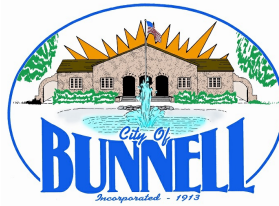


CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

**JOY ALLEN
JULIE AGUIAR
DELORIES HALL
KENNETH GORDON
DAVID WILHITE**

CODE ENFORCEMENT BOARD AGENDA

Wednesday, February 14, 2024 at 6:00 PM

1769 E. Moody Blvd. (GSB), First Floor Conference Room, Bunnell, FL 32110

- 1. Call Meeting to Order and Pledge Allegiance to the Flag.**
- 2. Roll Call and determination of Quorum.**
- 3. Disclosure of Ex-Parte communications.**
- 4. Approval of Minutes:**
 - a. December 13, 2023 Code Enforcement Minutes**
- 5. Swearing in of witnesses.**

Old Business:

- 6. Case Number 22-016 City of Bunnell vs. Abama Mama, LLC**
3220 Steel Rail Drive

This is a violation of the following City Codes:

Bunnell Land Development Code, Sec. 34-120, L-1 Light Industrial District.

Bunnell Land Development Code, Sec. 34-120(c)(1), Tractor Trailer Storage Yards.

Bunnell Land Development Code, Sec. 34-120(c)(6), - Construction contractors and similar contractors, yards and related activities, such storage of building supplies and materials including outside storage of equipment and materials.

Bunnell Land Development Code Sec. 22-3(a)(2), - Applicability.

Bunnell Land Development Code, Sec. 22-4(a)(1)(b)(d) Any development or use requiring special exception approval.

Bunnell Land Development Code, Sec. 22-9(a), Major Site Plan Submittal Requirements.

Bunnell Land Development Code, Sec. 58-36(1)(2)(3), Levying of tax.

Bunnell Land Development Code, Sec. 58-47(a)(b), Doing Business Without, Or Under A Fraudulently Obtained Local Business Tax Receipt.

NTA:1/24/2024

7. Case Number 23-013 City of Bunnell vs. Torres Arturo Trustee

200 S Bacher St

This is a violation of the following City Codes:

Bunnell Land Development Code Sec. 34-115(a)(c)(10), - R-3B Multiple-family residential district.

Bunnell Land Development Code Sec. 26-108(a)(4)(5)(7)(9)(b)(1), - Dangerous buildings.

Bunnell Land Development Code Sec. 26-167(1)(2)(3)(4), - Responsibility for removal and remedial action.

Bunnell Land Development Code Sec. 70-1(a)(b)(1)(2)(3), - Removal of certain plants, weeds, trash, litter etc.; duty of owner; service of notice.

NTA:1/24/2024

New Business:

8. Case Number 24-001 City of Bunnell vs William Sparks

3060 Steel Rail Drive

This is a violation of the following City Codes:

Bunnell Land Development Code, Sec. 34-120, L-1 Light Industrial District.

Bunnell Land Development Code, Sec. 34-120(c)(1), Tractor Trailer Storage Yards.

Bunnell Land Development Code, Sec. 34-120(c)(6), - Construction contractors and similar contractors, yards and related activities, such storage of building supplies and materials including outside storage of equipment and materials.

Bunnell Land Development Code Sec. 22-3(a)(2), - Applicability.

Bunnell Land Development Code, Sec. 22-4(a)(1)(b)(d) Any development or use requiring special exception approval.

Bunnell Land Development Code, Sec. 22-9(a), Major Site Plan Submittal Requirements.

Bunnell Land Development Code, Sec. 58-36(1)(2)(3), Levying of tax.

Bunnell Land Development Code, Sec. 58-47(a)(b), Doing Business Without, Or Under A Fraudulently Obtained Local Business Tax Receipt.

NTA:1/24/2024

9. Case Number 24-002 City of Bunnell vs. Joseph Parsons

707 Howe Street

This is a violation of the following City Codes:

Bunnell Land Development Code Section 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner of notice.

NTA:1/24/2024

10. Case Number 24-003 City of Bunnell vs. Michael M. Bennett & Lativia N. Bennett

707 Howe Street

This is a violation of the following City Codes:

Bunnell Land Development Code Section 34-111. – R-1 Single-family residential district.

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

Bunnell Land Development Code Section 26-51 - Definitions.

Bunnell Land Development Code Section 26-56 - Storing, parking, or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance, exceptions.

NTA:1/24/2024

11. Case Number 24-004 City of Bunnell vs. Arelys Russell

4750 E. Moody Blvd. Unit 222

This is a violation of the following City Codes:

Bunnell Land Development Code Sec. - B-1 Business district.

Bunnell Land Development Code Section 205.053 - Business tax receipts; dates due and delinquent; penalties. -

Bunnell Land Development Code Sec. 58-39(a)(2)(3)(d), - Business tax receipts; dates due and delinquent; penalties.

Bunnell Land Development Code Sec. 58-47(a)(b), - Doing business without, or under a fraudulently obtained local business tax receipt.

NTA:1/24/2024

12. Case Number 24-005 City of Bunnell vs. Paulette Moore

4750 E. Moody Blvd. Unit 211

This is a violation of the following City Codes:

Bunnell Land Development Code Sec. - B-1 Business district.

Bunnell Land Development Code Section 205.053 - Business tax receipts; dates due and delinquent; penalties. -

Bunnell Land Development Code Sec. 58-39(a)(2)(3)(d), - Business tax receipts; dates due and delinquent; penalties.

Bunnell Land Development Code Sec. 58-47(a)(b), - Doing business without, or under a fraudulently obtained local business tax receipt.

NTA:1/24/2024

13. Announcements

14. Next Scheduled Meeting: April 10, 2024

15. 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 ACCOMMODATION AT THIS MEETING BECAUSE OF DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT CITY HALL AT 386.437.7500.



City of Bunnell, Florida

Agenda Item No. a.

ATTACHMENTS:

Description

Minutes - December 13, 2023 Code Enforcement Minutes

Type

Minutes

CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

JOY ALLEN
JULIE AGUIAR
DELORIES HALL
KENNETH GORDON
DAVID WILHITE

CODE ENFORCEMENT BOARD MINUTES

Wednesday, December 13, 2023 at 6:00 PM
1769 E. Moody Blvd. (GSB), First Floor Conference Room,
Bunnell, FL 32110

-
1. **Call Meeting to Order and Pledge Allegiance to the Flag.**
Chair Allen called the meeting to order at 6:00 PM and led the Pledge of Allegiance.
 2. **Roll Call and determination of Quorum.**
Present: Joy Allen, Chair; Julie Aguiar, Vice Chair; Kenneth Gordon; David Wilhite.
Excused: Delories Hall
Non-Voting: Charlie Cino, Board Attorney; Gary Harris, Code Enforcement Officer; Paul Waters, City Attorney; Christine Hancock, Community Development Coordinator; Joe Parsons, Interim Community Development Director.
 3. **Disclosure of Ex-Parte communications.**
None.
 4. **Approval of Minutes:**
 - a. **October 11, 2023 Code Enforcement Minutes**
Motion: Approve the October 11, 2023, Code Enforcement Board Meeting minutes
Moved by: Julie Aguiar
Seconded by: David Wilhite
Vote: motion carried unanimously.
 5. **Swearing in of witnesses.**
Board Attorney Cino swore in the following witnesses:
Gary Harris, Code Enforcement Officer
Joe Parsons, Interim Community Development Director
Noah Goerlich
- Old Business:**
6. **Case Number 22-014 City of Bunnell vs. Ella Chageyeva**
Code Enforcement Officer Harris explained the case and provided testimony. The respondent's representative was present. Code Enforcement Officer Harris explained the timeline that has taken place in the past few months for the respondent to achieve compliance. It was recommended this property is found in violation of the City of Bunnell code sections cited and continue the case to the February Code Enforcement Board Meeting.

Noah Goerlich, representing the respondent, stated the project is moving forward and is near completion.

Board Member Wilhite asked the respondent what their average timeline is to develop a site plan. Mr. Goerlich stated it could vary depending on the current workload and the size of the site but could be anywhere between 6-12 months.

Vice Chair Aguiar asked why the trucks are still allowed to be parked on the property. Code Enforcement Officer Harris stated the City Manager allowed them to so long as they showed the willingness to correct the issues.

Chair Allen asked if this case changed engineers during site plan development. Code Enforcement Officer Harris said yes.

Chair Allen updated Board Member Wilhite on this case.

Chair Allen asked if one of the issues is scheduling with the Planning, Zoning and Appeals Board. Interim Community Development Director Parsons explained the process for site plan approval. Chair Allen asked what the timeline is for the City to review the site plan. Interim Community Development Director Parsons stated the respondent should have comments in the coming weeks.

Motion: Find the property non-compliant and continue case to February 14, 2024 meeting.

Moved by: Kenneth Gordon

Seconded by: Julie Aguiar

Vote: Motion carried unanimously.

7. Case Number 22-015 City of Bunnell vs. Armando Toyos & Nayrobi Rodriguez

Code Enforcement Officer Harris explained the case and provided testimony. The respondent was present. Code Enforcement Officer Harris stated the site plan is currently between the engineering firm and the respondent and no plans have been submitted to the City yet. Staff recommended the property continue to be found in violation of City of Bunnell code sections cited, for the current fine to continue and to continue the case to the February Code Enforcement Board meeting.

Nayrobi Rodriguez provided testimony.

Chair Allen asked what the difference is between this case and the previous case. Code Enforcement Harris said the previous case submitted plans and a timeline is able to be created to follow the progression while this case hasn't submitted any plans yet.

Noah Goerlich stated they should have a formal submittal turned in sometime in January 2024.

City Attorney Waters asked when the fines started accruing. Code Enforcement Officer said sometime between April and May.

The respondent expressed her distress to the Board about the situation.

