



CODE ENFORCEMENT BOARD
Wednesday, June 7, 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, Nunez, 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 May 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- F. Withdrawn Cases**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 #4 CASE #2023030026 – 110 Karas Trail
AI #7 CASE #2023010427 – 243 Boulder Rock Drive
AI #8 CASE #2022120109 – 198 Bren Mar Lane
AI #9 CASE #2023020846 – 115 Brewster Lane
AI #16 CASE #2023021878 – 32 Rainbow Lane
AI #40 CASE #2023010862 – 18 September Place
- G. Continued Cases**
AI #47 CASE #2023030465 – 5 Sea Beacon Pl.

1. AI# 41

CASE NO. 2022081599 MASSEY AN

City of Palm Coast vs. 512 Holdings LLC

16 Serbian Bellflower 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 evidence was shown to the Respondent. Officer Nunez testified the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs. Efrain Gutierrez, tenant, presented his side.

Mr. Roberts moved to find in this case that the Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that 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 10, 2023 to June 2, 2023; totaling \$650.00; 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.

2. AI# 1

CASE NO. 2023021306 RECURRING (1) BMD

City of Palm Coast vs. Elmira Khatypova & Roza Masturova

2 Biltwell Place

(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 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. Roza Mastarova, 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# 23

CASE NO. 2023010824 RECURRING (1) BR

City of Palm Coast vs. Charles Young

17 Pickcane 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 – Recurring Violation and Administrative Costs. Charles Young, 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.

4. AI# 27

CASE NO. 2023011692 RECURRING (3) BR

City of Palm Coast vs. Donald Boyd

3 Prince Anthony 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 remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Charles Young, who identified himself as part owner of the property, 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 two (2) days after this Order is entered in writing; that, in the event Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the 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.

5. AI# 46

CASE NO. 2023021270 RECURRING (4) AN

City of Palm Coast vs. John P Simes Trustee

55 Utica Path

(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. Mariah Russo, tenant, 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.

6. AI# 24

CASE NO. 2023020368 RECURRING (3) BR

City of Palm Coast vs. Lyvonne Giddens

25 Ponderosa 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 – Recurring Violation and Administrative Costs. Lyvonne Giddens, 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. 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# 21

CASE NO. 2023021430 REPEAT (1) DR

City of Palm Coast vs. V3 Ventures LLC & Sct Holdings LLC

8 Seward Trail East

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

Code Enforcement Officer Reilly presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Reilly testified the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Andrew Trotter, property manager, presented his side.

Mr. Roberts 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 24, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance on February 17, 2023; totaling

\$100.00. 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.

8. AI# 39

CASE NO. 2023010561

AN

City of Palm Coast vs. Kenji X

45 Sederholm Path

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

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. Kenji X, 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 five (5) days after this Order is entered in writing; that, in the event Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the 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.

9. AI# 34

CASE NO. 2023021977

RL

City of Palm Coast vs. Joan L Galt

20 Ferguson Court

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

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 and Administrative Costs. Donna Hoffman, tenant, presented her side.

Mr. Roberts moved to find in this case that the Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. 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# 18

CASE NO. 2023021286 RECURRING (3) DR

City of Palm Coast vs. Danielle L Williams, David J Riker, & Kim A Riker

9 Regina Lane

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

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

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

11. AI# 45

CASE NO. 2022062040 REDUCTION AN

City of Palm Coast vs. Glenn R Favaro & Veronica Rose Marie Favaro

134 Universal Trail

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

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Carlos Fernandez, representative for respondent, presented his side and requested the fine be waived to \$0.

Mr. Dodzik moved that the fine be reduced in this case from \$6,850.00 to \$1,250.00 and that Respondent has until the next Code Enforcement Board meeting scheduled for July 12, 2023 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. 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.

12. AI# 2

CASE NO. 2023022002 RECURRING (1) BMD

City of Palm Coast vs. Jack Ehren England & Olivia Nicole Ward

81 Buttonworth Drive

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

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 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 – Absent
Mr. Dodzik – Yes

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

Motion unanimously carried.

13. AI# 5

CASE NO. 2023020389

JP

City of Palm Coast vs. Llama Palm Coast LLC

44 Llama Trail

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

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 the 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; 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.

14. AI# 6

CASE NO. 2023020825 RECURRING (2) HO

City of Palm Coast vs. Brian E Feeley

16 Botany Lane

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

Roll was called:

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

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

Motion unanimously carried.

15. AI# 10

CASE NO. 2022120739 MASSEY CR
City of Palm Coast vs. Dorothy I & Anson L Christian
18 Fariston Place
(Palm Coast Code Section 15-108(h) Inoperable Vehicle(s))

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. 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 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 March 10, 2023 to June 6, 2023; totaling \$4,250.00; 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 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.

16. AI# 11

CASE NO. 2023031504 REPEAT (2) CR

City of Palm Coast vs. Ryan & Amanda Tietjen

36 Forest Grove Drive

(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 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 March 27, 2023; that a \$150.00 per day fine is imposed for the period of non-compliance from March 23, 2023 to March 26, 2023; totaling \$600.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.00. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

17. AI# 13

CASE NO. 2023030538 REPEAT (3) CR

City of Palm Coast vs. Christopher L Wallace

71 Whispering Pine Drive

(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 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 the Respondent was in repeat violation of City Code as charged based on the Board's prior Order entered against the same Respondent for the same violation; that the Respondent brought the property into compliance on April 6, 2023; that a \$250.00 per day fine is imposed for the period of non-compliance between March 3, 2023 and April 5, 2023; totaling \$2,000.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Dodzik 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.

