

CODE ENFORCEMENT BOARD
Wednesday, July 6, 2022 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

BOARD MEMBERS EXCUSED: Geraldine Wright

BOARD COUNSEL PRESENT: J. Giffin Chumley

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Compliance Supervisor Mendez, Code Enforcement Officers, Lott, MacDonald, Nunez, Olivarria, Paterno, Reilly, Shelley, Stormwater Operations Supervisor Troha, Local Business Tax Inspector Giuliano, 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 June 1, 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- F. Withdrawn Cases**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 #12 CASE #2022040621 – 3 Wainbush Place
AI #14 CASE #2022040699 – 92 Wheatfield Drive
AI #21 CASE #2021090018 – 9 Round Table Lane
AI #23 CASE #2021120924 – 84 Providence Lane (B)
AI #34 CASE #2022040474 – 47 Fenhill Lane
AI #35 CASE #2022030699 – 113 Fenimore Lane
AI #38 CASE #2022011372 – 2 Live Oak Lane
- G. Continued Cases:**
AI #4 CASE #2022040715 – 58 Pebble Stone Lane
AI #18 CASE #2022010568 – 25 Brigadoon Lane

1. AI# 40

CASE NO. 2022051111 APPEAL LM

City of Palm Coast vs. Crystal L & Anthony & Amy Lynn Pflieger

68 Fallen Oak Lane

(Palm Coast Code Section 35-76(e) Driveway/ Culvert System - Obstruction or Diversion of the Natural or Artificial flow of water)

Code Compliance Supervisor Mendez presented case history, paperwork and photos into evidence. Conrad Troha, Stormwater Operations Supervisor also provided testimony on behalf of the City. Anthony Pflieger, Respondent, presented his side and stated his request for appeal.

Mr. Dodzik moved to deny the appeal and uphold the City’s Notice of Remedy. Mr. Pulos seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Aracamone – Yes

Motion unanimously carried.

2. AI# 39

CASE NO. 2022031121 RECURRING (6) BS

City of Palm Coast vs. Crystal L & William A Divver

12 Rosecroft Lane

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The 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. Crystal Divver, Respondent, presented her side.

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

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Aracamone – Yes

Motion unanimously carried.

3. AI# 37

CASE NO. 2022040786 RECURRING (4) BS

City of Palm Coast vs. Matthew Krakowski

26 Freeland Lane

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

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The 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. Ariel Krakowski, 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

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Aracamone – Yes

Motion unanimously carried.

4. AI# 3

CASE NO. 2022030463 RECURRING (1) BMD

City of Palm Coast vs. Brian S & Martha Carolina Kew

15 Buffalo Bill Drive

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

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 – Recurring Violation and Administrative Costs. Brian Kew, 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
Mr. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

5. AI# 6

CASE NO. 2022031418 RECURRING (3) DR
City of Palm Coast vs. Bozena Kajewska Pielarz
21 Raleigh Drive
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

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 Pielarz, Respondent, presented his 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 ten (10) 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. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

6. AI# 26

CASE NO. 2021120823 RECURRING (5) AN
City of Palm Coast vs. Keith J & Jill E Fynan
70 Rolling Fern 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 remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Keith Fynan, Respondent, presented his side.

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

Roll was called:

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

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

Motion unanimously carried.

7. AI# 10*

CASE NO. 2022031085 RECURRING (2) JP

City of Palm Coast vs. Zan A Dismuke & Alisa N Sheaffer

53 Edward Drive

(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 evidence was shown to the Respondent. Officer Paterno testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Christopher Knowles, Occupant, presented his side.

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

Roll was called:

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

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

Motion unanimously carried.

8. AI# 28

CASE NO. 2022010508 RECURRING (2) AN

City of Palm Coast vs. David G & Loyea M Clarke, Gary G Marz, & Brittany L Elrod

5 Sea Beacon 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. Gary Marz, Respondent, presented his side.

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

Roll was called:

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

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

Motion unanimously carried.