**No motion was made by the board; this was a Code Enforcement update. **

8. Case Number 22-016 City of Bunnell vs. Abama Mama, LLC

Code Enforcement Officer Harris explained the case and provided testimony. The respondent's representative was present. Code Enforcement Officer Harris stated the site plan has not been submitted yet and is similar to the previous case. Staff recommended the Board continue to find this property in violation of City of Bunnell code sections cited and continue the case to the February Code Enforcement Board meeting with a fine of \$100 per day starting December 14th, 2024.

Chair Allen asked if there has been any contact with the respondent. Code Enforcement Officer Harris replied he has not.

Board Member Wilhite asked what type of business they are going into. Mr. Goerlich stated he believes it will be warehousing, but the owner of the property has not specified any further.

Chair Allen asked when the last time the representative had contact with the owner. Mr. Goerlich said in November.

Board Member Wilhite asked if they are allowed to have multiple large buildings on the site. Interim Community Development Director Parsons answered yes.

Motion: Find the property non-compliant and impose a fine of \$100 per day until the property is brought into compliance.

Moved by: Julie Aguiar

Seconded by: Kenneth Gordon

Vote: motion carried unanimously

9. Case Number 23-013 City of Bunnell vs. Torres Arturo Trustee

Code Enforcement Officer Harris explained the case and provided testimony. The respondent was not present. Code Enforcement Officer Harris provided the history of the existing building and the current conditions of the property. He further stated there have been improvements in communication with the owners of the property and they are working to correct the violations. Staff recommended the Code Enforcement Board find the property in violation of City of Bunnell Code sections cited and continue the case to the February Code Board meeting.

City Attorney Waters asked if there was ever a finding of non-compliance. Code Enforcement Officer Harris said yes and went through two months of Code Board meetings. City Attorney Waters stated this is a repeat violation.

Vice Chair Aguiar asked if the person who has made contact is local. Code Enforcement Officer Harris stated he is the owner's son and lives in Illinois.

Interim Community Development Director Parsons stated the current owner of the property differs from the owner in 2018.

City Attorney Waters stated if the owners have changed, then it is not a repeat violation.

Board Attorney Cino asked if there are safety issues. Code Enforcement Officer Harris answered yes there is.

Chair Allen asked how the building can come before the Code Board. City Attorney Waters explained a case can be created from the Board's recommendation.

Motion: Amend the motion moved by Vice Chair Aguiar to increase the fine to \$50 per day.

Moved by: David Wilhite

Seconded by: None

Vote: Motion died from lack of a second

Motion: Find the property non-compliant and impose a \$25 per day fine effective December 14, 2023, until the property is brought into compliance.

Moved by: Julie Aguiar

Seconded by: Kenneth Gordon

Vote: Motion carried unanimously

New Business:

10. Case Number 23-018 City of Bunnell vs. Markeysha Anthony & Ventura Rental Properties

Code Enforcement Officer Harris explained the case and provided testimony. He testified the respondent got behind on their water bill and a business cannot be open without a utility account. Staff recommended the Code Enforcement Board find the respondent in violation of City of Bunnell code sections cited and continue the case to the February Code Board meeting.

Vice Chair Aguiar asked if they are still working without water. Code Enforcement stated they are doing facials at this business.

Chair Allen passed the gavel to Vice Chair Aguiar.

Motion: Find the property non-compliant and impose a fine \$25.00 per day if water bill is not paid by December 28th, 2023

Moved by: Chair Joy Allen

Seconded by: David Wilhite

Vote: Motion carries unanimously

11. Announcements

Code Enforcement Officer Harris stated he received an email from the City Clerk regarding financial disclosure and if any board members qualify for exemption.

Board Member Wilhite asked about the financial disclosure and Attorney Waters explained.

12. Next Scheduled Meeting: February 14, 2024

13. Adjournment of Code Enforcement Board

Motion: Adjourn

Moved by: David Wilhite

Seconded by: Julie Aguiar

Vote: Motion carried unanimously

Board Chair

Code Enforcement Officer

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****



City of Bunnell, Florida

Agenda Item No. 6.

Document Date: 1/26/2024

Code Enforcement Case Number:
Case Number 22-016

Department: Code Enforcement

Subject: Case Number 22-016 City of Bunnell vs. Abama Mama, LLC

Address: 3220 Steel Rail Drive

Zoning: L-1 Light Industrial

Agenda Section: Old Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - NOV/NTA Paperwork Staked & Stapled	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **Bunnell Land Development Code, Sec. 34-120, L-1 Light Industrial District.**

The purpose of this district is to provide areas in which the principal use of land is for light manufacturing, fabricating, and assembly plants, business, services, offices, retail, storage, warehousing, wholesaling and distribution. The intent of this district is to permit and regulate uses so that the noise, odor, dust, and glare of each operation is controlled to prevent becoming a nuisance to adjacent land uses. This district is compatible with the industrial land use designation.

Bunnell Land Development Code, Sec. 34-120(c)(1), Permitted Special Exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:

(1) Tractor Trailer Storage Yards meeting the requirements.

Bunnell Land Development Code, Sec. 34-120(c)(6), Permitted Special Exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:

(6) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code, Sec. 22-3(a)(2), - Applicability.

- (a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:
- (2) All uses requiring special exception approval.

Bunnell Land Development Code, Sec. 22-4(a)(1)(b)(d)

- (a) Site plan thresholds.
- (1) Major site plan. The following developments shall require site plan approval.
- (b) New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.
- (d) Any development or use requiring special exception approval.

Bunnell Land Development Code, Sec. 22-9, Major Site Plan Submittal Requirements.

- (a) The purpose of this section is to ensure that all major and minor site plan applications include sufficient information and analysis for proper review and consideration regarding all comprehensive plan policies, land development regulations, and Code of Ordinances requirements. Omissions of individual elements must be approved by the community development director or his/her designee.

Bunnell Land Development Code, Sec. 58-36, Levying of tax.

The city hereby levies a local business tax and authorizes the issuance of said business tax receipts as authorized by F.S. ch. 205, for the following:

- (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within its jurisdiction.
- (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging (in or managing any profession or occupation within its jurisdiction.
- (3) Any person who does not qualify under subsection (1) or subsection (2) and who transacts any business or engages in any occupation or profession in interstate commerce, if the business tax is not prohibited by s. 8, Art. I of the United States Constitution.

Bunnell Land Development Code, Sec. 58-47(a)(b), Doing Business Without, Or Under A Fraudulently Obtained Local Business Tax Receipt.

- (a) It shall be unlawful for any person to engage in any trade, business, profession or occupation within the city without first obtaining a local business tax receipt as required by this article.
- (b) It shall be unlawful for any person to engage in any trade, business, profession or occupation under a local business tax receipt issued upon a false statement or other false information.

Case Actions
Information:

6-14-22: Sent Courtesy letter for violation Sec 22-4 Procedures for Site plan review and approval. Sec 34-120 Light Industrial district. Sec 26-56 Storing, parking or leaving motor vehicle. Sec 58-36 Levying of tax. Sec 58-47 Doing

business without a local business tax. Sec 70-1 Removal of certain plants, weeds, trash, and litter.

6-19-22: Sent Certified letter then went and staked NOV at 3220 Steel Rail Drive. Added to COB bulletin board.

7-19-22: Sent NOV & NTA certified letter for code enforcement board on August 10, 2022. Took pictures of NOV staked at 3220 Steel Rail Drive. Put copy of NOV in COB bulletin board at 604 E. Moody Blvd. Unit 6.

8-11-2022: Code Board meeting was last night, and Marie Domingues was present for 3220 Steel Rail Drive. Code Board found respondent in violation but to continue this case since owner has started the Site Plan process. If there is progress, there will be no fine. If there is no progress a \$100.00 fine will start September 30, 2022.

9-23-22: Owner is working on site plan so I have sent a NOV & NTA certified letter for the October 12th code board meeting. Progress is moving slowly so staff will ask for a continuance to keep working on getting this case into compliance.

10-13-22: Went back to code board last night. Code Board found respondent non-compliant and to continue hoping for a December 6th PZA board to help them to be in compliance for 12-14-22 CB meeting.

11-15-22: Sent NOV Certified letter and posted NOV in front of property. Displayed Nov at public community board at Utilities office. Property Owner is selling property which will slow and keep respondent from achieving compliance by the 12-14-22 CB meeting. Code Board will have to decide to continue this case with or without fine.

12-15-22: Code Board last night agreed to continue case to April 12th meeting. Respondent Igor Zis is representing the new owner who said Joe Parsons will represent respondent with engineering issues and help getting this case into compliance. Should see lots of production before April CB meeting.

1-19-23: Sent certified NOV to 47 Edith Pope Drive then went and staked NOV at 3295 Steel Rail Drive. Took pictures of staked NOV. Posted NOV on City bulletin board.

2-9-23: This case has been continued till our April Code Board meeting. If not in compliance a fine will be encouraged so respondent will know the seriousness to be in compliance.

3/15/23: Sent out certified letters for the April 12th code board meeting. Staked NOV & NTA on property and hand delivered NOV hoping respondent will come into compliance before the April code board meeting.

4/13/23: Code Board meeting decided to continue to the June CB meeting.

Respondent and engineering is turning in site plan soon so this case is gradually working its way to compliance.

5/18/23: Sent NOV certified letter. Posted & staked NOV at 3220 Steel Rail Drive for our June 14th code board meeting.

6-15-23: Code Board is continuing this case till our August 9th Code Board meeting but they are wanting to know in detail the progress of this case when the site plan is turned in and when permit will be ready at our August 9th Code Board meeting.

7-14-23: Sent Certified letter for August 9th meeting. Staked property with NOV. Nobody there to hand deliver NOV. Put copy of NOV on community board at Utilities department. Took pictures.

9-15-23: Sent certified letter of NOV and staked NOV on property 3220 Steel Rail Drive.

11-21-23: Mailed out Certified letter to owner for December 13th Code Board meeting. Staked and posted on property NOV and took pictures. Posted NOV on Community Board in Unit 4 Utilities department.

11-29-23: Staff asked Community Development for any updates for 3220 Steel Rail Drive and were told they have had no contact with the owners. Community Development has been in contact with SWA Engineering who are working with the owner to come up with a Site Plan. SWA Engineering was close to turning in Site Plan, but the owner changed his mind on what business will be at this location, so the process has started over again with site plan procedure. On 10/2/23 Community Development Director granted an extension till 2/6/24 to have Site Plan turned into Community Development.

