



CODE ENFORCEMENT BOARD AGENDA

Wednesday, December 14, 2016 at 7:00 PM

Bunnell City Complex

201 W. Moody Blvd., Chambers Meeting Room, Bunnell, FL 32110

-
- 1. Call to Order and Pledge of Allegiance to the Flag.**
 - 2. Roll Call and determination of Quorum.**
 - 3. Disclosure of Ex-Parte communications.**
 - 4. Approval of the September 14, 2016 Code Enforcement Board Hearing Minutes.**
(Please be advised there was no Code Enforcement Board Meeting in November)
 - 5. Swearing in of witnesses.**

Old Business:

- 6. Case# 16-023 City of Bunnell vs. Pinecrest Business Center LLC C/O Brian Grobowski**
101 Hibiscus Ave. Unit 913 (Fitzgerald Tree Service)
CoO Sec. 26-56 Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions. Sec. 26-106. - Keeping and storing discarded property prohibited; exceptions. Sec 70-1. – Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.
NTA: November 29, 2016
- 7. Case # 16-028 City of Bunnell vs. Marco V Lopez Cruz**
406 E. Lambert St. Bunnell FL. 32110
CoO Sec. 70-1. –Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.
NTA: November 29, 2016
- 8. Case# 16-040 City of Bunnell vs. Linda Broxton**
501 S. Pine St. Bunnell FL. 32110
CoO Sec. 26-51. Definitions. CoO Sec. 26-56 Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions
NTA: November 29, 2016
- 9. Case# 16-049 City of Bunnell vs. Patricia Jones & Wendy Jones**
818 Hymon Cir. Bunnell FL. 32110
CoO Sec. 26-51. Definitions. CoO Sec. 26-56 Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions
NTA: November 29, 2016

New Business:

- 10. Case# 16-54 City of Bunnell vs. Mary L Alexander**
301 E. Booe St. Bunnell FL. 32110
CoO Sec. 2-191 Definitions. CoO Sec. 2-193 Special event permit application
NTA: November 23, 2016

- 11. Announcement of next scheduled meeting: February 8, 2017**

12. Adjournment of Code Enforcement Board.

This Agenda is subject to change. Please see posted copy on the City of Bunnell website www.bunnellcity.us

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION OR ANY OF ITS BOARDS, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OF SUCH BOARDS OR COMMISSION, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. 286.0105, FLORIDA STATUTES. ANY PERSON REQUIRING A SPECIAL ACCOMODATION AT THIS MEETING BECAUSE OF DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT CITY HALL AT 386.437.7500.



CODE ENFORCEMENT BOARD MINUTES
Wednesday, October 12, 2016, 2016 at 7:00 PM
Bunnell City Complex
201 W Moody Blvd., Chambers Meeting Room, Bunnell, FL 32110

1. Call to Order and Pledge of Allegiance to the Flag.

Joy Allen, Chair, called the meeting to order and led the Pledge of Allegiance.

2. Roll Call and determination of Quorum.

Present: Joy Allen; Chair; Kenneth Gordon; Kathryn Davis; Delories Hall; Attorney Charles Cino (non-voting); Mick Cuthbertson (non-voting); Yvonne Bolton (non-voting)

Excused: Vickie Turner

Unexcused: None

3. Disclosure of Ex-Parte communications.

None.

4. Approval of the September 14, 2016 Code Enforcement Board Hearing Minutes.

Motion: Approve the September 14, 2016 Code Enforcement Board Hearing minutes.

Moved By: Kenneth Gordon

Seconded By: Kathryn Davis

Vote: Motion carried by unanimous vote.

5. Swearing in of witnesses.

Board Attorney, Charlie Cino, swore in the following witnesses:

Mick Cuthbertson, Code Enforcement Officer

Linda Broxton Code Case 16-040

Old Business:

6. Case # 16-023 City of Bunnell vs. Pinecrest Business Center LLC C/O Brian Grobowski

This case was presented by Code Enforcement Officer Mick Cuthbertson. This case was opened on 5/11/2016 for violations of CoO Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions, Sec. 26-106. - Keeping and storing discarded property prohibited; exceptions, Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice. On Site visit completed on 5/11/2016 indicated vehicles were being stored, along with substantial amount of yard waste from the business owners landscaping company.