9. AI# 1

CASE NO. 2022050719 LM
City of Palm Coast vs. Monica Irigoyen
1 Bennett Lane
(Palm Coast Code Section 16-38 No Local Business Tax Receipt)

Code Compliance Supervisor Mendez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Supervisor Mendez testified the property remains in violation. Michael Giuliano, Local Business Tax Inspector, also testified for the City. Staff recommends a Fine – Violation Order and Administrative Costs. Monica Irigoyen, Respondent, presented her side.

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 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 continues past the aforesated, not to exceed \$175.00. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

****Mr. Roberts was absent for the remainder of the meeting.**

10. AI# 17

CASE NO. 2022020487

RL

City of Palm Coast vs. James O Naclerio

104 Black Bear Lane

(Land Development Code 15-110(A)(6) Damaged Siding/Stucco)

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. Kalik Sabek, Neighbor, testified the owner of the property is deceased.

Mr. Sullivan moved to continue this case for sixty (60) days. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

11. AI# 19

CASE NO. 2022010662

RL

City of Palm Coast vs. Zhihua Yu

105 Coral Reef Court N

(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 evidence was shown to the Respondent. Officer Lott testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Zhihua Yu, Respondent, presented his 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 thirty (30) days after the Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Aracamone – Yes

Mr. Mugford - Yes
Mr. Dodzik – Yes

Motion unanimously carried.

12. AI# 16

CASE NO. 2019101490 REDUCTION CR
City of Palm Coast vs. Edward Christopher Turner
32 Woodlawn Drive
(Palm Coast Code Section 15-108(g) Shed/Fence/Wall Maintenance)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. Edward Turner, Respondent, presented his request for reduction of fine.

Mr. Sullivan moved that the fine be reduced in this case from \$18,800 to \$1,000.00 with the addition of any prior Administrative Costs for this case. Respondent shall have thirty (30) days to pay the reduced amount and if not paid by that date, the fine shall revert to the amount now due and all requested relief shall be deemed denied. Mr. Aracamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Aracamone – Yes

Mr. Mugford - Yes
Mr. Dodzik – Yes

Motion unanimously carried.

13. AI# 2

CASE NO. 2022040250 RECURRING (1) BMD
City of Palm Coast vs. Stephen Mark Kerstetter
5 Birchtree Way
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

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

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

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Aracamone – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

14. AI# 5

CASE NO. 2022040714 RECURRING (2) HO

City of Palm Coast vs. Raina J Bifalco

38 Pony Express Drive

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

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

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

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Aracamone – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

15. AI# 7

CASE NO. 2022020395 RECURRING (3) DR

City of Palm Coast vs. Bruce Alan & Anita Elaine Carlson Trustees

18 Reinhardt Lane

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

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Arcamone – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

16. AI# 8

CASE NO. 2021120231 MASSEY DR

City of Palm Coast vs. Silvanisa De Araujo Rodrigues

36 Russo Drive

(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 for the period of non-compliance and Administrative Costs.

Mr. Arcamone moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from April 2, 2022 to July 5, 2022; totaling \$1,875.00 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. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Arcamone – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

17. AI# 9

CASE NO. 2022040475 RECURRING (3) JP

City of Palm Coast vs. Eleonora Callahan & Christopher Callahan

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

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

18. AI# 11

CASE NO. 2021110074 MASSEY 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 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 March 16, 2022 to July 5, 2022; totaling \$2,800.00 and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes
Mr. Aracamone – Yes

Mr. Dodzik – Yes

Motion unanimously carried.

19. AI# 13

CASE NO. 2022041829 RECURRING (4) CR

City of Palm Coast vs. Misty Dawn Atkins

49 Westmoreland Drive

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

Code Compliance Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Supervisor Mendez 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. Aracamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Aracamone – Yes

Mr. Mugford - Yes
Mr. Dodzik – Yes

Motion unanimously carried.