12-14-23: Code Board continued to fine respondent in violation and start a \$100.00 per day fine starting 12/14/23 till Site Plan is turned into Community Development for 3220 Steel Rail Drive.

12-15-23: Sent Order imposing fine to owner's address by mail then went to Flagler County Clerk of the Court and had paperwork recorded.

1-14-24: Sent NOV & NTA certified mail. Staked & Posted NOV on property site at 3020 Steel Rail Drive. Took pictures. Posted NOV on COB information board at 604 E. Moody Blvd. Unit 4.

1-25-24: Bringing this case back to February 14th code enforcement board to update. The Site Plan has been turned into the COB (1/17/24). The Code Board can now approve to stop fine on 1/17/2024 or on 2/14/2024 at the code board meeting.

Staff Recommendation: Staff recommends the Board of Code Enforcement to stop fine on 1/17/2024 due to Site Plan being turned into Community Development department as

this case moves forward to obtain compliance at 3220 Steel Rail Drive.

Owner Information

Primary Owner
Mks Enterprise Inc
39 Flemingwood Lane
Palm Coast, FL 32137

Parcel Summary

Parcel ID 34-11-30-5736-00000-0110
Prop ID 9549
Location Address 3220 STEEL RAIL DR
BUNNELL, FL 32110
Brief Tax Description* STEEL RAIL INDUSTRIAL PARK MB 37 PG 55 LOT 11 (4.92 AC) OR 2389/1953
(Note: *The Description above is not to be used on legal documents.)
Property Use Code OUTDOOR STORAGE (004910)
Tax District BUNNELL AREA WITH NO MOSQUITO CONTROL (District 13)
Millage Rate 22.0306
Homestead N
GIS sqft 214,449.772

[View Map](#)

Valuation

	2022 Working Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$0	\$0	\$0	\$0
Extra Features Value	\$3,792	\$4,064	\$0	\$0
Land Value	\$259,238	\$166,853	\$136,057	\$114,521
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$263,030	\$170,917	\$136,057	\$114,521
Assessed Value	\$156,219	\$142,634	\$125,973	\$114,521
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$156,219	\$142,634	\$125,973	\$114,521
Protected Value	\$106,811	\$28,283	\$10,084	\$0



7.27.2022 07:38



STATEMENT OF VIOLATION
& NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 22-016

TO: Abama Mama LLC
1 Surrey Court
Palm Coast, Fl. 32137

VIA: Hand Delivery by Gary Harris to 3220 Steel Rail Drive on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4089.
Posting on Property: 3220 Steel Rail Drive, Bunnell, Fl. 32110 on Dec. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 22-016 ON PROPERTY OWNED BY YOU AND LOCATED AT 3220 STEEL RAIL DRIVE BUNNELL, FLORIDA, (PARCEL ID NUMBER: 34-11-30-5736-00000-0110), TO WIT: PROCEDURES FOR SITE PLAN REVIEW AND APPROVAL.

Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial district.

- (a) Purpose and intent. The purpose of this district is to provide areas in which the principal use of land is for light manufacturing, fabricating, and assembly plants, business, services, offices, retail, storage, warehousing, wholesaling, and distribution. The intent of this district is to permit and regulate uses so that the noise, odor, dust, and glare of each operation is controlled to prevent becoming a nuisance to adjacent land uses. These regulations are intended to prevent friction between uses within the district and to protect nearby residential districts. This district is compatible with the industrial land use designation.*
- (c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:*
 - (6) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.*

Bunnell Land Development Code Sec. 22-3. - Applicability.

- (a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:*
 - (2) All uses requiring special exception approval.*

Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.

(a) Site plan thresholds.

(1) Major site plan. The following developments shall require major site plan approval:

(b). New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.

Bunnell Code of Ordinance Sec. 58-36. - Levying of tax.

The city hereby levies a local business tax and authorizes the issuance of said business tax receipts as authorized by F.S. Ch. 205, for the following:

(1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within its jurisdiction.

(2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

(3) Any person who does not qualify under subsection (1) or subsection (2) and interstate commerce, if the business tax is not prohibited by s. 8, Art. I of the United States Constitution.

Bunnell Code of Ordinance Sec. 58-47. - Doing business without, or under a fraudulently obtained local business tax receipt.

(a) It shall be unlawful for any person to engage in any trade, business, profession, or occupation within the city without first obtaining a local business tax receipt as required by this article.

(b) It shall be unlawful for any person to engage in any trade, business, profession or occupation under a local business tax receipt issued upon a false statement or other false information.

Being the Owner/Tenant of said following property, described as:

3220 Steel Rail Drive, City of Bunnell, County of Flagler, State of Florida

Parcel ID number 34-11-30-5736-00000-0110

Recommended corrective action:

- Complete the site plan review process to improve or develop the subject property.
- The proposed site plan should ensure that all outdoor storage meets the zoning regulations.
- Apply for and obtain a local business tax receipt.
- **Bringing this case back to February 14th code enforcement board to update Site Plan has been turned into the COB (1/17/2024). The Code Board can now approve to stop fine on 1/17/2024 or on 2/14/2024 at the code board meeting.**

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO

ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 22-016, UNLESS THIS VIOLATION FOR SITE PLAN BE IN COMPLIANCE.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 24, 2024**, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLIANCE HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-8807



**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024,

CASE NUMBER 22-016

TO: Abama Mama LLC
1 Surrey Court
Palm Coast, FL 32137

VIA: Hand Delivery by Gary Harris to 3220 Steel Rail Drive on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4089.
Posting on Property: 3220 Steel Rail Drive, Bunnell, FL 32110 on Dec. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 22-016 ON PROPERTY OWNED BY YOU AND LOCATED AT 3220 STEEL RAIL DRIVE BUNNELL, FLORIDA, (PARCEL ID NUMBER: 34-11-30-5736-00000-0110), TO WIT: PROCEDURES FOR SITE PLAN REVIEW AND APPROVAL.

Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial district.

- (a) Purpose and intent. The purpose of this district is to provide areas in which the principal use of land is for light manufacturing, fabricating, and assembly plants, business, services, offices, retail, storage, warehousing, wholesaling, and distribution. The intent of this district is to permit and regulate uses so that the noise, odor, dust, and glare of each operation is controlled to prevent becoming a nuisance to adjacent land uses. These regulations are intended to prevent friction between uses within the district and to protect nearby residential districts. This district is compatible with the industrial land use designation.
- (c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:
- (6) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Sec. 22-3. - Applicability.

- (a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:
- (2) All uses requiring special exception approval.

1.21.2024 08:37



City of Bunnell, Florida

Agenda Item No. 7.

Document Date: 1/26/2024

Code Enforcement Case Number:
Case Number 23-013

Department: Code Enforcement

Subject: Case Number 23-013 City of Bunnell vs. Torres Arturo Trustee

Address: 200 S Bacher St

Zoning: R-3B

Agenda Section: Old Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Notice of Violation	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit
Exhibit E - After Picture - Compliance	Exhibit

Code Excepts: **Bunnell Land Development Code Sec. 34-115. - R-3B Multiple-family residential district.**

(a) Scope and general description. This section applies to the R-3B Multiple-family residential district. This is a residential district to provide for high density residential developments. The principal uses of land may range from single-family low density to multiple-family apartment uses. Certain uses which are more functionally compatible with intensive residential uses than with commercial uses are permitted. Recreational areas are permitted. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and useable open space for dwellings and related facilities and through consideration of the functional relationship to each use permitted in this district. No R-3B Multiple-family residential district may be created which contains more than 20 dwelling units per acre. This district is compatible with the multifamily land use category.

(c) Permitted special exception. Permitted special exceptions in the R-3B district shall be as follows:

(10) Other uses not listed above that may be compatible with and compliment the permitted uses of the district as approved by the planning, zoning, and appeals board.

Bunnell Land Development Code of Ordinance Sec. 26-108. - Dangerous buildings.

(a) Definition. All structures which have any or all the following conditions, such that the life, health, property or safety of the occupants or the general public are endangered, are deemed dangerous buildings:

(4) The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind, or other cause to the extent that the structural integrity of the structure is less than it was prior to the damage and is less than the minimum requirement established by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city and State of Florida.

(5) Any exterior appendage or portion of the structure is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic or similar loads as required by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city.

(7) The building, structure, or portion thereof, because of decay, deterioration, or dilapidation, is likely to collapse fully or partially.

(9) The building, structure or portion thereof is in such a condition as to constitute a public nuisance.

(b) Dangerous buildings declared nuisance; abatement required; time limits.

(1) All dangerous buildings are declared to be public nuisances, and shall be repaired, vacated, or demolished as provided in this article. The owner of any structure which constitutes a nuisance shall cause the abatement of the nuisance within 30 days pursuant to this article or in the manner allowed by the building official.

Bunnell Land Development Code Sec. 26-167. - Responsibility for removal and remedial action.

Any person responsible for the release of a hazardous material shall immediately institute and complete all action necessary to remove and remedy the effects of such release. The city is authorized to respond to the release of a hazardous material in accordance with applicable state and federal law and in the following circumstances:

(1) At the request of another governmental agency.

(2) When the person responsible for a release does not take immediate action to remove and remedy the effects of such release.

(3) When a release occurs on private property and the person responsible cannot be identified, located, or notified; and

(4) When the fire chief or his designee determines that such response is reasonably necessary under the circumstances to protect the public health, safety or welfare or the environment.

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

(a) 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, and to abate all nuisances 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 a reasonable time from the service of the notice, as specified in the notice. In the event the requirements of this section are not met within the period specified in the notice, the case will be referred to the code enforcement board for adjudication, or to the city manager or designee for abatement, or both, all in accordance with the provisions of this chapter.

(b) Declaration of a nuisance. It is hereby declared and determined that the following shall each or in any combination be considered a nuisance when they exist upon any property within the city:

(1) Nuisance weeds, including shrubs and saw palmettos in excess of 18 inches in height which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.

