



CODE ENFORCEMENT BOARD
Wednesday, December 7, 2022 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Norman Mugford, Dean Roberts, Vincent Sullivan, Andrew Dodzik, Geraldine Wright, Gennaro Arcamone

BOARD MEMBERS EXCUSED: Larry Pulos

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, Nunez, Olivarria, Paterno, Risch, Reilly, Code Enforcement Clerk Filipe, City Counsel Jennifer Nix

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 10:03 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 November 2, 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- F. Withdrawn Cases**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 #2022091249 – 44 Beachway Drive
AI #3 CASE #2022091238 – 32 Black Bear Lane
AI #6 CASE #2022090550 – 86 Emerson Drive
AI #7 CASE #2022090189 – 16 Laguna Forest Trail
AI #10 CASE #2022090990 – 13 Wentworth Lane
AI #13 CASE #2022090926 – 59 White Star Drive
AI #18 CASE #2022070615 – 63 Rose Drive
AI #19 CASE #2022071548 – 8 Rosepetal Lane
AI #20 CASE #2022070691 – 48 Ryapple Lane
AI #27 CASE #2022080707 – 2 Fairview Lane

- AI #28 CASE #2022041767 – 14 Flamingo Drive
- AI #31 CASE #2022040806 – 14 Post Tree Lane
- AI #44 CASE #2022070680 – 5 Pheasant Drive
- AI #46 CASE #2022081165 – 48 Plainview Drive
- AI #49 CASE #2022051075 – 6 Princess Mari Place
- AI #50 CASE #2022030769 – 21 Pritchard Drive

G. Continued Cases:

- AI #24 CASE #2022041101 – 1 Claridge Court South
- AI #25 CASE #2022010662 – 105 Coral Reef Court North
- AI #51 CASE #2022081914 – 12 Puritan Lane

1. AI# 34

CASE NO. 2022060573 RECURRING (2) AN
City of Palm Coast vs. Sct Holdings LLC & V3 Ventures LLC
14 Sea Flower 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 No Fine Standing Order – Recurring Violation and Administrative Costs. Chris Murphy, Occupant, 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. Roberts seconded the motion.

Roll was called:

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

Motion unanimously carried.

2. AI# 14

CASE NO. 2022080805 DR
City of Palm Coast vs. Patricia M Rush
31 Potomac Drive
(Palm Coast Code Section 44-34(b) Parking in Swale Between 1 AM & 6 AM)

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 and Administrative Costs. Officer Reilly testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Patricia Rush, Respondent, presented her side.

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

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

Motion unanimously carried.

3. AI# 39

CASE NO. 2022090658 RECURRING (3) AN
City of Palm Coast vs. Isidoro Rino Maiolo
48 Underwick Path
(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. Isidoro Maiolo, 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. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

4. AI# 53

CASE NO. 2022081505 REPEAT (1) 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 evidence was shown to the Respondent. Officer Risch testified this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Edith Victory, Respondent, presented her side.

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 the Respondent brought the property into compliance on August 27, 2022; that a \$50.00 per day fine is imposed for the period of non-compliance from August 24, 2022 to August 26, 2022; totaling \$ 150.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50.

Mr. Dodzik amended his motion and moved to waive the Fine. Administrative Costs remain at \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

5. AI# 26

CASE NO. 2021040797 RL

City of Palm Coast vs. Angel Artuto & Paula Garcia

81 Covington Lane

(Palm Coast Code Section 15-110(a)(1)h. Roof in Disrepair)

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. Paula Garcia and Angel Arturo, Respondents, presented their 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 thirty (30) days after this Order is entered in writing to obtain a permit; 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; 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. Dodzik – Yes

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

Motion unanimously carried.

6. AI# 36

CASE NO. 2022060300 REPEAT (2) AN

City of Palm Coast vs. Ramon M & Patricia Giaccone

13 Smith 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 this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Ramone Giaccone, Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondent was in repeat violation 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 10, 2022; that a \$150.00 per day fine is imposed for the period of non-compliance on June 3, 2022; totaling \$150.00. 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
Ms. Wright – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

7. AI# 33

CASE NO. 2022060782 REPEAT (1) AN

City of Palm Coast vs. Richard L Evans & Sunny Norwood

5 Sea Flower 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 this is a Repeat case and the property is in compliance.