Staff recommendation is to find the property non-compliant and impose a 50.00 per day fine. Board discussion reference to issuing a continuance to allow property owner to come into compliance seeing they evicted the tenant.

Motion: Continue the case till the December 14, 2016 Code Board Meeting to give the respondent time to come into compliance.

Moved By: Kathryn Davis

Seconded By: Delories Hall

Vote: Motion carried by unanimous vote.

7. Case # 16-024 City of Bunnell vs. Fitzgerald Tree Service

This case was presented by Code Enforcement Officer Mick Cuthbertson. This case was opened on 5/11/2016 for violations of CoO Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions, Sec. 26-106. - Keeping and storing discarded property prohibited; exceptions, Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice. On Site visit completed on 5/11/2016 indicated vehicles were being stored, along with substantial amount of yard waste from the business owners landscaping company.

Staff recommendation is to find the respondent non-compliant and close this case since collecting any fine the board may impose would be impossible to collect. Board discussion on how to prevent this issue from happening again. Board suggests to withhold a business license to him if he comes back into town. Staff advised that if he meets the requirements of the business tax receipt we could not stop him from obtaining one.

Motion: Find the defendant noncompliant no fine

Moved By: Kenneth Gordon

Seconded By: Delories Hall

Vote: Motion carried by unanimous vote.

New Business:

8. Case# 16-028 City of Bunnell vs. Marco V Lopez Cruz

This case was presented by Code Enforcement Officer Mick Cuthbertson. This case was opened May 18, 2016 for violations of CoO Sec. 70-1. Removal of certain plants, weeds, trash and litter; duty of owner; service of notice. Site visit May 18, 2016 showed the lawn has not been mowed or maintained as well large weeds around driveway area blocking the front door.

Staff recommendation is to find the property to be in non-compliance and impose a one-time fine of \$250.00. Staff advised a site visit on October 3, 2016 showed the lawn was mowed however the weeds remain. Board discussion on continuing the case until next board meeting.

Motion: Continue the case till the December 14, 2016 Code Board Meeting to give the respondent time to come into compliance.

Moved By: Kathryn Davis

Seconded By: Delories Hall

Vote: Motion carried by unanimous vote.

9. Case # 16-040 City of Bunnell vs. Linda Broxton

This case was presented by Code Enforcement Officer Mick Cuthbertson. This case was opened July 26, 2016 for violations of CoO Sec. 26-51. Definitions and CoO Sec Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared a nuisance; exceptions.. Site visit May 18, 2016 indicated three junk vehicles were being stored.

Staff recommendation is to find the property to be in non-compliance and impose a one-time fine of \$250.00. Board discussion on continuing the case until next board meeting.

Motion: Find the respondent non-compliant and continue the case till the December 14, 2016 Code Board Meeting to give the respondent time to come into compliance.

Moved By: Kathryn Davis

Seconded By: Delories Hall

Vote: Motion carried by unanimous vote.

10. Case # 16-044 City of Bunnell vs. Patricia Jones

This case was presented by Code Enforcement Officer Mick Cuthbertson. This case was opened August 22, 2016 for violations of CoO Sec. 26-51. Definitions and CoO Sec Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared a nuisance; exceptions.. Site visit August 19, 2016 indicated several junk vehicles were being stored

Staff recommendation is to find the property to be in non-compliance and impose a one-time fine of \$250.00. Board discussion on continuing the case until next board meeting.

Motion: Find the respondent non-compliant and continue the case till the December 14, 2016 Code Board Meeting to give the respondent time to come into compliance.

Moved By: Kathryn Davis

Seconded By: Delories Hall

Vote: Motion carried by unanimous vote.

11. Public Comments:

None

12. Announcement of next scheduled meeting: December 14th 2016

13. Adjournment of Code Enforcement Board.

Motion: Adjourn Meeting.

Moved By: Delories Hall

Seconded By: Kathryn Davis

Vote: Motion carried by unanimous vote.