(2) Accumulations of recyclables, waste, yard trash, rubble or debris which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.

(3) Accumulations of weeds, waste, yard trash, rubble or debris that may harbor rats or snakes or that may create pools of standing water which may serve as breeding grounds for insects and other disease carrying vectors.

Case Actions
Information:

Case Count: 23-013

NOV & NTA: 9/15/23

Code Board Hearing: 12/13/23

Code Violation:

Bunnell Land Development Code Sec. 34-115(a)(c)(10), - R-3B Multiple-family residential district.

Bunnell Land Development Code Sec. 26-108(a)(4)(5)(7)(9)(b)(1), - Dangerous Building.

Bunnell Land Development Code Sec. 26-167(1)(2)(3)(4), - Responsibility for removal and remedial action

Bunnell Land Development Code Sec. 70-1(a)(b)(1)(2)(3), - Removal of certain plants, weeds, trash, litter etc.; duty of owner; service of notice.

Outcome:

Affidavit:

8-7-23: Old, Old hospital on 200 Bacher Street is in a dangerous situation and fence is not secured to keep people off from property. Staff is working with legal department to come up with correct violations to send Notice of Violation. Should send NOV later this week. Took pictures.

8-23-23: Building Official Red Tagged the property at 200 S. Bacher Street and staff went and took some pictures.

8-24-23: The property at 200 S. Bacher Street has a "For Sale" and I got the contact information and called realtor and he gave me the son's phone number sine he might be the only one able to speak English. Son's name is Adam Torres and I called and left a voice message.

9-15-23: Sent certified letter of NOV and staked NOV on Property at 200 S. Bacher Street.

11-21-23: Mailed out Certified letter to owner for December 13th Code Board meeting. Staked and posted on property NOV and took pictures. Posted NOV on Community Board in Unit 4 Utilities department.

11-29-23: Timeline of Bunnell General Hospital at 200 S. Bacher Street. Built in the mid to late 1950's. Closed in 1980 when new hospital was built at 901 E. Moody Blvd. Staff checked out code cases from 2006 to 2023 and found code case 18-023 where there were vehicles - trash - weeds. Case opened 4/30/18 went to code board August - October and was found compliant 12/12/18. A fence was put up to keep anyone from going on the property.

12-14-23: The code board found the owner of 200 S. Bacher Street of violation of dangerous building and fined the owner \$25.00 per day till property is compliant. Communicated with the owner's son who is getting puotes to secure the fence and cleanup property. The owner is also getting quotes to demolish the buildings on property.

12-15-23: Sent order Imposing fine to owner's address by mail then went to Flagler County Clerk of the Court and had paperwork recorded.

1-24-24: Sent NOV & NTA certified mail. Staked & posted NOV on prperty site at 200 S. Bacher Street. Took pictures. Posted NOV on COB information board at 604 E. Moody Blvd. Unit 6. The property was inspected by a building official and passed inspection for cleanup, boarding up windows and openings. Repaired fence around property. This code case is complying and can be closed. Now it is up to the code board to stop fine on 1/24/24 or 2/14.24 at the code board meeting. Their choice.

Staff Recommendation: Staff recommends the Board of Code Enforcement to find this case in compliance and to stop fine on 1/24/24 due to all code issues have been solved. Mowed & cleanup, building boarded, and fence has been secured.

Owner Information

Primary Owner

[Torres Arturo](#)

Trustee

7417 Lavergne Ave

Skokie, IL 60077

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID 10-12-30-0850-00570-0010

Prop ID 10444

Location Address 200 S BACHER ST
BUNNELL, FL 32110

Brief Tax Description* TOWN OF BUNNELL ALL BLOCK 57 AND 1/2 VACATED COURT STREET OR 177 PG 77 OR 554 PG 1776 OR 806/195 OR 2339/1167-TORRES TRUST
(Note: *The Description above is not to be used on legal documents.)

Property Use Code Private Owned Hospitals (007300)

Tax District CITY OF BUNNELL, BUNNELL CRA AREA WITH MOSQ CONTROL (District 14)

Millage Rate 21.8491

Homestead N

GIS sqft 73,522.542

[View Map](#)

Valuation

	2023 Working Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$80,696	\$80,696	\$80,696	\$80,696	\$84,451
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$81,696	\$81,696	\$81,696	\$81,696	\$85,451
Assessed Value	\$81,696	\$81,696	\$81,696	\$81,696	\$85,451
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$81,696	\$81,696	\$81,696	\$81,696	\$85,451



9.15.2023 08:33



STATEMENT OF VIOLATION
& NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 23-013

TO: Torres Arturo Trustee
7417 Lavergne Ave.
Skokie, IL 60077

VIA: Hand Delivery by Gary Harris to on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4041.
Posting on Property: 200 S. Bacher St. Bunnell, FL 32110 on January 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

Street Address: 200 Bacher Street
Bunnell, FL 32110

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF SECTION 26-108 AND SECTION 26-167, OF THE CITY OF BUNNELL CODE OF ORDINANCES OCCURRED ON October 11, 2023, ON PROPERTY OWNED BY YOU AND LOCATED AT 200 BACHER ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00570-0010), TO WIT: DANGEROUS BUILDING AND BROKEN SECURITY FENCE.

Bunnell Land Development Code Sec. 34-115. - R-3B Multiple-family residential district.

- (a) *Scope and general description. This section applies to the R-3B Multiple-family residential district. This is a residential district to provide for high density residential developments. The principal uses of land may range from single-family low density to multiple-family apartment uses. Certain uses which are more functionally compatible with intensive residential uses than with commercial uses are permitted. Recreational areas are permitted. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and useable open space for dwellings and related facilities and through consideration of the functional relationship to each use permitted in this district. No R-3B Multiple-family residential district may be created which contains more than 20 dwelling units per acre. This district is compatible with the multifamily land use category.*
- (c) *Permitted special exception. Permitted special exceptions in the R-3B district shall be as follows:*

(10) Other uses not listed above that may be compatible with and complement the permitted uses of the district as approved by the planning, zoning, and appeals board.

Bunnell Land Development Code of Ordinance Sec. 26-108. - Dangerous buildings.

(a) Definition. All structures which have any or all the following conditions, such that the life, health, property or safety of the occupants or the general public are endangered, are deemed dangerous buildings:

(4) The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind, or other cause to the extent that the structural integrity of the structure is less than it was prior to the damage and is less than the minimum requirement established by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city and State of Florida.

(5) Any exterior appendage or portion of the structure is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic or similar loads as required by the provisions of the building code, standard fire prevention code or other laws and ordinances of the city.

(7) The building, structure, or portion thereof, because of decay, deterioration, or dilapidation, is likely to collapse fully or partially.

(9) The building, structure or portion thereof is in such a condition as to constitute a public nuisance.

(b) Dangerous buildings declared nuisance; abatement required; time limits.

(1) All dangerous buildings are declared to be public nuisances, and shall be repaired, vacated, or demolished as provided in this article. The owner of any structure which constitutes a nuisance shall cause the abatement of the nuisance within 30 days pursuant to this article or in the manner allowed by the building official.

Sec. 26-167. - Responsibility for removal and remedial action.

Any person responsible for the release of a hazardous material shall immediately institute and complete all action necessary to remove and remedy the effects of such release. The city is authorized to respond to the release of a hazardous material in accordance with applicable state and federal law and in the following circumstances:

(1) At the request of another governmental agency.

(2) When the person responsible for a release does not take immediate action to remove and remedy the effects of such release.

(3) When a release occurs on private property and the person responsible cannot be identified, located, or notified; and

(4) When the fire chief or his designer determines that such response is reasonably necessary under the circumstances to protect the public health, safety or welfare or the environment.

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

- (a) *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, and to abate all nuisances 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 a reasonable time from the service of the notice, as specified in the notice. In the event the requirements of this section are not met within the period specified in the notice, the case will be referred to the code enforcement board for adjudication, or to the city manager or designee for abatement, or both, all in accordance with the provisions of this chapter.*
- (b) *Declaration of a nuisance. It is hereby declared and determined that the following shall each or in any combination be considered a nuisance when they exist upon any property within the city:*
- (1) Nuisance weeds, including shrubs and saw palmettos in excess of 18 inches in height which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.*
 - (2) Accumulations of recyclables, waste, yard trash, rubble or debris which impair the economic welfare of a property, contribute to a fire hazard, or create a health hazard.*
 - (3) Accumulations of weeds, waste, yard trash, rubble or debris that may harbor rats or snakes or that may create pools of standing water which may serve as breeding grounds for insects and other disease carrying vectors.*

Recommended corrective action:

- Within 30 days of this notice, have a state certified and City registered contractor pull a demolition permit for the structure OR have a state certified, and City registered contractor submit a building permit application and complete plans to restore the entire building to a safe and structurally sound building.
- Within 2 weeks of the issuance of the demolition permit, begin the demolition of the structure.
- Any contractor working on this property must make arrangements for the removal of all construction or demolition debris from the property. If using a trucking company to haul the debris, that trucking company must have a City of Bunnell business tax receipt (BTR) to do business within the city limits.
- The fence needs to be repaired or replaced for safety reasons to keep anyone from going onto the property.
- Clean up all trash and debris then keep property mowed with all weeds removed.
- Building Official red tagged all four sides of fence so no one will enter or trespass.
- **Bringing this case back to February 14th code enforcement board to let them know this violation is now compliant (1/24/2024) and to approve stopping fine on (1/24/2024) or (2/14/2024). Property owners are getting pricing to eventually demo this property.**

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO

ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 23-013, BECAUSE THIS VIOLATION FOR DANGEROUS BUILDING HAS ALREADY OCCURRED.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 14, 2024**, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLIANCE HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-8807



**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024,

CASE NUMBER 23-013

TO: Torres Arturo Trustee
7417 Lavergne Ave.
Skokie, IL 60077

VIA: Hand Delivery by Gary Harris to on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4041
Posting on Property: 200 S. Bacher St, Bunnell, FL 32110 on January 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

Street Address: 200 Bacher Street
Bunnell, FL 32110


IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF SECTION 26-108 AND SECTION 26-167, OF THE CITY OF BUNNELL CODE OF ORDINANCES OCCURRED ON October 11, 2023, ON PROPERTY OWNED BY YOU AND LOCATED AT 200 BACHER ST, BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00570-0010), TO WIT: DANGEROUS BUILDING AND BROKEN SECURITY FENCE.

