



CODE ENFORCEMENT BOARD
Wednesday, May 3, 2023 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

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

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, MacDonald, Reilly, Risch, Paterno, Olavarria, Code
Enforcement Clerk Filipe, Giuliano, Local Business Tax Inspector, City
Counsel Jennifer Nix

A. Call to Order and Pledge of Allegiance.

The meeting was called to order at 10:10 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 April 5, 2023 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F. Withdrawn Cases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 #2 CASE #2022101450 – 31 Birchbark Lane
AI #6 CASE #2023011020 – 71 Kashmir Trail
AI #9 CASE #2022120626 – 9 Ramble Way
AI #21 CASE #2023020216 – 19 White Haven Lane
AI #22 CASE #2022120927 – 7 Wood Ash Lane
AI #23 CASE #2023021375 – 56 Wood Center Lane
AI #25 CASE #2023010183 – 41 Botany Lane
AI #26 CASE #2023030939 – 4 Cherry Court
AI #27 CASE #2023030978 – 4 Cherry Court
AI #35 CASE #2022111288 – 14 Plum Tree Place

G. Continued Cases:

AI #12 CASE #2022081885 – 14 Ryecroft Lane

1. AI# 1

CASE NO. 2022101127 RECURRING (1) MG

City of Palm Coast vs. Eleonora Callahan & Christopher Callahan/ Breath Easy Air Duct Cleaning LLC

8 Eastvue Place

(Palm Coast Code Section 16-38 No Local Business Tax Receipt)

Local Business Tax Inspector Giuliano presented case history, paperwork and photos into evidence. The Respondent was not present. Inspector Giuliano 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 single fine in the amount of \$180.00 will be imposed; 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.

2. AI# 17

CASE NO. 2022120264 RECURRING (5) HO

City of Palm Coast vs. Rony H Reyes

198 Boulder Rock Drive

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

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

3. AI# 31

CASE NO. 2023011455 RECURRING (3) BR

City of Palm Coast vs. Irina Davidenko

110 Palmwood Drive

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The 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. Respondent, Irina Davidenko and occupant Pavel Bolotmhov, presented their 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.

4. AI# 18

CASE NO. 2023020126 CR

City of Palm Coast vs. David V Baptista

27 Felwood Lane

(Land Development Code 11.03.01.H. General Landscaping Requirements - HVAC Screening)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. David Baptista, 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 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 aforestated date. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

5. AI# 8

CASE NO. 2022120869

DR

City of Palm Coast vs. Charlene A McDuff

32 Rainbow Lane

(Palm Coast Code Section 35-76(d)(2) Nuisance - Broken Elements)

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. Charlene McDuff, 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 fifteen (15) 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 aforestated date. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Sullivan seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

6. AI# 41

CASE NO. 2023011485

AN

City of Palm Coast vs. Jason L Jones & Melissa M Tait

11 Seckel Court

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

Code Enforcement Officer Olavarria presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Olavarria testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Melissa Tait and Jason Jones, Respondents, presented their 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 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

7. AI# 19

CASE NO. 2022100905 REDUCTION

CR

City of Palm Coast vs. Acl Realty LLC

67 Westrobin Lane

(Palm Coast Code Section 24-76(d)(2) No Silt Screen)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. Officer Risch testified this is a request for reduction case. Danislav Cussianovich, general contractor, requested a reduction of fine.

Mr. Roberts moved to reduce the fine from \$7,350.00 to \$2,500.00, plus administrative costs in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Sullivan – No

Mr. Mugford - No

Ms. Wright – No
Mr. Pulos – Yes
Mr. Dodzik – Yes

Mr. Roberts - Yes
Mr. Arcamone - No

Motion failed 4/3.

Mr. Sullivan moved not to reduce the fine. 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.

8. AI# 10

CASE NO. 2023010081 REPEAT (1) DR
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 Reilly presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Reilly 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. Tom Soukup, tenant, presented his side.

Ms. Wright moved to find in this case that Respondent was in repeat violation of City Code s 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 30, 2022; that a \$100.00 per day fine is imposed on December 29, 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
Ms. Wright – Yes
Mr. Pulos – Yes
Mr. Dodzik – Yes

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

Motion unanimously carried.