Board Chair

Code Enforcement Officer



City of Bunnell, Florida
Agenda Item No. 6

Document Date:	December 1, 2016	Code Enforcement Case Number: 16-023
Department:	Community Development	
Subject: Address: Zoning:	City of Bunnell vs. Pinecrest Business center LLC c/o Brian Grobowski 101 Hibiscus Ave. Unit 913 (Fitzgerald Tree Service) Bunnell, FL 32110 B-1 Business District.	
Attachments:	1. Code Enforcement Affidavit	
Agenda Section:	Old Business	

Summary/Highlights:

This case is a violation of the following Bunnell Codes:

Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions.

It shall be unlawful for any person to park, store, leave, or permit the parking, storing or leaving, of any motor vehicle or boat of any kind which is abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled, whether attended or not, upon any private property within the city for a period of time in excess of 72 hours. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or boat, or parts thereof, on private property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this division. This section shall not apply to any vehicle or boat stored within a roofed building on private property or to any vehicle or boat held in connection with a business enterprise, lawfully licensed by the city and properly operated in the appropriate business zone, pursuant to the zoning laws of the city, or to any motor vehicle or boat retained by the owner for antique repair and restoration as long as such motor vehicle or boat is covered by a suitable tarpaulin. However, any junked motor vehicle or boat which is located on business property, and properly zoned and licensed for such business, shall not hold such property where the general public can view the property from any public street within the city.

Bunnell Code of Ordinance

Sec. 26-106. - Keeping and storing discarded property prohibited; exceptions.

(a) It shall be unlawful for any person to keep, store, or cause or permit to be kept or stored, on any property within any residential or commercial section of the city, any dismantled, partly dismantled, nonoperative or discarded personal property including, but not by way of limitation, discarded machinery, scrap metal or junk.

Bunnell Code of Ordinance

Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice. In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to

the code enforcement board for adjudication

Background:

This case was opened May 11, 2016. A site visit to the property on May 11, 2016 indicated a dismantled vehicle was being stored, along with substantial amount of yard waste from the tenant's landscaping business and a partially dismantled boat were being stored on site.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on May 11, 2016. On May 20, 2016 the Notice of Violation return receipt green card was returned signed "on file".

At the October 12, 2016 Code Enforcement Board meeting the Board continued the case to allow the respondent more time to achieve compliance.

Since the last Code Enforcement Board meeting, the property owner has evicted the tenant, Fitzgerald Tree Service. The respondent has come into compliance.

The Notice to Appear (NTA) for the December 14, 2016 Code Enforcement Board meeting was sent on November 29, 2016.

The property was posted for the December 14, 2016 Code Board meeting on December 2, 2016.

There are no delinquent taxes on this property.

Staff Recommendation:

Find the respondent in compliance and close the case.

City Attorney Review:

CODE BOARD ACTION TAKEN:

☐ Find Non-Complaint; Fine _____ per day or one time

☐ Find Compliant

☐ Continue to next meeting

☐ Other _____

Motion: _____ **Second:** _____

12-05-2016 10:02 AM
INCIDENT #: 2249
INCIDENT CODE: CE-TRASH & DEBRIS
PROPERTY: 101 HIBISCUS AVE 913

INCIDENT NOTES REPORT

NOTES

Incident Notes:

16-023

Violations: CoO Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions.

Sec. 26-106. CoO - Keeping and storing discarded property prohibited; exceptions.

Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

Owner: PINECREST BUSINESS CENTER LLC C/O BRIAN GROBOWSKI

NOV: 05/11/16 NTA:07/14/16 CB Hearing:8/10/16 Outcome: Continued to Oct 12

NTA: 9/22/2016 CB Hearing:10/12/2016 Outcome:Continued to Dec

Closed:

NTA: CB Hearing:12/14/2016 Outcome: Closed:

Task #: 3861 - VERIFY COMPLAINT - 5/11/2016

On site visit indicated dismantled vehicle was being stored, along with substantial amount of yard waste from their landscaping business and a partially dismantled boat.

Task #: 3862 - 01-NOTICE OF VIOL - 5/11/2016

Certified mail sent # 7015 1730 0001 6915 0716

5/20/2016 Green card returned signed "on file"

Task #: 3929 - REINSPECTION - 6/09/2016

On site visit indicated dismantled vehicle was being stored, along with substantial amount of yard waste from their landscaping business and a partially dismantled boat.