Bunnell Land Development Code Sec. 34-115. - R-3B Multiple-family residential district.

- (a) Scope and general description. This section applies to the R-3B Multiple-family residential district. This is a residential district to provide for high density residential developments. The principal uses of land may range from single-family low density to multiple-family apartment uses. Certain uses which are more functionally compatible with intensive residential uses than with commercial uses are permitted. Recreational areas are permitted. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and useable open space for dwellings and related facilities and through consideration of the functional relationship to each use permitted in this district. No R-3B Multiple-family residential district may be created which contains more than 20 dwelling units per acre. This district is compatible with the multifamily land use category.
- (c) Permitted special exception. Permitted special exceptions in the R-3B district shall be as follows:

STAPLES

1.21.2024 08:57


**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024, CASE NUMBER 23-013

TO: Torres Arturo Trustee
7417 Laverne Ave.
Skokie, IL 60077

VIA: Hand Delivery by Gary Harris to on January 24, 2024
Certified mail: Receipt No. 7020 1290 0000 2697 4041
Posting on Property: 200 S. Bacher St. Bunnell, FL 32110 on January 24, 2024
Posting at City Hall Public Notice Board on January 24, 2024

Street Address: 200 Bacher Street
Bunnell, FL 32110

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF SECTION 26-108 AND SECTION 26-167, OF THE CITY OF BUNNELL CODE OF ORDINANCES OCCURRED ON October 11, 2023, ON PROPERTY OWNED BY YOU AND LOCATED AT 200 BACHER ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00570-0010), TO WIT: DANGEROUS BUILDING AND BROKEN SECURITY FENCE.

Bunnell Land Development Code Sec. 34-115. - R-3B Multiple-family residential

at Scope and general description. This section applies to the R-3B Multiple-family residential district. This is a residential district to provide for high density residential developments. The principal uses of land may range from single-family low density to multiple-family apartment uses. Certain uses which are more functionally compatible with intensive residential uses than with commercial uses are permitted. Recreational areas are permitted. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and useable open space for dwellings and related facilities and through consideration of the functional relationship to each use permitted in this district. No R-3B Multiple-family residential district may be created which contains more than 20 dwelling units per acre. This district is compatible with the multifamily land use category.

(c) Permitted special exception: Permitted special exceptions in the R-3B district shall be as follows:

1.21.2024 08:55



City of Bunnell, Florida

Agenda Item No. 8.

Document Date: 1/29/2024

Code Enforcement Case Number:
Case Number 24-001

Department: Code Enforcement

Subject: Case Number 24-001 City of Bunnell vs William Sparks

Address: 3060 Steel Rail Drive

Zoning: L-1 Light Industrial

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Notice of Violation	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **Bunnell Land Development Code, Sec. 34-120, L-1 Light Industrial District.**

The purpose of this district is to provide areas in which the principal use of land is for light manufacturing, fabricating, and assembly plants, business, services, offices, retail, storage, warehousing, wholesaling and distribution. The intent of this district is to permit and regulate uses so that the noise, odor, dust, and glare of each operation is controlled to prevent becoming a nuisance to adjacent land uses. This district is compatible with the industrial land use designation.

Bunnell Land Development Code, Sec. 34-120(c)(6), Permitted Special Exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:

(6) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code, Sec. 22-3(a)(2), - Applicability.

(a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:

(2) All uses requiring special exception approval.

Bunnell Land Development Code, Sec. 22-4(a)(1)(b)(d)

(a) Site plan thresholds.

- (1) Major site plan. The following developments shall require site plan approval.
- (b) New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.
- (d) Any development or use requiring special exception approval.

Bunnell Land Development Code, Sec. 22-9, Major Site Plan Submittal Requirements.

(a) The purpose of this section is to ensure that all major and minor site plan applications include sufficient information and analysis for proper review and consideration regarding all comprehensive plan policies, land development regulations, and Code of Ordinances requirements. Omissions of individual elements must be approved by the community development director or his/her designee.

Bunnell Land Development Code, Sec. 58-36, Levying of tax.

The city hereby levies a local business tax and authorizes the issuance of said business tax receipts as authorized by F.S. ch. 205, for the following:

- (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within its jurisdiction.
- (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

Bunnell Land Development Code, Sec. 58-47(a)(b), Doing Business Without, Or Under A Fraudulently Obtained Local Business Tax Receipt.

- (a) It shall be unlawful for any person to engage in any trade, business, profession or occupation within the city without first obtaining a local business tax receipt as required by this article.
- (b) It shall be unlawful for any person to engage in any trade, business, profession or occupation under a local business tax receipt issued upon a false statement or other false information.

Case Actions
Information:

Code Case: 24-001

Code Violation:

Bunnell Land Development Code, Sec. 34-120, L-1 Light Industrial District.

Bunnell Land Development Code, Sec. 34-120(c)(1), Tractor Trailer Storage Yards.

Bunnell Land Development Code, Sec. 34-120(c)(6), - Construction contractors and similar contractors, yards and related activities, such storage of building supplies and materials including outside storage of equipment and materials.

Bunnell Land Development Code Sec. 22-3(a)(2), - Applicability.

Bunnell Land Development Code, Sec. 22-4(a)(1)(b)(d) Any development or use requiring special exception approval.

Bunnell Land Development Code, Sec. 22-9(a), Major Site Plan Submittal Requirements.

Bunnell Land Development Code, Sec. 58-36(1)(2)(3), Levying of tax.

Bunnell Land Development Code, Sec. 58-47(a)(b), Doing Business Without, Or Under A Fraudulently Obtained Local Business Tax Receipt.

NOV & NTA: 1/24/24

CB Hearing: 2/14/24

Outcome:

Case Actions Information: 24-001 3060 Steel Rail Drive
Bunnell Land Development Code, Sections 34-120 L-1, Light Industrial District.

Bunnell Land Development Code, Sections 34-120 (c)(6) - Construction contractors and similar contractors, yards and related activities, such storage of building supplies and materials including outside storage of equipment and materials.

Bunnell Land Development Code, Section 22-3(a)(2), - Applicability.

Bunnell Land Development Code, Section 22-4 (a)(1)(b)(d).

Bunnell Land Development Code, Section 22-9, Major Site Plan Submittal Requirements.

Bunnell Land Development Code, Section 58-36, Levying of tax.

Bunnell Land Development Code, Section 58-47(a)(b), Doing Business, Without, Or Under A Fraudulently Obtained Local Business Tax REceipt.

1/24/24: Sent NOV & NTA certified mail. Staked & Posted NOV on property site. Took pictures. Hand delivered NOV to owner of Sparks Concrete at 3060 Steel Rail Drive.

Staff Recommendation: Staff recommends the Code Board fine Respondent Billy Sparks in violation of the City of Bunnell Code Sections previously cited and continue to the April Code Enforcement Board. Owner has been communicating with Community Development and working on getting his site plan turned in.

Owner Information

Primary Owner

[Dooley Brooke](#)

111 Fox Glove Ln

Bentonville, AR 72712

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID 34-11-30-5736-00000-0090
Prop ID 9546
Location Address 3060 STEEL RAIL DR
BUNNELL, FL 32110
Brief Tax Description* STEEL RAIL INDUSTRIAL PARK REPLAT MB 37 PG 55 LOT 9 4.99 AC OR 2403/1979
(Note: *The Description above is not to be used on legal documents.)
Property Use Code VACANT INDUSTRIAL (004000)
Tax District BUNNELL AREA WITH MOSQUITO CONTROL (District 15)
Millage Rate 22.2004
Homestead N
GIS sqft 217,301.475

[View Map](#)

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$504,348	\$347,223	\$223,248	\$181,922	\$131,352
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$504,348	\$347,223	\$223,248	\$181,922	\$131,352
Assessed Value	\$504,348	\$220,125	\$200,114	\$181,922	\$131,352
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$504,348	\$220,125	\$200,114	\$181,922	\$131,352



12.14.2023 10:22



STATEMENT OF VIOLATION
& NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 23-001

TO: Dooley Brooke C/O William C. Sparks
3060 Steel Rail Drive
Bunnell, FL. 32110

VIA: Hand Delivery by Gary Harris to 3060 Steel Rail Drive on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4126
Posting on Property: 3060 Steel Rail Drive, Bunnell, FL. 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-001 ON PROPERTY OWNED BY YOU AND LOCATED AT 3060 STEEL RAIL DRIVE BUNNELL, FLORIDA, (PARCEL ID NUMBER: 34-11-30-5736-00000-0090), TO WIT: PROCEDURES FOR SITE PLAN REVIEW AND APPROVAL.

Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial district.

- (a) Purpose and intent. The purpose of this district is to provide areas in which the principal use of land is for light manufacturing, fabricating, and assembly plants, business, services, offices, retail, storage, warehousing, wholesaling, and distribution. The intent of this district is to permit and regulate uses so that the noise, odor, dust, and glare of each operation is controlled to prevent becoming a nuisance to adjacent land uses. These regulations are intended to prevent friction between uses within the district and to protect nearby residential districts. This district is compatible with the industrial land use designation.
- (c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:
 - (6) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Sec. 22-3. - Applicability.

- (a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:
 - (2) All uses requiring special exception approval.

Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.

- (a) Site plan thresholds.
 - (1) Major site plan. The following developments shall require major site plan approval:
- (b). New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.
- (d) Any development or use requiring special exception approval.

Bunnell Land Development Code, Sec. 22-9, Major Site Plan Submittal Requirements.

- (a) *The purpose of this section is to ensure that all major and minor site plan applications include sufficient information and analysis for proper review and consideration regarding all comprehensive plan policies, land development regulations, and Code of Ordinances requirements. Omissions of individual elements must be approved by the community development director or his/her designee.*

Bunnell Code of Ordinance Sec. 58-36. - Levying of tax.