9. AI# 37

CASE NO. 2023030465 REPEAT (1) 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 Paterno presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Paterno 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. Gary Marz, Respondent, presented his side.

Mr. Sullivan moved that this case be continued to the June 7th, 2023 Board meeting. 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.

10. AI# 3

CASE NO. 2023020688 REPEAT (1) BMD
City of Palm Coast vs. Edward C & Danielle R Thompson
151 Bird Of Paradise 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 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 the Respondent brought the property into compliance on February 10, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance from February 8, 2023 to February 9, 2023; totaling \$200.00. 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.

11. AI# 4

CASE NO. 2022081525 MASSEY

BMD

City of Palm Coast vs. Christopher Edward & Lynn Dorothy Schroeder

8 Lewisdale Lane

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

Code Enforcement Officer MacDonald presented case history, paperwork and photos into evidence. The Respondent was not present. Officer MacDonald 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. Dodzik moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from February 21, 2023 to May 2, 2023; totaling \$3,550.00; and that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

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. 2023020827 RECURRING (4) JP

City of Palm Coast vs. Valerian Zbihle & Ninel Kiriyevea

22 Kaffir Lily Place

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

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 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 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.

13. AI# 7

CASE NO. 2023020238 RECURRING (4) JP

City of Palm Coast vs. Devin Bilow & Maly A Crespo

14 Kaufman 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. 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.

14. AI# 11

CASE NO. 2023011273 REPEAT (1) 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 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 April 25, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance from January 19, 2023 to April 24, 2023; totaling \$3,300.00. 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. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

15. AI# 13

CASE NO. 2022120949 HO

*City of Palm Coast vs. Gianpaolo Battaglia & Solange Cabral Fernandez
178 Bayside Drive
(Palm Coast Code Section 15-108(g) Shed/Fence/Wall Maintenance)*

Code Enforcement Officer Olavarria presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Olavarria 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 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 May 2, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance from December 21, 2022 to May 2, 2023; totaling \$13,300.00; 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. Pulos – Not present
Mr. Dodzik – Yes**

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

Motion unanimously carried.

16. AI# 14

CASE NO. 2023010267 RECURRING (3) HO

City of Palm Coast vs. Johnathan M Swain

29 Bennett Lane

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

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. 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# 15

CASE NO. 2023011447 RECURRING (5) HO

City of Palm Coast vs. Jill E Moyers & Robert L Moyers

84 Berkshire Lane

(Palm Coast Code Section 35-76(d)(2) Nuisance - Accumulations)

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 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. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Mr. Mugford - Yes

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

Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

18. AI# 16

CASE NO. 2023011148 RECURRING (1) HO

City of Palm Coast vs. Paul J Ronan Jr.

44 Blakemore Drive

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

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 and Administrative Costs.

Mr. Dodzik moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. 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# 20

CASE NO. 2022110831 CR

City of Palm Coast vs. Edith Marie Victory

92 Wheatfield Drive

(Palm Coast Code Section 24-159(a) Swale Maintenance)

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

Mr. Sullivan moved to find in this case that the Respondent is in violation of City Code as charged; that Respondent correct the violation no later than seven (7) 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

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. 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.

20. AI# 24

CASE NO. 2023010199 RECURRING (6) RL

City of Palm Coast vs. Ellen J & George J Sperber

68 Blaine 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. 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.

21. AI# 28

CASE NO. 2022070095 MASSEY RL

City of Palm Coast vs. Timothy & Kimmy T Doan

12 Cloverdale Court South

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

Code Enforcement Officer Lott presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Lott 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. Arcamone moved to find in this case that the Respondent was in violation of City Code as charged; that the Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from February 13, 2023 to May 2, 2023; totaling \$3,950.00; 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. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

22. AI# 29

CASE NO. 2023011106

RL

City of Palm Coast vs. Juan Pablo Torres

3 Columbia Lane

(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ 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 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. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

