

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

BOARD MEMBERS PRESENT: Dean Roberts, Andrew Dodzik, Gennaro Arcamone, Vincent Sullivan, Geraldine Wright, Norman Mugford, 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, Risch, Shelley, Nunez, MacDonald, Paterno, Code Enforcement Clerk Filipe, City Counsel Reischmann

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 10:08 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.
- B. Roll Call and Determination of Quorum.**
Roll was called. A quorum was met with seven (7) members present.
- C. Approval of the February 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- F. Withdrawn Cases**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 #4 CASE #2021121052 – 21 Eastwood Drive
AI #12 CASE #2021040797 – 81 Covington Lane
AI #13 CASE #2021120894 – 1 Raleigh Drive
AI #18 CASE #2021110710 – 21 Wood Crest Lane
AI #19 CASE #2021091217 – 42 Woodlawn Drive
AI #22 CASE #2021110835 – 15 Faith Lane
AI #25 CASE #2021111019 – 63 Price Lane
AI #33 CASE #2021090550 – 20 Slogan Place
AI #35 CASE #2021091311 – 9 Squash Blossom Trail
AI #37 CASE #2021081579 – 3 Unison Court (A & B)
AI #38 CASE #2021090730 – 186 Parkview Drive
AI #39 CASE #2021120793 – 1 Paul Lane
AI #40 CASE #2021080940 – 30 Perthshire Lane
AI #41 CASE #2021110356 – 28 Pickston Lane
AI #42 CASE #2021120068 – 111 Pine Circle Drive
AI #44 CASE #2021091703 – 25 Price Lane
AI #48 CASE #2021090413 – 25 Blyth Place
AI #49 CASE #2021121014 – 20 Farrington Lane

G. Continued Cases

AI #6 CASE #2021081861 – 7 Essex Place

AI #15 CASE #2021110443 – 3 Wells Place

1. AI# 21

CASE NO. 2021110241 RL

City of Palm Coast vs. Patricia A & Jon A Cheney

15 Faith 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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Patricia Cheney, Respondent, presented her side.

This case was withdrawn by direction of Barbara Grossman, Code Enforcement Manager.

2. AI# 46

CASE NO. 2021120211 RECURRING (6) BS

City of Palm Coast vs. Lori Wilson, Life Estate

42 Blakemore Drive

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The 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. Lori Wilson, 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 was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

3. AI# 14

CASE NO. 2021120928 RECURRING (2) CR

City of Palm Coast vs. Taurean S Wilson

13 Ranwood Lane

(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 the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Taurean Wilson, 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. 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

Mr. Arcamone - Yes

Motion unanimously carried.

4. AI# 1

CASE NO. 2021120121 BMD

City of Palm Coast vs. Angela D Murch Trustee

5 Birchbark Lane

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer MacDonald testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Mallory Tallaksen, Tenant, 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 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
Mr. Arcamone - Yes

Motion unanimously carried.

5. AI# 29

CASE NO. 2021090239 AN

City of Palm Coast vs. Dora Lyubkin Trust

32 Roxton 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 and Administrative Costs. Lucian Reis, Respondent, had Daniele Freitas, Interpreter, present 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 was 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
Mr. Arcamone - Yes

Motion unanimously carried.

6. AI# 24

CASE NO. 2021110242 RECURRING (1) RL

City of Palm Coast vs. Charles A Esposito

94 Fulton Place

(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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Charles Esposito, Respondent, presented his 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. 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
Mr. Arcamone - Yes**

Motion unanimously carried.

7. AI# 27

CASE NO. 2021090248 RECURRING (3) AN

City of Palm Coast vs. Juliet E Williams-Harris

105 Roxboro Drive

(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 the Respondent. Officer Nunez testified the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Charles Harris, Husband of Respondent, presented his 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. 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
Mr. Arcamone - Yes**

Motion unanimously carried.

8. AI# 28

CASE NO. 2021090249 RECURRING (1) AN

City of Palm Coast vs. Juliet E Williams-Harris

105 Roxboro 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. Charles Harris, Husband of Respondent, presented his side.

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

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

9. AI# 45

CASE NO. 2021110675 BR

City of Palm Coast vs. Fernando A Isarrualde

100 Princess Ruth 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 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. Fernando Isarrualde, 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 any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

10. AI# 2

CASE NO. 2021110993 BMD
City of Palm Coast vs. Dustin S Craft
55 London Drive
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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

Mr. 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 any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

11. AI# 3

CASE NO. 2021110704 REPEAT (1) BMD
City of Palm Coast vs. Anthony & Sarah Lynn Page
65 Luther Drive
(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ Trailer in Residential District)

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald testified the property is in compliance. Staff recommends a 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 February 9, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance from November 24, 2022 to February 8, 2022; totaling \$1,100.00. 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
Ms. Wright – Yes
Mr. Pulos – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

12. AI# 5

CASE NO. 2021110689 RECURRING (2) JP

City of Palm Coast vs. Joshua Adam & Keri Antoinette Sammons

3 Edmond Place

(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ 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. 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. 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
Mr. Arcamone - Yes

Motion unanimously carried.