The city hereby levies a local business tax and authorizes the issuance of said business tax receipts as authorized by F.S. Ch. 205, for the following:

- (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within its jurisdiction.
- (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

Bunnell Code of Ordinance Sec. 58-47. - Doing business without, or under a fraudulently obtained local business tax receipt.

- (a) It shall be unlawful for any person to engage in any trade, business, profession, or occupation within the city without first obtaining a local business tax receipt as req by this article.
- (b) It shall be unlawful for any person to engage in any trade, business, profession or occupation under a local business tax receipt issued upon a false statement or other false information.

Being the Owner/Tenant of said following property, described as:

*3060 Steel Rail Drive, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 34-11-30-5736-00000-0090*

Recommended corrective action:

- Complete the site plan review process to improve or develop the subject property.
- The proposed site plan should ensure that all outdoor storage meets the zoning regulations.
- Apply for and obtain a local business tax receipt.

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 24-001, UNLESS THIS VIOLATION FOR SITE PLAN BE IN COMPLIANCE.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 14, 2024, AT 6 PM** OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLAINT HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-8807



**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024,

CASE NUMBER 23-001

TO: Dooley Brooke C/O William C. Sparks
3060 Steel Rail Drive
Bunnell, FL 32110

VIA: Hand Delivery by Gary Harris to 3060 Steel Rail Drive on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2897 4128
Posting on Property: 3060 Steel Rail Drive, Bunnell, FL 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 182.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-001 ON PROPERTY OWNED BY YOU AND LOCATED AT 3060 STEEL RAIL DRIVE BUNNELL, FLORIDA, (PARCEL ID NUMBER: 34-11-30-5735-00000-0090), TO WIT: PROCEDURES FOR SITE PLAN REVIEW AND APPROVAL.

Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial district.

- (a) Purpose and intent. The purpose of this district is to provide areas in which the principal use of land is for light manufacturing, fabricating, and assembly plants, business, services, offices, retail, storage, warehousing, wholesaling, and distribution. The intent of this district is to permit and regulate uses so that the noise, odor, dust, and glare of each operation is controlled to prevent becoming a nuisance to adjacent land uses. These regulations are intended to prevent friction between uses within the district and to protect nearby residential districts. This district is compatible with the industrial land use designation.
- (c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the L-1 district shall be as follows:
 - (6) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Sec. 22-3. - Applicability.

- (a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:
 - (2) All uses requiring special exception approval.

Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.

STAPLES

1.21.2024 08:45



City of Bunnell, Florida

Agenda Item No. 9.

Document Date: 1/29/2024

Code Enforcement Case Number:
Case Number 24-002

Department: Code Enforcement

Subject: Case Number 24-002 City of Bunnell vs. Joseph Parsons

Address: 707 Howe Street

Zoning: R-2

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Notice of Violation	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **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.

Case Actions
Information: Case: 24-002 (Yard & Porch & Carport Cluttered with need of clean up.)

NOV: 1-24-24 - Bunnell Code of Ordinance Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

CB Hearing: 2-14-24

Outcome:

1-24-24: Sent NOV & NTA certified mail. Staked & Posted NOV on property site at 707 E. Howe Street. Took pictures. Posted NOV on COB information

board at 604 E. Moody Blvd. Unit 6.

Staff
Recommendation: Staff recommends the Code Board finds Respondent Linda Edwards in violation of the City of Bunnell Code Section previously cited and to pay a one-time fine of \$250.00. The COB will continue to monitor this case till our next April 10, 2024, CB meeting.

Owner Information

Primary Owner

[Parsons Joseph H](#)

PO Box 2372

Bunnell, FL 32110

Parcel Summary

Parcel ID 10-12-30-0850-00540-0030

Prop ID 10438

Location Address 204 N BACHER ST

BUNNELL, FL 32110

Brief Tax Description* TOWN OF BUNNELL BL-54 LOTS 3-4-5-6-7-8 OR BOOK 102 PAGE 37 OR 157 PG 185 OR 554 PG 1776 OR 780/539 OR 2121/885
(Note: *The Description above is not to be used on legal documents.)

Property Use Code MULTI-FAMILY -10 (000850)

Tax District BUNNELL AREA WITH MOSQUITO CONTROL (District 15)

Millage Rate 21.8491

Homestead N

GIS sqft 31,509.676

[View Map](#)

Valuation

	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$432,674	\$333,660	\$279,121	\$279,757
Extra Features Value	\$13,100	\$10,945	\$12,398	\$11,288
Land Value	\$84,000	\$46,200	\$42,000	\$42,000
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$529,774	\$390,805	\$333,519	\$333,045
Assessed Value	\$403,233	\$366,575	\$333,519	\$319,497
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$403,233	\$366,575	\$333,519	\$319,497
Protected Value	\$126,541	\$24,230	\$0	\$13,548



1.16.2024 10:47



STATEMENT OF VIOLATION
& NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 24-002

TO: Joseph H. Parsons
908 Maple Ave.
Elmira, NY. 14904

VIA: Hand Delivery by Gary Harris to 707 E. Howe Street on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4102.
Posting on Property: 707 E. Howe Street, Bunnell, Fl. 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-002 ON PROPERTY OWNED BY YOU AND LOCATED AT 707 E. HOWE ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00540-0030), TO WIT: FRONT PORCH, CARPORT, YARD CLUTTERED AND NEEDS TO BE CLEANED UP.

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.

Being the Owner/Tenant of said following property, described as:
707 E. Howe Street, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 10-12-30-0850-00540-0030

Recommended corrective action:

- Clean up and remove any clutter or untidy items on the front porch.
- Clean up and remove any clutter or untidy items in the carport.
- Keep front yard picked up so it is not in disorder with potted plants, leftover yard sale items.

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 24-002, UNLESS THIS VIOLATION FOR YARD CLEANUP IS IN COMPLIANCE.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 8, 2024, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLAINT HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.**

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.


YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC

HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

**Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-8807**




**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024, CASE NUMBER 24-002


TO: Linda Edwards
707 E. Howe St.
Bunnell, Fl. 32110

VIA: Hand Delivery by Gary Harris to 707 E. Howe Street on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4119.
Posting on Property: 707 E. Howe Street, Bunnell, Fl. 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-002 ON PROPERTY OWNED BY YOU AND LOCATED AT 707 E. HOWE ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00540-0030), TO WIT: FRONT PORCH, CARPORT, YARD CLUTTERED AND NEEDS TO BE CLEANED UP.

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.

Being the Owner/Tenant of said following property, described as:
707 E. Howe Street, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 10-12-30-0850-00540-0030


**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024, CASE NUMBER 24-002

TO: Joseph H. Parsons
908 Maple Ave.
Elmira, NY 14904

VIA: Hand Delivery by Gary Harris to 707 E. Howe Street on January 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4102.
Posting on Property: 707 E. Howe Street, Bunnell, Fl. 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-002 ON PROPERTY OWNED BY YOU AND LOCATED AT 707 E. HOWE ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00540-0030), TO WIT: FRONT PORCH, CARPORT, YARD CLUTTERED AND NEEDS TO BE CLEANED UP.

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.

Being the Owner/Tenant of said following property, described as:
707 E. Howe Street, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 10-12-30-0850-00540-0030

1.21.2024 09:57



City of Bunnell, Florida

Agenda Item No. 10.

Document Date: 1/29/2024

Code Enforcement Case Number:
Case Number 24-003

Department: Code Enforcement

Subject: Case Number 24-003 City of Bunnell vs. Michael M. Bennett & Lativia N. Bennett

Address: 707 Howe Street

Zoning: R-1

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Notice of Violation	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **Bunnell Land Development Code Section 34-111(a). – R-1 Single-family residential district.**

(a) Purpose and intent. The purpose of this district is to provide single-family residential areas of low density. This district is intended to encourage low density development where high-density development would be detrimental to the community and to discourage activities not compatible with single-family residential development. This district is compatible with the single-family low density land use category and is intended to encourage healthy and vibrant residential neighborhoods.

Bunnell Land Development Code Section 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.

Bunnell Land Development Code Section 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.

Bunnell Land Development Code Section 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 if such 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 public can view the property from any public street within the city. Off-road vehicles may be stored on residential property if they are stored in the rear yard out of public view.

Case Actions
Information:

Case: 24-003

Code Violation: Section 70-1. - Removal of certain plants, weeds, trash & litter.

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

NOV & NTA: 1/24/24

CB Hearing: 2/14/24

Outcome:

1-14-24: Sent NOV & NTA certified mail. Staked a posted NOV on property site at 811 Hymon Circle. Took pictures. Posted NOV on COB information board at 606 E. Moody Blvd. Unit 6.

Staff
Recommendation:

Staff recommends the Code Board finds Respondent Michael Bennett & Lativia Bennett in violation of the City of Bunnell Code Section previously cited and continue to the February 14th code board meeting. The owner has cleaned up the yard and has moved 1 of 3 vehicles.

Owner Information

Primary Owner

[Bennett Michael M](#)

& Lativia N Bennett Jtwros

14 Slippery Rock Place

Palm Coast, FL 32164

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID	14-12-30-5750-00000-0120
Prop ID	11887
Location Address	811 HYMON CIR BUNNELL, FL 32110
Brief Tax Description*	SAM BROWN SUBD LOT 12 OR BOOK 60 PAGE 483 OR 272 PG 872 LESLIE BOYD REMAINDERMAN OR 274 PG 138 (RE-REC) DC OR 437 PG 153 OR 437 PG 154 OR 626 PG 1776 OR 777 PG 1763 OR 831 PG 1302 (Note: *The Description above is not to be used on legal documents.)
Property Use Code	SINGLE FAMILY (000100)
Tax District	CITY OF BUNNELL, BUNNELL CRA AREA WITH MOSQ CONTROL (District 14)
Millage Rate	22.2004
Homestead	N
GIS sqft	12,100.005

[View Map](#)

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$54,580	\$53,940	\$40,200	\$35,516	\$35,516
Extra Features Value	\$198	\$198	\$180	\$203	\$203
Land Value	\$25,000	\$25,625	\$16,500	\$15,000	\$15,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$79,778	\$79,763	\$56,880	\$50,719	\$50,719
Assessed Value	\$79,778	\$79,763	\$48,429	\$44,026	\$40,023



12.21.2023 09:42



STATEMENT OF VIOLATION
& NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 24-003

TO: Michael M. Bennett & Lativia N. Bennett
14 Slippery Rock Place
Palm Coast, Fl. 32164

VIA: Hand Delivery by Gary Harris to 811 Hymon Circle on Jan. 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4096.
Posting on Property: 811 Hymon Circle, Bunnell, Fl. 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-003 ON PROPERTY OWNED BY YOU AND LOCATED AT 811 HYMON CIRCLE BUNNELL, FLORIDA, (PARCEL ID NUMBER: 14-12-30-5750-00000-0120), TO WIT: DEBRIS & YARD CLUTTERED TO BE CLEANED UP ALONG WITH JUNK VEHICLES.

