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Kelly Bunnich, Respondent, presented her side.

Mr. Roberts moved to find in this case that the 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. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik - Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Motion unanimously carried.

16. AI# 25

CASE NO. 2022080806 AN

City of Palm Coast vs. 27 Potomac Dr. Inc.

27 Potomac 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 evidence was shown to the Respondent. Officer Nunez testified the property is in compliance Staff recommends a No Fine Standing Order and Administrative Costs. Chad Ellis, representative for 27 Potomac Dr Inc., 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. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

17. AI# 6

CASE NO. 2022071173 RL

*City of Palm Coast vs. Raquel Carvalho & Joseph Arsenault
37 Botany Lane*

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

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

Mr. Dodzik moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than fourteen (14) days after this Order is entered in writing; that, in the event Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for every day the violation continues past the aforesated date. 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 Order.

Roll was called:

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

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

Motion unanimously carried.

18. AI# 2

CASE NO. 2022080587 REPEAT (1) 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. 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 October 17, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance from August 9, 2022 to October

16, 2022; totaling \$6,900.00. 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

19. AI# 4

CASE NO. 2022070105 HO
City of Palm Coast vs. Eileen Allende
7 Blairmore Place
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than five (5) days after this Order is entered in writing; that, in the event 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. 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

20. AI# 5

CASE NO. 2022071241 HO
City of Palm Coast vs. Eileen Allende
7 Blairmore Place
(Palm Coast Code Section 17-39(a) Residential Rental Prog.)

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

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than five (5) days after this Order is entered in writing; that, in the event 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. 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

21. AI# 13

CASE NO. 2022070428 REPEAT (1) DR
City of Palm Coast vs. Scott & Sandra Rush
90 Robinson Drive
(Palm Coast Code Section 44-34(d)(2) Parking Boat/Trailer/RV)

Code Enforcement Officer Reilly presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Reilly 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 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 July 15, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance on July 14, 2022; 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

22. AI# 15

CASE NO. 2022041068 MASSEY DR
City of Palm Coast vs. John F Brush & Claire May
5 Roxanne Place

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

Code Enforcement Officer Reilly presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Reilly 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 the 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 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 August 19, 2022 to November 1, 2022; totaling \$3,700.00 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. Ms. Wright seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

23. AI# 17

CASE NO. 2022080620 RECURRING (2) CR

City of Palm Coast vs. John & Melissa Trumble

11 Wayland Place

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

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

Mr. Sullivan moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes**

Mr. Pulos – Yes

Mr. Roberts - Yes

Motion unanimously carried.

24. AI# 18

CASE NO. 2022080754 REPEAT (1) CR

City of Palm Coast vs. Misty Dawn Atkins

49 Westmoreland Drive

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

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

Mr. Dodzik 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 Respondent brought the property into compliance on August 14, 2022; that a \$50.00 per day fine is imposed for the period of non-compliance from August 11, 2022 to August 13, 2022; totaling \$150.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Dodzik - Yes

Ms. Wright – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Roberts - Yes

Motion unanimously carried.

25. AI# 19*

CASE NO. 2022081293 REPEAT (3) CR

City of Palm Coast vs. Jessica Lynn Laks

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

Mr. Sullivan 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 Respondent brought the property into compliance on September 20, 2022; that a \$250.00 per day fine is imposed for the period of non-compliance from August 19, 2022 to September 19, 2022; totaling \$2,500.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

26. AI# 21

CASE NO. 2022081420 REPEAT (2) CR
City of Palm Coast vs. Rosando Peter Horsford Jr
65 White Hall Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

Mr. Sullivan 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 Respondent brought the property into compliance on **October 20, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance from August 23, 2022 to **October 19, 2022; totaling \$5,800.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

****Amended from September to October.**

Roll was called:

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

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

Motion unanimously carried.

27. AI# 22

CASE NO. 2022080616 CR
City of Palm Coast vs. 6 Beachside LLC
7 Wilmont Place
(Palm Coast Code Section 17-39(a) Residential Rental Prog.)

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 the 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 \$25.00 will be imposed for each and every day the violation continues past the aforesated date. 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes**

Motion unanimously carried.

28. AI# 24

CASE NO. 2022080794 AN

City of Palm Coast vs. Marianne L Labbe

270 Parkview 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 the 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

29. AI# 28

CASE NO. 2022031203 RECURRING (1) AN

City of Palm Coast vs. Dung Le

8 Regency Drive (B)

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

Motion unanimously carried.

30. AI# 29

CASE NO. 2022010505 MASSEY AN

City of Palm Coast vs. Jeremy Nichols

45 Reidsville Drive

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

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 for the period of non-compliance and Administrative Costs.

Ms. Wright moved to find in this case that the 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 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 July 19, 2022 to November 1, 2022; totaling \$5,300.00 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. Ms. Wright seconded the motion.

Roll was called:

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

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

Mr. Pulos – Yes

Mr. Roberts - Yes

Motion unanimously carried.

31. AI# 32

CASE NO. 2022050025 REPEAT (7) 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 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 fine for the period of non-compliance and Administrative Costs.

Mr. Sullivan moved to find in this case that the Respondent was in 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 May 11, 2022; that a \$1,050.00 per day fine is imposed for the period of non-compliance on April 28, 2022 and May 4, 2022; totaling \$2,100.00. Respondent shall pay Administrative Costs to the City in the amount of \$72.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

32. AI# 42

CASE NO. 2022070031 RECURRING (1) BR
City of Palm Coast vs. James S Geldart
15 Postman Lane
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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

Mr. Roberts moved to find in this case that the 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. Dodzik - Yes
Mr. Mugford - Yes
Mr. Roberts - Yes

Motion unanimously carried

OLD BUSINESS:

None to report.

NEW BUSINESS:

Mr. Mugford advised the Board the election to nominate the Chair and Vice Chairperson for 2023 will take place at the December Code Board meeting.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on December 7, 2022 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:10 p.m.

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.