18. AI# 14

CASE NO. 2023030655 RECURRING (3) CR

City of Palm Coast vs. Jessica J Hartnagle

74 Whispering Pine Drive

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

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

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

Roll was called:

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

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

Motion unanimously carried.

19. AI# 15*

CASE NO. 2023030517 REPEAT (1) CR

City of Palm Coast vs. Emily A Tartaglia & Ryan J Perry

8 White Haven Lane

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

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

Mr. Roberts 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 March 8, 2023; that a \$100.00 per day fine is imposed for the period of non-compliance on March 7, 2023; totaling

\$100.00. 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.

20. AI# 17

CASE NO. 2023020569

DR

City of Palm Coast vs. Lawrence McCalla

2 Rainstone Lane

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

Code Enforcement Officer Reilly presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Reilly testified the property is in compliance. Staff recommends a No Fine Standing Order 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 is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

21. AI# 19

CASE NO. 2022100719 MASSEY

DR

City of Palm Coast vs. John F Brush & Claire May

5 Roxanne Place

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

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. Sullivan moved to find in this case that the Respondent was in violation of the City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board's Order entered into evidence in this case; that the Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from February 13, 2023 to June 6, 2023; totaling \$2,850.00; and that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Arcamone seconded the motion.

Roll was called:

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

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

Motion unanimously carried.

22. AI# 20*

CASE NO. 2023020265 RECURRING (2) DR

City of Palm Coast vs. Tillman Kids Property LLC

77 Rymshaw Drive

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

Roll was called:

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

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

Mr. Dodzik – Yes

Motion unanimously carried.

23. AI# 22

CASE NO. 2023010983

BR

City of Palm Coast vs. Carol L Lochert

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

Mr. Dodzik moved to find in this case that the Respondent is in violation of City Code as charged; that Respondent correct the violation no later than two (2) 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 the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. 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.

24. AI# 25

CASE NO. 2023020364 RECURRING (3) BR

City of Palm Coast vs. Yong C McGuire

41 Pony Express 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 the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Pulos moved to find in this case that the Respondent is in violation of City Code as charged; that Respondent correct the violation no later than two (2) days after this Order is entered in writing; that, in the event 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 the Respondent is further ordered to contact the Code Enforcement Officer to verify

compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. 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.

25. AI# 26

CASE NO. 2023020691 RECURRING (3) BR

City of Palm Coast vs. Jennifer L Esty

5 Post Tree Lane

(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.

26. AI# 29

CASE NO. 2023030311 RECURRING (1) RL

City of Palm Coast vs. Jack Ehren England & Olivia Nicole Ward

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

Roll was called:

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

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

Motion unanimously carried.

27. AI# 30

CASE NO. 2023010754

RL

City of Palm Coast vs. Christine Fraser

34 Coral Reef Court North

(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.

28. AI# 31

CASE NO. 2023021812 RECURRING (2) RL

City of Palm Coast vs. Theresa L Cirelli, Robert E Williams, & Joseph Wittrock

4 Coral Reef Court South

(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. 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.

29. AI# 32

CASE NO. 2023020451 RECURRING (1) RL

City of Palm Coast vs. Edmund J Di Bianco & Sherry Gaisford

20 Fanwood Court

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

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

Mr. Roberts moved to find in this case that the Respondent is in violation of City Code as charged; that the 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 \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that the Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. 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# 33

CASE NO. 2023011092 RECURRING (4) RL

City of Palm Coast vs. Denise & Max Kenol

42 Federal Lane

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

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

Mr. Sullivan moved to find in this case that 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.

31. AI# 36

CASE NO. 2023021999 RECURRING (4) AN

City of Palm Coast vs. Aracellis Morales

19 Seamanship 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 No Fine Standing Order – Recurring Violation and Administrative Costs.

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

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

Roll was called:

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

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

Motion unanimously carried.

32. AI# 37

CASE NO. 2023021082 REPEAT (8) 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. Roberts 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 21, 2023; that a \$1,250.00 per day fine is imposed for the period of non-compliance on February 13, 2023; totaling \$1,250.00. Respondent shall pay Administrative Costs to the City in the amount of \$73.00. 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.

33. AI# 38

CASE NO. 2023021083 REPEAT (9) 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. Roberts 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 21, 2023; that a \$1,450.00 per day fine is imposed for the period of non-compliance on February 13, 2023; totaling \$1,450.00. Respondent shall pay Administrative Costs to the City in the amount of \$73.50. 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.

34. AI# 42

CASE NO. 2022090315 MASSEY AN

City of Palm Coast vs. Rs Flagler Company LLC

70 Slumber Meadow 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. 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 the Respondent brought the property into compliance on March 9, 2023; that a \$50.00 per day fine is imposed for the period of non-compliance from February 10, 2023 to March 8, 2023; totaling \$1,350.00. 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.

35. AI# 43

CASE NO. 2023021299 RECURRING (4) AN

City of Palm Coast vs. Joel Alan & Stephanie Darcie Ann Baker

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

Roll was called:

Mr. Sullivan – Yes

Ms. Wright – Yes

Mr. Pulos – Yes

Mr. Dodzik – Yes

Mr. Mugford – Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

36. AI# 44

CASE NO. 2023021438 RECURRING (3) AN

City of Palm Coast vs. Eugene & Stacey Knight

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

Mr. Dodzik moved to find in this case that the Respondent is in violation of City Code as charged; that Respondent correct the violation no later than 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; 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.

NEW BUSINESS:

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on July 12, 2023 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:08 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.