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.

Bunnell Code of Ordinance. 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.

Bunnell Code of Ordinance. 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 if 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 public can view the property from any public street within the city. Off-road vehicles may be stored on residential property if they are stored in the rear yard out of public view.

Being the Owner/Tenant of said following property, described as:
707 E. Howe Street, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 14-12-30-5750-00000-0120

Recommended corrective action:

- Clean up and remove any clutter or untidy items in the front & side yard.
- Remove all vehicles that are inoperative in front & side yard.

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 24-003, UNLESS THIS VIOLATION FOR YARD CLEANUP AND INOPERATIVE VEHICLES IS IN COMPLIANCE.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 14, 2024, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLIANCE HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.**

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES

THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-8807



**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

January 24, 2024,

CASE NUMBER 24-003

TO: Michael M. Bennett & Lativia N. Bennett
14 Slippery Rock Place
Palm Coast, FL 32164

VIA: Hand Delivery by Gary Harris to 811 Hymon Circle on Jan. 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4096.
Posting on Property: 811 Hymon Circle, Bunnell, FL 32110 on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES,
NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-
003 ON PROPERTY OWNED BY YOU AND LOCATED AT 811 HYMON CIRCLE
BUNNELL, FLORIDA, (PARCEL ID NUMBER: 14-12-30-5750-00000-0120), TO WIT:
DEBRIS & YARD CLUTTERED TO BE CLEANED UP ALONG WITH JUNK VEHICLES.

**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.

Bunnell Code of Ordinance, 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.

**Bunnell Code of Ordinance, Sec. 26-58. - Storing, parking, or leaving dismantled or
other such motor vehicle or boat prohibited and declared nuisance, exceptions.**

STAPLES

1.21.2024 09:06



City of Bunnell, Florida

Agenda Item No. 11.

Document Date: 9/20/2023

Code Enforcement Case Number:
Case Number 24-004

Department: Code Enforcement

Subject: Case Number 24-004 City of Bunnell vs. Arelys Russell

Address: 4750 E. Moody Blvd. Unit 222

Zoning: B-1

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - NOV/NTA Paperwork Staked & Stapled	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **Bunnell Land Development Code Sec. 34-117(a)(c)(3), - B-1 Business district.**

(a) Purpose and intent. The purpose of this business commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide-range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.

(c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning, zoning and appeals board, in the B-1 district shall be as follows:

(3) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Section 205.053 - Business tax receipts: dates due and delinquent; penalties. -

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Provisions for partial receipts may be made in the resolution or ordinance authorizing such receipts. Receipts

that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

(3) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.

Bunnell Land Development Code Sec. 58-39(a)(2)(3)(d). - Business tax receipts; dates due and delinquent, notices; penalties.

(a) All business tax receipts for businesses located in the city shall be sold by the city beginning August 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30.

(2) Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five-percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(3) The city shall not be required to send notices to receipt holders with respect to the payment or nonpayment of business taxes and it shall be no defense of nonpayment of any business tax that the receipt holder did not receive any notice or invoice stating the business tax was due.

(d) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

Bunnell Land Development Code Sec. 58-47(a). - Doing Business Without, or Under a Fraudulently Obtained Local Business Tax Receipt.

(a) It shall be unlawful for any person to engage in any trade, business, profession or occupation within the city without first obtaining a local business tax receipt as required by this article.

Case Actions
Information:

Case: 24-004

Code Violation: Having Business With No BTR

Bunnell Land Development Code Section 205.053 - Business tax receipts; dates due and delinquent; penalties. -

Bunnell Land Development Code Sec. 34-117(a)(c)(3), - B-1 Business district.

Bunnell Land Development Code Sec. 58-39(a)(2)(3)(d), - Business tax receipts; dates due and delinquent, notices; penalties.

NOV: 1/24/24

Code Board Hearing: 2/14/24

Outcome:

1/24/2024: Sent NOV & NTA certified mail. Staked & Posted NOV on property site. Took pictures. Hand delivered NOV to owner of Glamd Studio Salon at 4750 E. Moody Blvd. Unit 222.

Staff Recommendation: Staff recommends the Code Board find Respondent Arelys Russell in violation of the City of Bunnell Code Sections previously cited and continued to the April Code Enforcement Board hearing with a fine of \$250.00 one time fine.

Owner Information

Primary Owner
Coastal Center LLC
707 E Colonial Drive
Orlando, FL 32803

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID 12-12-30-0650-000A0-0121
Prop ID 11431
Location Address 4750 E MOODY BLVD UNIT 101
BUNNELL, FL 32110
Brief Tax Description* COASTAL BUSINESS PARK OF BUNNELL PLAT BOOK 29 PAGE 6 PARCEL 1 AND 60 FOOT PROPOSED ROAD OR 392 PAGE 197 OR 469 PG 1441-C OF T, ORD 93-3 OR 517 PG 1465, OR 521 PG 580 ORD 05-46 OR 1849/582
(Note: *The Description above is not to be used on legal documents.)
Property Use Code NEIGHBORHOOD CENTER (001610)
Tax District BUNNELL AREA WITH MOSQUITO CONTROL (District 15)
Millage Rate 22.2004
Homestead N
GIS sqft 63,043.322

[View Map](#)

Linked Personal Property

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$767,000	\$736,000	\$592,000	\$524,000	\$517,000
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$0	\$0	\$0	\$0	\$0
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$767,000	\$736,000	\$592,000	\$524,000	\$517,000



Atlantic
Auto
Network
386-793-2358
CUSTOMER
PARKING

JOYFUL
NAILS & SPA

CORILEX

Coastal Centre
EXECUTIVE OFFICES

LYT LASHES
& BODY
386.243.5770
Eyelash Extensions
Lash Lifts & Tint
Brow Lamination
Microblading
Skin Care
Available

NO PARKING
ANYTIME

1.21.2024 09:26



STATEMENT OF VIOLATION & NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 24-004

**TO: Arelys Russell
45 Slocum Path
Palm Coast, Fl. 32164**

VIA: Hand Delivery by Gary Harris to 4750 E. Moody Blvd., Suite 222 on Jan. 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4287
Posting on Property: 4750 E. Moody Blvd., Ste 222, Bunnell, Fl. on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

Street Address: 4750 E. Moody Blvd. – Glamd Studio Salon & SPA LLC – Unit 222

Legal Description: COASTAL BUSINESS PARK OF BUNNELL PLAT BOOK 29
PAGE 6 PARCEL 1 AND 60 FOOT PROPOSED ROAD OR 392 PAGE 197 OR 469 PG
1441-C OF T, ORD 93-3 OR 517 PG 1465, OR 521 PG 580 ORD 05-46 OR 1849/582

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-004 ON PROPERTY OWNED BY YOU AND LOCATED AT 4750 E. MOODY BLVD., BUNNELL, FLORIDA, (PARCEL ID NUMBER: 12-12-30-0650-000A0-0121), TO WIT: BUSINESS TAX RECEIPTS; DATES DUE AND DELINQUENT, NOTICES; PENALTIES.

Bunnell Land Development Code Section 34-117(a)(c)(3), - B-1 Business district.

(a) Purpose and intent. The purpose of this business commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.

(c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning, zoning, and appeals board, in the B-1 district shall be as follows:

Bunnell Land Development Code Section 205.053 Business tax receipts; dates due and delinquent; penalties. —

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30.

Provisions for partial receipts may be made in the resolution or ordinance authorizing such receipts. Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

(3) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.

Bunnell Land Development Code Section 58-39. - Business tax receipts; dates due and delinquent, notices; penalties.

(a) All business tax receipts for businesses located in the city shall be sold by the city beginning August 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30.

(2) Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five-percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(3) The city shall not be required to send notices to receipt holders with respect to the payment or nonpayment of business taxes and it shall be no defense of nonpayment of any business tax that the receipt holder did not receive any notice or invoice stating the business tax was due.

(d) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

Bunnell Land Development Code Sec. 58-47(a). - Doing Business Without, or Under a Fraudulently Obtained Local Business Tax Receipt.

(a) It shall be unlawful for any person to engage in any trade, business, profession, or occupation within the city without first obtaining a local business tax receipt as required by this article.

Being the Owner/Tenant/Landlord of said following property, described as:

4750 E. Moody Blvd., City of Bunnell, County of Flagler, State of Florida

Parcel ID number: 12-12-30-0650-000A0-0121

Recommended corrective action:

- Pay all outstanding BTR fees for the City of Bunnell to the Deputy City Clerk (bgunnells@bunnellcity.us 386-313-4160).