23. AI# 30

CASE NO. 2023011589 RECURRING (4) BR

City of Palm Coast vs. Frank R & Amanda C Eisenhardt

52 Pacific Drive

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

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

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

24. AI# 32

CASE NO. 2023011823 REPEAT (6) BR

City of Palm Coast vs. Carlton B Bennett

54 Pheasant Drive

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified 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 the Respondent brought the property into compliance on January 31, 2023; that a \$850.00 per day fine is imposed for the period of non-compliance from January 26, 2023 to January 30, 2023; totaling \$4,250.00. Respondent shall pay Administrative Costs to the City in the amount of \$72.00. 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.

25. AI# 33

CASE NO. 2023011942 REPEAT (1) BR

City of Palm Coast vs. Carlton B Bennett

54 Pheasant Drive

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo 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. Arcamone moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on January 31, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance from January 28, 2023 to January 30, 2023; totaling \$300.00. 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.

26. AI# 34*

CASE NO. 2023011963 RECURRING (3) BR

City of Palm Coast vs. Jizhen Mao

9 Plateau Place

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

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

Mr. Sullivan 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 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. 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. 2023010757 RECURRING (3) BR

City of Palm Coast vs. Vanessa Fernandez

17 Poinciana Lane

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

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified the property is in compliance. Staff recommends a 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. 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.

28. AI# 38

CASE NO. 2023011819 REPEAT (1) AN

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

44 Sea Front Trail

(Palm Coast Code Section 44-34(i) Parking in Median)

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. 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 January 30, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance on January 26, 2023. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Ms. Wright seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

29. AI# 39

CASE NO. 2023011817 REPEAT (1) AN

City of Palm Coast vs. Penny Jones & Ashley E Willey

81 Sea Trail

(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 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 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 30, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance on January 26, 2023. 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. Mugford - Yes

Mr. Roberts - Not present

Mr. Pulos – Yes
Mr. Dodzik – Yes

Mr. Arcamone - Yes

Motion unanimously carried.

30. AI# 40

CASE NO. 2023011482 RECURRING (2) AN

City of Palm Coast vs. Tammy J Metcalfe

15 Seamanship Trail

(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ 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 – Recurring Violation and Administrative Costs.

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

Roll was called:

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

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

Motion unanimously carried.

31. AI# 42

CASE NO. 2023020435 RECURRING (3) AN

City of Palm Coast vs. Steven J Pereira

6 Sedley Place

(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ 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 – Recurring Violation and Administrative Costs.

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

treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. 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.

32. AI# 43

CASE NO. 2023010685 AN
City of Palm Coast vs. Michael Ellenzweig
13 September Place
(Palm Coast Code Section 44-34(d)(2) Parking Boat/Trailer/RV)

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

Mr. Roberts 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 one (1) day after the 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. 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.

33. AI# 44

CASE NO. 2023020686 REPEAT (1) AN
City of Palm Coast vs. Casey C & Brooke Manfredi
11 Slowdrift Turn
(Palm Coast Code Section 44-34(c) Parking of Commercial Veh./ Trailer in Residential District)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. 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.

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 February 14, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance on February 8, 2023. 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.

34. AI# 45

CASE NO. 2023020491 REPEAT (2) AN

City of Palm Coast vs. Ramonica & Jimmie Flagler

346 Underwood Trail

(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 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 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 February 8, 2023; that a fine of \$150.00 per day fine is imposed for the period of non-compliance on February 6, 2023; 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. Pulos – Yes
Mr. Dodzik – Yes**

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

Motion unanimously carried.

35. AI# 46

CASE NO. 2023020131 REPEAT (1) AN

City of Palm Coast vs. John P Simes Trustee

55 Utica Path

(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 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. Dodzik moved to find in this case that the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent has not brought the property into compliance as of May 3, 2023; that a fine of \$100.00 per day fine is imposed for the period of non-compliance from February 1, 2023 to May 3, 2023; totaling \$2,700.00; 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. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

NEW BUSINESS:

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on June 7, 2023 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:19 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 Virginia Smith at (386) 986-2570 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.