20. AI# 15

CASE NO. 2022031465 CR

City of Palm Coast vs. Marco M Costa

27 Woodford Lane

(Palm Coast Code Section 15-1(FBC[A]105.1) No Permit)

Code Enforcement Supervisor Mendez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Mendez 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 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 per day 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

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

21. AI# 20

CASE NO. 2022030834 RECURRING (3) RL

City of Palm Coast vs. Jorge L & Nelly M Rossi

29 Louvet Lane (B)

(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 remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

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

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

22. AI# 22

CASE NO. 2022010579 RECURRING (2) AN

City of Palm Coast vs. Charles R & Amanda Joann Woody

7 Plain View 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 – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

23. AI# 24

CASE NO. 2022010505 RECURRING (2) AN

City of Palm Coast vs. Jeremy Nichols

45 Reidsville 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 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 than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 per day will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

24. AI# 25

CASE NO. 2022010094 RECURRING (3) AN

City of Palm Coast vs. Bruce Alan & Anita Elaine Carlson Trustees

18 Reinhardt Lane

(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 the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

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

Roll was called:

Mr. Sullivan – Yes

Mr. Pulos – Yes

Mr. Arcamone – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

25. AI# 27

CASE NO. 2022010578 REPEAT (1) AN

City of Palm Coast vs. Earlene Anthony

8 Rosecroft Lane

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

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

Mr. Arcamone 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 January 21, 2022; that a \$100.00 per day fine is imposed for the period of non-compliance on January 14, 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. Pulos – Yes

Mr. Arcamone – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes

Motion unanimously carried.

26. AI# 29

CASE NO. 2021120747 REPEAT (4) 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 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 December 22, 2021; that a \$450.00 per day fine is imposed for the period of non-compliance from December 15, 2021 to December 16, 2021; totaling \$900.00. Respondent shall pay Administrative Costs to the City in the amount of \$71.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

27. AI# 30

CASE NO. 2021120812 REPEAT (1) AN
City of Palm Coast vs. Joseph G & Christal Casanova
53 Seattle Trail
(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ Trailer in Residential District)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The 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 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 December 17, 2021; that a \$850.00 per day fine is imposed for the period of non-compliance on December 16, 2021; totaling \$850.00. Respondent shall pay Administrative Costs to the City in the amount of \$72.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

28. AI# 31

CASE NO. 2022010240 REPEAT (2) AN
City of Palm Coast vs. Alfred & Sonji Jackson
53 Slowdrift Turn
(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 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 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 has not brought the property into compliance as of July 7, 2022; that a \$150.00 per day fine is imposed for the period of non-compliance from January 7, 2022 to July 5, 2022; totaling \$27,000.00; that a fine of \$150.00 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 \$70.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes	Mr. Mugford - Yes
Mr. Pulos – Yes	Mr. Dodzik – Yes
Mr. Aracamone – Yes	

Motion unanimously carried.

29. AI# 32

CASE NO. 2022010588 REPEAT (3) AN
City of Palm Coast vs. Erika L Clark & Coleman L Robinson
68 Smith 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. Arcamone 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 January 21, 2022; that a \$250.00 per day fine is imposed for the period of non-compliance on January 14, 2022; totaling

\$250.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Sullivan seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

30. AI# 33

CASE NO. 2022010141 AN

City of Palm Coast vs. Phuong Nguyen

12 Uline Place

(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 the property is in compliance. Staff recommends a No Fine Standing Order 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 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. Aracamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Aracamone – Yes

Motion unanimously carried.

31. AI# 36

CASE NO. 2022041131 RECURRING (5) BS

City of Palm Coast vs. Lisa J Fox & Scott Fennell

22 Fernwood Lane

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

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

Mr. Arcamone moved to find in this case that the Respondent is in violation of City Code as charged; that the 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 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. Sullivan seconded the motion.

Roll was called:

**Mr. Sullivan – Yes
Mr. Pulos – Yes
Mr. Aracamone – Yes**

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

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS:

None to report.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on August 3, 2022 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:11 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.