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 24-004, UNLESS THIS VIOLATION FOR FLORIDA BUILDING CODE – BUSINESS TAX RECEIPTS.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 14, 2024, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLAINT HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.**

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND THE VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

**Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-880**



STATEMENT OF VIOLATION & NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 24-004

TO: Arelys Russell
45 Slocum Path
Palm Coast, FL 32164

VIA: Hand Delivery by Gary Harris to 4750 E. Moody Blvd., Suite 222 on Jan. 24, 2024.
Certified mail: Receipt No. 7020 1290.0000 2697 4287
Posting on Property: 4750 E. Moody Blvd., Ste 222, Bunnell, FL on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

Street Address: 4750 E. Moody Blvd. — Glamd Studio Salon & SPA LLC — Unit 222

Legal Description: COASTAL BUSINESS PARK OF BUNNELL PLAT BOOK 29
PAGE 6 PARCEL 1 AND 60 FOOT PROPOSED ROAD OR 392 PAGE 197 OR 469 PG
1441-C OF T, ORD 93-3 OR 517 PG 1465, OR 521 PG 580 ORD 05-46 OR 1849/582

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES,
NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-
004 ON PROPERTY OWNED BY YOU AND LOCATED AT 4750 E. MOODY BLVD.,
BUNNELL, FLORIDA, (PARCEL ID NUMBER: 12-12-30-0650-000A0-0121), TO WIT:
BUSINESS TAX RECEIPTS; DATES DUE AND DELINQUENT, NOTICES;
PENALTIES.

Section 205.053 Business tax receipts; dates due and delinquent; penalties.—

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Provisions for partial receipts may be made in the resolution or ordinance authorizing such receipts. Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

1.21.2024 09:27



City of Bunnell, Florida

Agenda Item No. 12.

Document Date: 1/30/2024

Code Enforcement Case Number:
Case Number 24-005

Department: Code Enforcement

Subject: Case Number 24-005 City of Bunnell vs. Paulette Moore

Address: 4750 E. Moody Blvd. Unit 211

Zoning: B-1

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Notice of Violation	Exhibit
Exhibit D - Staked and Posted NOV & NTA	Exhibit

Code Excepts: **Bunnell Land Development Code Sec. 34-117(a)(c)(3), - B-1 Business district.**

(a) Purpose and intent. The purpose of this business commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide-range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.

(c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning, zoning and appeals board, in the B-1 district shall be as follows:

(3) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Section 205.053 - Business tax receipts: dates due and delinquent; penalties. -

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Provisions for partial receipts may

be made in the resolution or ordinance authorizing such receipts. Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

(3) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.

Bunnell Land Development Code Sec. 58-39(a)(2)(3)(d). - Business tax receipts; dates due and delinquent, notices; penalties.

(a) All business tax receipts for businesses located in the city shall be sold by the city beginning August 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30.

(2) Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five-percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(3) The city shall not be required to send notices to receipt holders with respect to the payment or nonpayment of business taxes and it shall be no defense of nonpayment of any business tax that the receipt holder did not receive any notice or invoice stating the business tax was due.

(d) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

Bunnell Land Development Code Sec. 58-47(a). - Doing Business Without, or Under a Fraudulently Obtained Local Business Tax Receipt.

(a) It shall be unlawful for any person to engage in any trade, business, profession or occupation within the city without first obtaining a local business tax receipt as required by this article.

Information:

Code Violation:

Bunnell Land Development Code Sec. - B-1 Business district.

Bunnell Land Development Code Section 205.053 - Business tax receipts; dates due and delinquent; penalties. -

Bunnell Land Development Code Sec. 58-39(a)(2)(3)(d), - Business tax receipts; dates due and delinquent; penalties.

Bunnell Land Development Code Sec. 58-47(a)(b), - Doing business without, or under a fraudulently obtained local business tax receipt.

NOV & NTA: 1/24/24

CB Hearing: 2/14/24

Outcome:

1-24-24: Sent NOV & NTA certified mail. Staked & Posted NOV on property site at 4750 E. Moody Blvd. Unit 211. Took pictures. Posted NOV on COB information board at 604 E. Moody Blvd. Unit 6.

Staff

Recommendation: Staff recommends the Code Board finds Respondent Paulette Moore in violation of the City of Bunnell Code Section previously cited and to pay a one-time fine of \$250.00. The COB will continue to monitor this case till our next April 10, 2024, CB meeting.

Owner Information

Primary Owner
Coastal Center LLC
707 E Colonial Drive
Orlando, FL 32803

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID 12-12-30-0650-000A0-0121
Prop ID 11431
Location Address 4750 E MOODY BLVD UNIT 101
BUNNELL, FL 32110
Brief Tax Description* COASTAL BUSINESS PARK OF BUNNELL PLAT BOOK 29 PAGE 6 PARCEL 1 AND 60 FOOT PROPOSED ROAD OR 392 PAGE 197 OR 469 PG 1441-C OF T, ORD 93-3 OR 517 PG 1465, OR 521 PG 580 ORD 05-46 OR 1849/582
(Note: *The Description above is not to be used on legal documents.)
Property Use Code NEIGHBORHOOD CENTER (001610)
Tax District BUNNELL AREA WITH MOSQUITO CONTROL (District 15)
Millage Rate 22.2004
Homestead N
GIS sqft 63,043.322

[View Map](#)

Linked Personal Property

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$767,000	\$736,000	\$592,000	\$524,000	\$517,000
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$0	\$0	\$0	\$0	\$0
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$767,000	\$736,000	\$592,000	\$524,000	\$517,000



Atlantic
Auto
Network

386-793-2358

CUSTOMER
PARKING

JOYFUL
NAILS & SPA

CORILEX

Coastal Centre
EXECUTIVE OFFICES

LYT LASHES
& BODY

386.243.5770

1.21.2024 09:26



STATEMENT OF VIOLATION & NOTICE TO APPEAR

January 24, 2024,

CASE NUMBER 24-004

**TO: Arelys Russell
45 Slocum Path
Palm Coast, Fl. 32164**

VIA: Hand Delivery by Gary Harris to 4750 E. Moody Blvd., Suite 222 on Jan. 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4287
Posting on Property: 4750 E. Moody Blvd., Ste 222, Bunnell, Fl. on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

Street Address: 4750 E. Moody Blvd. – Glamd Studio Salon & SPA LLC – Unit 222

Legal Description: COASTAL BUSINESS PARK OF BUNNELL PLAT BOOK 29
PAGE 6 PARCEL 1 AND 60 FOOT PROPOSED ROAD OR 392 PAGE 197 OR 469 PG
1441-C OF T, ORD 93-3 OR 517 PG 1465, OR 521 PG 580 ORD 05-46 OR 1849/582

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-004 ON PROPERTY OWNED BY YOU AND LOCATED AT 4750 E. MOODY BLVD., BUNNELL, FLORIDA, (PARCEL ID NUMBER: 12-12-30-0650-000A0-0121), TO WIT: BUSINESS TAX RECEIPTS; DATES DUE AND DELINQUENT, NOTICES; PENALTIES.

Bunnell Land Development Code Section 34-117(a)(c)(3), - B-1 Business district.

(a) Purpose and intent. The purpose of this business commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.

(c) Permitted special exception. Permitted special exceptions, which are subject to approval by the local planning, zoning, and appeals board, in the B-1 district shall be as follows:

Bunnell Land Development Code Section 205.053 Business tax receipts; dates due and delinquent; penalties. —

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30.

Provisions for partial receipts may be made in the resolution or ordinance authorizing such receipts. Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

(3) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.

Bunnell Land Development Code Section 58-39. - Business tax receipts; dates due and delinquent, notices; penalties.

(a) All business tax receipts for businesses located in the city shall be sold by the city beginning August 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30.

(2) Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five-percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(3) The city shall not be required to send notices to receipt holders with respect to the payment or nonpayment of business taxes and it shall be no defense of nonpayment of any business tax that the receipt holder did not receive any notice or invoice stating the business tax was due.

(d) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

Bunnell Land Development Code Sec. 58-47(a). - Doing Business Without, or Under a Fraudulently Obtained Local Business Tax Receipt.

(a) It shall be unlawful for any person to engage in any trade, business, profession, or occupation within the city without first obtaining a local business tax receipt as required by this article.

Being the Owner/Tenant/Landlord of said following property, described as:

4750 E. Moody Blvd., City of Bunnell, County of Flagler, State of Florida

Parcel ID number: 12-12-30-0650-000A0-0121

Recommended corrective action:

- Pay all outstanding BTR fees for the City of Bunnell to the Deputy City Clerk (bgunnells@bunnellcity.us 386-313-4160).

THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH CASE 24-004, UNLESS THIS VIOLATION FOR FLORIDA BUILDING CODE – BUSINESS TAX RECEIPTS.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **FEBRUARY 14, 2024, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLAINT HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.**

AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND THE VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE THE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.

YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.

AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.

Gary Harris
Code Enforcement Officer
City of Bunnell
PO Box 756
Bunnell, FL 32110
386-263-880



STATEMENT OF VIOLATION & NOTICE TO APPEAR

January 24, 2024,

— CASE NUMBER 24-005

TO: Paulette Moore - Elijay Nails 386 LLC
4750 E. Moody Blvd. Suite 211
Bunnell, FL. 32110

VIA: Hand Delivery by Gary Harris to 4750 E. Moody Blvd., Suite 211 on Jan. 24, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4256
Posting on Property: 4750 E. Moody Blvd., Ste 211, Bunnell, FL. on Jan. 24, 2024.
Posting at City Hall Public Notice Board on January 24, 2024.

Street Address: 4750 E. Moody Blvd. – Elijay Nails 386 LLC – Unit 222

Legal Description: COASTAL BUSINESS PARK OF BUNNELL PLAT BOOK 29
PAGE 6 PARCEL 1 AND 60 FOOT PROPOSED ROAD OR 392 PAGE 197 OR 469 PG
1441-C OF T, ORD 93-3 OR 517 PG 1465, OR 521 PG 580 ORD 05-46 OR 1849/582

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES,
NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-
005 ON PROPERTY OWNED BY YOU AND LOCATED AT 4750 E. MOODY BLVD.,
BUNNELL, FLORIDA, (PARCEL ID NUMBER: 12-12-30-0650-000A0-0121), TO WIT:
BUSINESS TAX RECEIPTS; DATES DUE AND DELINQUENT, NOTICES;
PENALTIES.

Section 205.053 Business tax receipts; dates due and delinquent; penalties.—

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 of each year and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Provisions for partial receipts may be made in the resolution or ordinance authorizing such receipts. Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

1.21.2024 09:27