Task #: 3989 - 02-NOTICE TO APPEAR - 7/14/2016

NTA sent certified return receipt 7013 3020 0001 2839 4157 7/22/2016
Green card returned Signed

Task #: 4000 - ONSITE VISIT - 7/22/2016

Property posted for August 10, 2016 Code Board meeting.

Task #: 4054 - CODE BOARD ACTION - 8/11/2016

At the 8-10-16 Code Enforcement Board meeting, Board continued the case until the October 12, 2016 meeting.

Task #: 4181 - 02-NOTICE TO APPEAR - 9/22/2016

12-05-2016 10:02 AM
INCIDENT #: 2249
INCIDENT CODE: CE-TRASH & DEBRIS
PROPERTY: 101 HIBISCUS AVE 913

INCIDENT NOTES REPORT

NOTES

9/22/2016 NTA sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt 7014 2120 0004 5714 2963 9/29/2016 Certified return receipt green card was returned signed "on file"

Task #: 4200 - ONSITE VISIT - 10/03/2016
10/3/2016: The property was posted for the October 12, 2016 Code Board meeting.

Task #: 4216 - CODE BOARD ACTION 2 - 10/13/2016
Code Board continued case16-023 till the December 12, 2016 code board meeting to give the respondent time to come into

Task #: 4270 - 02-NOTICE TO APPEAR - 12/05/2016
11/29/2016 NTA sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt 7013 3020 0001 2839 4355

Task #: 4271 - ONSITE VISIT - 12/05/2016
12/2/2016 Onsite visit property was posted for the December 14, 2016 code board meeting. Onsite visit showed the property to be in compliance.

Ayvenne Bolton
P.P. Mick Cuthbertson
Community Development
Director



City of Bunnell, Florida
Agenda Item No. 7

Document Date:	December 5, 2016	Code Enforcement Case Number:
		16-028
Department:	Community Development	
Subject:	City of Bunnell vs. Marco V. Lopez Cruz	
Address:	406 East Lambert St. Bunnell, FL 32110	
Zoning:	R-1 Single Family Residential District.	
Attachments:	1. Affidavit	
Agenda Section:	Old Business	

Summary/Highlights:

This case is a violation of the following Bunnell Codes:

Bunnell Code of Ordinances Sec. 70-1. Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice. In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to the code enforcement board for adjudication

Background:

This case was opened May 18, 2016. A site visit to the property on May 18, 2016 showed the lawn had not been mowed or maintained and large weeds around the driveway area.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on May 18, 2016. On May 25, 2016 the certified letter for the Notice of Violation was received by the City as not deliverable and unable to forward.

A site visit on October 3rd 2016 showed the lawn had been mowed, but weeds were remaining.

At the October 12, 2016 Code Enforcement Board meeting the Board continued the case to allow the respondent more time to achieve compliance.

On December 2, 2016, a site visit to the property revealed the respondent is now in compliance.

The Notice to Appear (NTA) for the December 14, 2016 Code Enforcement Board meeting was sent on November 29, 2016.

The property was posted for the December 14, 2016 Code Board meeting on December 2, 2016.

There are delinquent taxes owed on this property in the amount of \$1030.73

Staff Recommendation:

Find the respondent in compliance and close the case.

City Attorney Review:**CODE BOARD ACTION TAKEN:**

☐ Find Non-Complaint; Fine _____ per day or one time

☐ Find Compliant

☐ Continue to next meeting

☐ Other _____

Motion: _____ **Second:** _____

12-05-2016 09:18 AM
INCIDENT #: 2260
INCIDENT CODE: CE-GRASS/WEEDS
PROPERTY: 406 LAMBERT ST E

INCIDENT NOTES REPORT

NOTES

Incident Notes:

16-028
Violations COO Sec. 70-1. Removal of certain plants, weeds, trash and
litter; duty of owner; service of notice.
Owner: CRUZ, MARCO V LOPEZ
NOV: 5/18/16 NTA: 9/19/2016 CB Hearing: 10/12/2016 Outcome: Continued
until Dec Meeting Closed:
NTA: CB Hearing: 12/14/2016 Outcome: Closed:

Task #: 3877 - VERIFY COMPLAINT - 5/18/2016
Overgrown lawn and weeds

Task #: 3878 - 01-NOTICE OF VIOL - 5/18/2016
Certified mail sent 7015 1520 0000 7006 6279
5/25/15 Mail returned not deliverable as addressed, unable to forward.