13. AI# 7

CASE NO. 2021110074 JP

City of Palm Coast vs. Michael Cuiffreda

3 Zephyr Lily Place

(Palm Coast Code Section FBC 6.02.1.2 Potable Water Required)

Code Enforcement Officer Paterno presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Paterno 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 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. Pulos – No
Mr. Dodzik – Yes**

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

Motion carried 6/1.

14. AI# 8*

CASE NO. 2021041528 MASSEY RL
City of Palm Coast vs. Dillan L Walls
24 Barring Place
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

Mr. 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 December 16, 2021 to March 2, 2022; totaling \$3,850.00; 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. Roberts seconded the motion.

Roll was called:

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

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

Mr. Pulos – Yes
Mr. Dodzik – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

15. AI# 9

CASE NO. 2021120142 RL

City of Palm Coast vs. Maronda Homes LLC Of Florida

36 Beechwood Lane

(Land Development Code 12.06.05 Sign Ordinance Violation)

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

Mr. Arcamone moved to find in this case that 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 \$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. Pulos – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

16. AI# 10

CASE NO. 2021120426 RECURRING (6) RL

City of Palm Coast vs. Angela & Scott Lapete

140 Beechwood Lane

(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. 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. Pulos – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

17. AI# 11

CASE NO. 2021071051 MASSEY RL
City of Palm Coast vs. Charles R & Deborah L Daugherty
55 Boxwood Lane
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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 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 December 19, 2021; that a \$50.00 per day fine is imposed for the period of non-compliance from November 18, 2021 to December 18, 2021; totaling \$1,600.00. 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
Ms. Wright – Yes
Mr. Pulos – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

18. AI# 16

CASE NO. 2021120671 RECURRING (3) CR
City of Palm Coast vs. 26 Whirlaway Drive Trust
26 Whirlaway 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 is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

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

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

Motion unanimously carried.

19. AI# 17

CASE NO. 2021090797 MASSEY CR
City of Palm Coast vs. Dorsey & Carol Richardson
7 Wilkins Place
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

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. 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 has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from December 14, 2021 to March 1, 2022; totaling \$3,900.00; 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
Ms. Wright – Yes
Mr. Pulos – Yes**

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

Mr. Dodzik – Yes

Motion unanimously carried.

20. AI# 20

CASE NO. 2021110524 RL

City of Palm Coast vs. Brian Gannuscio

202 Birchwood Drive

(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. 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. 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

Mr. Arcamone - Yes

Motion unanimously carried.

21. AI# 21

CASE NO. 2021110241 RL

City of Palm Coast vs. Patricia A & Jon A Cheney

15 Faith 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 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 December 22, 2021; that a \$250.00 per day fine is imposed for the period of non-compliance from November 24, 2021 to December 21, 2021; totaling \$1,000.00. 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
Mr. Arcamone - Yes

Motion unanimously carried.

22. AI# 26

CASE NO. 2021090621 AN

City of Palm Coast vs. Earl Hellerman

83 Robinson 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. 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 any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

23. AI# 30

CASE NO. 2021100025 RECURRING (4) AN

City of Palm Coast vs. Kerry D Aylesworth, II & Diane L Gorth

24 Sea Flower Path

(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 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. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

24. AI# 31

CASE NO. 2021091415 REPEAT (1) 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. 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 against the same Respondent for the same violation; that Respondent brought the property into compliance on September 25, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on September 24, 2021; totaling \$100.00. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

25. AI# 32*

CASE NO. 2021090071 RECURRING (1) AN
City of Palm Coast vs. Kyle & Holly R Caccavale

2 Sledding Place
(Palm Coast Code Section 15-108(g) Shed/Fence/Wall Maint.)

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

Mr. Arcamone moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later three (3) 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 continue past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

26. AI# 34

CASE NO. 2021091082 REPEAT (1) 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 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 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 February 4, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance between September 17, 2021 and January 21, 2022; totaling \$700.00. 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
Mr. Arcamone - Yes**

Motion unanimously carried.

27. AI# 36

CASE NO. 2021091522 REPEAT (1) AN
City of Palm Coast vs. Ramonica & Jimmie Flagler
346 Underwood Trail
(Palm Coast Code Section 44-34(f) Improper Parking)

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. 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 28, 2021; that a \$100.00 per day fine is imposed for the period of non-compliance on September 27, 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
Ms. Wright – Yes
Mr. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

28. AI# 43

CASE NO. 2021080466 BR
City of Palm Coast vs. US Bank Trustee, Lsf10 Master Participation
5 Ponderosa Lane (B)
(Palm Coast Code Section 17-39(a) Residential Rental Prog.)

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. 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 \$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. Pulos – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

29. AI# 47

CASE NO. 2021090022 BS
City of Palm Coast vs. Mark W Croy Sr
25 Blyth Place
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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. 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 the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

30. AI# 50

CASE NO. 2021090276 RECURRING (1) BS
City of Palm Coast vs. Raymond L Jr. & Juanita S Trivett Gray
43 Fort Caroline Lane
(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

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

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

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS:

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on April 6, 2022 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:35 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.