Staff recommends a fine for the period of non-compliance and Administrative Costs. Richard Evans, Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondent was in repeat violation 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 November 4, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance between June 10, 2022 and October 21, 2022; totaling \$500.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

8. AI# 29

CASE NO. 2022030314 RECURRING (1) AN
City of Palm Coast vs. Boris Panitch & Alla Rozenvasser
5 Ethel 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 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. Suzanne Yaroshyk, 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’s 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. Dodzik – Yes**

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

Motion unanimously carried.

9. AI# 12*

CASE NO. 2022080789 REPEAT (1) CR

City of Palm Coast vs. Jessica Lynn Laks

23 Westridge 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 this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Jessica Lynn Laks, Respondent, presented her side.

Mr. Roberts moved to find in this case that Respondent was in repeat violation 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 24, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance between August 12, 2022 and September 3, 2022; totaling \$500.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Wright seconded the motion.

After additional testimony from the Respondent, Code Enforcement Manager Grossman requested for the Board to waive the Fine.

Mr. Sullivan moved to amend the motion to waive the Fine. Administrative Costs remain at \$69.50. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

10. AI# 42

CASE NO. 2022060775 REPEAT (3) AN

City of Palm Coast vs. Jessica Lynn Laks

23 Westridge Lane

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

Case withdrawn by Code Enforcement Manager Grossman.

11. AI# 47

CASE NO. 2022090262 RECURRING (4) BR

City of Palm Coast vs. Kathryn V Tousignant

85 Pony Express Drive (B)

(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 – Recurring Violation and Administrative Costs. Kyara Davis, tenant, presented her side.

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
Ms. Wright – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

12. AI# 41

CASE NO. 2022050471 RECURRING (1) AN
City of Palm Coast vs. Carline Lubin
31 Westmoreland 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 – Recurring Violation and Administrative Costs. Carline Lubin, 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
Ms. Wright – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

13. AI# 2

CASE NO. 2022091135 REPEAT (1) HO

City of Palm Coast vs. Lee Paulsen

60 Black Alder Drive

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

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

Mr. 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 October 15, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance from September 22, 2022 to October 14, 2022; totaling \$2,200.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

14. AI# 4

CASE NO. 2022090974 REPEAT (1) JP

City of Palm Coast vs. Eleonora Callahan & Christopher Callahan

8 Eastvue Place

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

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

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on September 21, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance on September 20, 2022; 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. Mugford - Yes

Ms. Wright – Yes
Mr. Dodzik – Yes

Mr. Roberts - Yes
Mr. Arcamone – Yes

Motion unanimously carried.

15. AI# 5*

CASE NO. 2022090720 RECURRING (1) JP

City of Palm Coast vs. Amanda Mohr

33 Ebb Tide Drive

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

Code Enforcement Officer Paterno presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Paterno 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. Dodzik – Yes

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

Motion unanimously carried.

16. AI# 8

CASE NO. 2022060263 MASSEY CR

City of Palm Coast vs. Michael Orlando Woods Jr

29 Webb 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 Respondent was not present. Officer Risch testified this is a Massey case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent 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 brought the property into compliance on October 9, 2022; that a \$50.00 per day fine is imposed for the period of non-compliance from September 16, 2022 to October 8, 2022; totaling \$1,150.00.

Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

17. AI# 9

CASE NO. 2022010633 MASSEY CR
City of Palm Coast vs. Harold R & Jacqueline A Browne
63 Wellstream Lane
(Palm Coast Code Section 35-76(d)(1) Unsightly Conditions)

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

Mr. Sullivan moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from September 9, 2022 to December 6, 2022; totaling \$1,975.00; 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

18. AI# 11

CASE NO. 2022081759 REPEAT (1) CR
City of Palm Coast vs. Theresa Butcher & Michael Macchi
32 Westfalls Lane
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified this is a Repeat case and 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 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 has not brought the property into compliance as of December 6, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance from August 29, 2022 to December 6, 2022; totaling \$5,000.00; that a fine of \$100.00 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

19. AI# 15

CASE NO. 2022060531 DR
City of Palm Coast vs. Sfr Jv-Hd Property LLC
34 Raemond Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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 – Violation Order and Administrative Costs.

Mr. Dodzik moved to find in this case 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; 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. Dodzik – Yes**

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

Motion unanimously carried.

20. AI# 16

CASE NO. 2022081615

DR

City of Palm Coast vs. Nicholas William Bennett

20 Regina Lane

(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 Respondent was not present. Officer Reilly testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

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

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

21. AI# 17

CASE NO. 2022090028

RECURRING (3) DR

City of Palm Coast vs. Judith C Pierce

40 Renshaw Drive

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

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 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. Ms. Wright seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Dodzik – Yes

Mr. Arcamone – Yes

Motion unanimously carried.