Task #: 3931 - REINSPECTION - 6/09/2016
Onsite visit showed property with overgrown lawn and weeds

Task #: 4172 - 02-NOTICE TO APPEAR - 9/19/2016
9/19/2016 NTA sent to the property owner as identified on the Flagler
County Property Appraiser website via certified mail return receipt#7013
3020 0001 2839 4188 9/29/2016 Certified return receipt green card was
returned signed by Marco Cruz

Task #: 4197 - PHONE CALL - 9/29/2016
Spoke to Marco Cruz, said he no longer owns house, property appraiser
shows he does own it, asked him to get me some kind of paperwork
documenting he no longer owns the house.

Task #: 4202 - ONSITE VISIT - 10/03/2016
10/3/2016: The property was posted for the October 12, 2016 Code Board
meeting.
10/3/2016 Site visit showed lawn has been mowed, weeds remain.

Task #: 4219 - CODE BOARD ACTION 2 - 10/13/2016
Code Board continued case 16-023 till the December 14, 2016 code board
meeting to give the respondent time to come into compliance

Task #: 4273 - 02-NOTICE TO APPEAR - 12/05/2016
11/23/2016 NTA was sent to the owner of the property as identified on the

12-05-2016 09:18 AM
INCIDENT #: 2260
INCIDENT CODE: CE-GRASS/WEEDS
PROPERTY: 406 LAMBERT ST E

INCIDENT NOTES REPORT

NOTES

property appraiser website by certified return receipt 7014 2120 0004
5714 2857

Task #: 4274 - ONSITE VISIT - 12/05/2016

12/2/2016 Onsite visit property was posted for the December 14, 2016 code board meeting. Onsite visit showed the property to be in compliance.

Quonno Bolton
PP. Mick Cuthbertson
Community Development
Director



**City of Bunnell, Florida
Agenda Item No. 8**

Document Date:	December 1, 2016	Code Enforcement Case Number: 16-040
Department:	Community Development	
Subject: Address: Zoning:	City of Bunnell vs. Linda Broxton 501 S. Pine St. Bunnell Fl. 32110 R-2 Multiple- family residential district	
Attachments:	1. Affidavit Mick Cuthbertson	
Agenda Section:	Old Business	

Summary/Highlights:

This case is a violation of the following Bunnell Codes:

Sec. 26-51. - Definitions.

Junked motor vehicle means any motor vehicle which does not have lawfully affixed thereto an unexpired license plate or the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.

Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions.

It shall be unlawful for any person to park, store, leave, or permit the parking, storing or leaving, of any motor vehicle or boat of any kind which is abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled, whether attended or not, upon any private property within the city for a period of time in excess of 72 hours. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or boat, or parts thereof, on private property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this division. This section shall not apply to any vehicle or boat stored within a roofed building on private property or to any vehicle or boat held in connection with a business enterprise, lawfully licensed by the city and properly operated in the appropriate business zone, pursuant to the zoning laws of the city, or to any motor vehicle or boat retained by the owner for antique repair and restoration as long as such motor vehicle or boat is covered by a suitable tarpaulin. However, any junked motor vehicle or boat which is located on business property, and properly zoned and licensed for such business, shall not hold such property where the general public can view the property from any public street within the city.

Background:

This case was opened July 26, 2016. A site visit to the property on July 26, 2016 indicated three junk vehicles were being stored on the property.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on July 26, 2016.

As of September 29, 2016 only one unregistered vehicle remained.

At the October 12, 2016 Code Enforcement Board meeting the Board continued the case to allow the respondent more time to achieve compliance.

The Notice to Appear (NTA) for the December 14, 2016 Code Enforcement Board meeting was sent on November 29, 2016.

As of December 2, 2016, an unregistered vehicle was still on the property.

The property was posted for the December 14, 2016 Code Board meeting on December 2, 2016.

There are no delinquent taxes on this property.

Staff Recommendation:

Find the property non-compliant and impose a one-time fine of \$250.00

City Attorney Review:

CODE BOARD ACTION TAKEN:

☐ Find Non-Complaint; Fine _____ per day or one time

☐ Find Compliant

☐ Continue to next meeting

☐ Other _____

Motion: _____ **Second:** _____

12-05-2016 09:33 AM
INCIDENT #: 2335
INCIDENT CODE: CE-JUNK VEHICLE
PROPERTY: 501 PINE ST S

INCIDENT NOTES REPORT

NOTES

Incident Notes:

16-040
Violations COO Sec 26-51 Definitions junked motor vehicle. AND Sec 26-56
Storing, parking, or leaving dismantled or other such motor vehicle or
boat prohibited and declared nuisance; exceptions.
Owner: Linda Broxton
NOV: 7/27/2016
NTA: 9/29/2016 CB Hearing: 10/12/16 Outcome:
Closed:

Task #: 4012 - VERIFY COMPLAINT - 7/26/2016

Onsite visit completed. There were three junk vehicles on the property.

Task #: 4013 - 01-NOTICE OF VIOL - 7/27/2016

NOV sent the property owner as identified on the Flagler County Property
Appraiser website via certified mail return receipt# 7014 2120 0004 5714
3045

Task #: 4015 - REINSPECTION - 7/27/2016

Onsite visit completed. There were three junk vehicles on the property.

Task #: 4028 - PHONE CALL - 8/02/2016

Spoke to Linda Broxton, she indicated she will have the vehicles removed
by Monday August 8, 2016.

Task #: 4193 - ONSITE VISIT - 9/29/2016

9/29/2016: Onsite visit completed. There was one junk vehicle on the
property.

Task #: 4194 - 02-NOTICE TO APPEAR - 9/29/2016

NTA sent the property owner as identified on the Flagler County Property
Appraiser website via certified mail return receipt# 7013 3020 0001 2839
4201 10/24/2016 Certified letter returned unclaimed unable to forward.

Task #: 4203 - ONSITE VISIT - 10/03/2016

10/3/2016: The property was posted for the October 12, 2016 Code Board
meeting.

Task #: 4220 - CODE BOARD ACTION - 10/13/2016

Code Board found the respondent non-compliant however continued
case 16-023 till the December 12, 2016 code board meeting to give the

12-05-2016 09:33 AM
INCIDENT #: 2335
INCIDENT CODE: CE-JUNK VEHICLE
PROPERTY: 501 PINE ST S

INCIDENT NOTES REPORT

NOTES

respondent time to come into compliance

Task #: 4275 - 02-NOTICE TO APPEAR - 12/05/2016

12/2/2016 NTA was sent to the owner of the property as identified on the
property appraiser website by certified return receipt 7014 2120 0004 5714
2888

Task #: 4276 - ONSITE VISIT - 12/05/2016

12/2/2016 Onsite visit property was posted for the December 14, 2016 code
board meeting. Onsite visit showed the property to be in non-compliance
Vehicle still remains.

Quonno Bolton
P.P. Mick Cuthbertson
Community Development
Director



City of Bunnell, Florida
Agenda Item No. 9

Document Date:	December 1, 2016	Code Enforcement Case Number: 16-049
Department:	Community Development	
Subject:	City of Bunnell vs. Patricia Jones & Wendy Jones	
Address:	818 Hymon Cir. Bunnell Fl. 32110	
Zoning:	R-1 Single - family residential district	
Attachments:	1. Affidavit	
Agenda Section:	Old Business	
Summary/Highlights: This case is a violation of the following Bunnell Codes: Sec. 26-51. - Definitions. <i>Junked motor vehicle means any motor vehicle which does not have lawfully affixed thereto an unexpired license plate or the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.</i> Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions. <i>It shall be unlawful for any person to park, store, leave, or permit the parking, storing or leaving, of any motor vehicle or boat of any kind which is abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled, whether attended or not, upon any private property within the city for a period of time in excess of 72 hours. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or boat, or parts thereof, on private property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this division. This section shall not apply to any vehicle or boat stored within a roofed building on private property or to any vehicle or boat held in connection with a business enterprise, lawfully licensed by the city and properly operated in the appropriate business zone, pursuant to the zoning laws of the city, or to any motor vehicle or boat retained by the owner for antique repair and restoration as long as such motor vehicle or boat is covered by a suitable tarpaulin. However, any junked motor vehicle or boat which is located on business property, and properly zoned and licensed for such business, shall not hold such property where the general public can view the property from any public street within the city.</i>		
Background: This case was opened August 22, 2016. A site visit to the property on August 19, 2016 indicated there were several junk vehicles being stored on the property. The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on August 22, 2016. On August 31, 2016 the return receipt green card was returned to the City signed by Patricia Jones. At the October 12, 2016 Code Enforcement Board meeting the Board continued the case to allow the respondent more time to achieve compliance.		