22. AI# 21

CASE NO. 2022090047 RECURRING (3) RL

City of Palm Coast vs. Sandra A Freda

85 Beechwood 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 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. 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

Mr. Mugford - Yes

Ms. Wright – Yes

Mr. Roberts - Yes

Mr. Dodzik – Yes

Mr. Arcamone – Yes

Motion unanimously carried.

23. AI# 22

CASE NO. 2022081538 RL

City of Palm Coast vs. Philip Mangey

10 Birchview Place

(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 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 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. Dodzik – Yes

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

Motion unanimously carried.

24. AI# 23

CASE NO. 2022081530 RL

City of Palm Coast vs. Victor Pereira

29 Bud Shire Lane

(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 Respondent was not present. Officer Lott testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

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

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

Motion unanimously carried.

25. AI# 30

CASE NO. 2022041338 **REPEAT** (2) AN

City of Palm Coast vs. Robin R Banks

26 Felter 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 this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Sullivan moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on May 6, 2022; that a \$150.00 per day fine is imposed for the period of non-compliance on April 22, 2022 and April 29, 2022; totaling \$300.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Dodzik seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

26. AI# 32

CASE NO. 2022041873 REPEAT (2) AN

City of Palm Coast vs. Anton A Lorenzo

171 Ryan 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 this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Sullivan moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on May 6, 2022; that a \$150.00 per day fine is imposed for the period of non-compliance on April 29, 2022; totaling \$150.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

27. AI# 35

CASE NO. 2022081877 AN

City of Palm Coast vs. Joshua Casanova

91 Selma Trail

(Palm Coast Code Section 44-34(d)(1) Parking Boat/Trailer/RV)

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. 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) days 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. Dodzik – Yes**

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

Motion unanimously carried.

28. AI# 37

CASE NO. 2022041340 REPEAT (3) AN

City of Palm Coast vs. Jennifer K Doyle

39 Uhl 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 Respondent was not present. Officer Nunez testified this is a Repeat case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in 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 has not brought the property into compliance as of December 2, 2022; that a \$250.00 per day fine is imposed for the period of non-compliance between May 22, 2022 and December 2, 2022; totaling \$3,750.00; that a fine of \$250.00 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 \$70.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

29. AI# 38

CASE NO. 2022060297 REPEAT (1) AN

City of Palm Coast vs. Eugene & Stacey Knight

75 Ulysses 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 Respondent was not present. Officer Nunez testified the this is a Repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Sullivan moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on June 10, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance on June 3, 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. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone – Yes

Motion unanimously carried.

30. AI# 40

CASE NO. 2021120167 MASSEY AN

City of Palm Coast vs. Rose Gardner

9 Unimay Court (A)

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Nunez testified this is a Massey case and the property 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 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 10, 2022 to December 6, 2022; totaling \$9,000.00; 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. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Ms. Wright – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

31. AI# 43

CASE NO. 2022060096 BR
City of Palm Coast vs. Et-4 Lp
166 Palmwood Drive
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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 – 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; 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
Ms. Wright – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

32. AI# 45

CASE NO. 2022090264 **RECURRING** (3) BR
City of Palm Coast vs. Ella Chageyeva & Marsel Gilmanshin
51 Pine Circle Drive
(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. 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. Roberts seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Ms. Wright – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

33. AI# 48

CASE NO. 2022062003 BR
City of Palm Coast vs. John & Ruth Damico
9 Prescott Lane
(Palm Coast Code Section 17-39(a) Residential Rental Program)

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 – Violation Order and Administrative Costs.

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

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

Motion unanimously carried.

34. AI# 52

CASE NO. 2022061772 MASSEY LM
City of Palm Coast vs. Lewis B Ames Trustee
64 Midway Drive
(Palm Coast Code Section 35-76(d)(2)b. Nuisance - Graffiti)

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

Mr. Sullivan moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from September 20, 2022 to December 6, 2022; totaling \$1,950.00; 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. 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. Dodzik – Yes**

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

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS:

Elections were held for Chairman and Vice Chairman of the Code Enforcement Board for 2023. Mr. Mugford was re-elected as Chairman and Mr. Roberts was re-elected as Vice Chairman.

Barbara Grossman thanked the Board for their support over the past year and wished the Board Happy Holidays.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on January 4, 2023 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:45 a.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.