A site visit on December 2, 2016 revealed the property was in compliance. There were no unregistered vehicles on site.

The Notice to Appear (NTA) for the December 14, 2016 Code Enforcement Board meeting was sent on November 29, 2016.

The property was posted for the December 14, 2016 Code Board meeting on December 2, 2016.

There are no delinquent taxes on this property.

Staff Recommendation:

Find the respondent compliant and close the case.

City Attorney Review:

CODE BOARD ACTION TAKEN:

- ☐ Find Non-Complaint; Fine _____ per day or one time
- ☐ Find Compliant
- ☐ Continue to next meeting
- ☐ Other _____

Motion: _____ **Second:** _____

12-05-2016 09:35 AM
INCIDENT #: 2387
INCIDENT CODE: CE-JUNK VEHICLE
PROPERTY: 818 HYMON CIR

INCIDENT NOTES REPORT

NOTES

Incident Notes:

16-049
Violations COO Sec 26-51 Definitions junked motor vehicle. AND Sec 26-56
Storing, parking, or leaving dismantled or other such motor vehicle or
boat prohibited and declared nuisance; exceptions.
Owner: Patricia Jones & Wendy Jones
NOV: 08/22/2016
NTA: 9/29/2016 CB Hearing: 10/12/2016 Outcome:
Closed:

Task #: 4087 - VERIFY COMPLAINT - 8/22/2016
8/19/2016 Onsite visit completed. There were several junk vehicles on
the property.

Task #: 4088 - 01-NOTICE OF VIOL - 8/22/2016
8/22/2016 NOV sent to the property owner as identified on the Flagler
County Property Appraiser website via certified mail return receipt# 7015
1730 0001 2839 4270
8/31/2016: Return Receipt green card returned and signed by Patricia
Jones on 8/30/2016.

Task #: 4185 - REINSPECTION - 8/26/2016
Onsite visit completed. There were several junk vehicles on the
property.

Task #: 4198 - 02-NOTICE TO APPEAR - 9/29/2016
8/22/2016 NTA sent to the property owner as identified on the Flagler
County Property Appraiser website via certified mail return receipt# 7013
3020 0001 2839 4324
10/5/2016 Certified letter returned to the city unclaimed.

Task #: 4204 - ONSITE VISIT - 10/03/2016
10/3/2016: The property was posted for the October 12, 2016 Code Board
meeting.

Task #: 4212 - PHONE CALL - 10/12/2016
10/12/2016: Code enforcement officer Mick Cuthbertson spoke to Patricia
Jones who advised she is having John's towing come out and remove the car
today. Code enforcement will conduct an onsite visit later this afternoon.

Task #: 4221 - CODE BOARD ACTION - 10/13/2016
Code Board respondent non-compliant continued case 16-023 till the

12-05-2016 09:35 AM
INCIDENT #: 2387
INCIDENT CODE: CE-JUNK VEHICLE
PROPERTY: 818 HYMON CIR

INCIDENT NOTES REPORT

NOTES

December 14, 2016 code board meeting to give the respondent time to come into compliance

Task #: 4277 - 02-NOTICE TO APPEAR - 12/05/2016

12/2/2016 NTA was sent to the owner of the property as identified on the property appraiser website by certified return receipt 7014 2120 0004 5714 2871

Task #: 4278 - ONSITE VISIT - 12/05/2016

12/2/2016 Onsite visit property was posted for the December 14, 2016 code board meeting. Onsite visit showed the property to be in compliance.

Quonno m Bobson
P.P. Mick Cuthbertson
Community Development
Director



City of Bunnell, Florida
Agenda Item No. 10

Document Date:	December 1, 2016	Code Enforcement Case Number:
		16-054
Department:	Community Development	
Subject:	City of Bunnell vs. Mary L. Alexander trustee	
Address:	301 E. Booe St.	
Zoning:	R-2 Multi- Family Residential.	
Attachments:	1. Affidavit Mick Cuthbertson	
Agenda Section:	New Business	

Summary/Highlights:

This case is a violation of the following Bunnell Codes:

Bunnell Code of Ordinances

Sec. 2-191. - Definitions.

Special event means any parade, festival, city-sanctioned event, or any other event of entertainment, cultural, recreational, educational, political, religious nature that is open to the general public whether as participants or spectators; and is unlike the customary activity offered by the individual, organization, or business; and which requires special public health, safety, and welfare considerations as contemplated in this article and as determined by the community development director or designee. Special events shall not include events hosted at a venue designed for the event or customary to the use held on site such as sporting events at designated fields, or musical/theatrical productions at any amphitheater or auditorium. Commercial activities at special events may take place but shall be ancillary to the event and not the event itself; this requirement shall not apply to city-sanctioned events.

Bunnell Code of Ordinances

Sec. 2-193. - Special event permit application.

If the activity is determined to be a special event, the event holder will be required to apply for a special event using the city special event application.

Background:

On Thursday October 20, 2016 approximately 30 plus people assembled at the above location for a block party that spilled over to the roadway blocking traffic in the area around the property. The Bunnell Police department was called to the scene for crowd control.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on October 21, 2016. The certified mail return receipt has been returned to the City on November 7, 2016

The Notice to Appear (NTA) for the December 14, 2016, Code Enforcement Board meeting was sent on November 23, 2016. As of the date of this staff report, the Green Certified Return receipt has not been returned.

On December 2, 2016 the property was posted for the December 14th 2016 Code Enforcement Board

meeting.

It is not possible for the owner of the property to come into compliance as the violation is a special event that has already occurred without any type of permit from the City.

There are no delinquent taxes on this property.

Staff Recommendation:

Find the property non-compliant impose a onetime \$250.00 Fine.

City Attorney Review:

CODE BOARD ACTION TAKEN AT THE MEETING:

(to be filled in at the Code Board meeting to record the actual motion & vote of the Board)

- ☐ Find Non-Complaint; Fine _____ per day or one time
- ☐ Find Compliant
- ☐ Continue to next meeting
- ☐ Other _____

Motion: _____ **Second:** _____

12-05-2016 09:11 AM
INCIDENT #: 2512
INCIDENT CODE: CE-SP EVENT PERMIT
PROPERTY: 301 BOOE ST E

INCIDENT NOTES REPORT

NOTES

Incident Notes:

16-054
violation:CoO Sec. 2-191 Defintions AND CoO Sec. 2-193 Special event
permit
Owmers: Alexander Mary L Trustee
NOV: 10/21/2016
NTA:11/23/2016 CB Hearing: 12/14/2016 Outcome:

Task #: 4267 - VERIFY COMPLAINT - 12/05/2016

10/20/2016 Event held at 301 E Booe St Bunnell FL without a special event
permit waiver being completed. Code Enforcement was not present at
event. Code enforcement notified of the event by the Bunnell Police
Department.

Task #: 4268 - 01-NOTICE OF VIOL - 12/05/2016

10/21/2016 NOV was sent to the owner of the property as identified on the
property appraiser website by certified return receipt 7014 2120 0004
5714 2918
11/07/2016 Green return receipt card returned signed by Gregery Descarder
JR

Task #: 4269 - 02-NOTICE TO APPEAR - 12/05/2016

11/23/2016 NTA was sent to the owner of the property as identified on the
property appraiser website by certified return receipt 7014 2120 0004
5714 2864

Task #: 4272 - ONSITE VISIT - 12/05/2016

12/2/2016 Onsite visit property was posted for the December 14, 2016 code
board meeting.

Ayovus Babin
P.P. Mick Cuthbertson
Community Development
Director