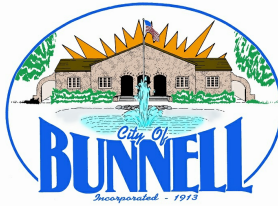


CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

**JOY ALLEN
KATHRYN DAVIS
DELORIES HALL
KENNETH GORDON
VICKIE TURNER**

CODE ENFORCEMENT BOARD AGENDA

Wednesday, June 14, 2017 at 7:00 PM

Bunnell City Complex

201 W. Moody Blvd., Chambers Meeting 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.**

Approval of Minutes:

- 4. 2017 04 12 Code Enforcement Board Minutes**
- 5. Swearing in of witnesses.**

Old Business:

- 6. Case Number 16-053 City of Bunnell vs. Patricia Harris**

503 S. Cherry St.

This is a violation of the following City Codes:

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

NTA:5/4/17

- 7. Case Number 17-030 City of Bunnell vs. Federal National Mortgage Association**

301 Deen Rd.

This is a violation of the following City Codes:

Code of Ordinance Sec. 26-108 Dangerous buildings

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

NTA:4/18/17

New Business:

- 8. Case Number 17-035 City of Bunnell vs. Mary Fullwood**

210 S. Anderson St.

This is a violation of the following City Codes:

Code of Ordinance Sec. 26-108. - Dangerous buildings.

NTA:5/10/17

- 9. Case Number 17-038 City of Bunnell vs. Douglas Jackson**

200 S. Forsyth St.

This is a violation of the following City Codes:

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

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

NTA:5/5/17

10. Case Number 17-039 City of Bunnell vs. Patricia Jones and Wendy Jones

818 Hymon Cir.

This is a violation of the following City Codes:

Code of Ordinance Sec. 26-108. - Dangerous buildings.

NTA:5/4/17

11. Case Number 17-046 City of Bunnell vs. Marvins Garden Inc.

4601 E. Moody Blvd Units C1, C2, and C-3

This is a violation of the following City Codes:

Bunnell Land Development Code Sec. 6-33. - Florida Building Code—Adopted.

Bunnell Land Development Code Sec. 6-64. - Compliance with other regulations.

Bunnell Land Development Code Sec. 6-65. - Notice of violation; compliance.

Bunnell Land Development Code Sec. 34-117. - B-1 Business district.

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

Code of Ordinance Sec. 66-1. - Connection to city water, sewer and reclaim system.

NTA:5/23/17

12. Case Number 17-050 City of Bunnell vs. Pinecrest Business Center

1108 S. State St, #106

This is a violation of the following City Codes:

Code of Ordinance Sec. 58-39. Business tax receipts; dates due and delinquent, notices; penalties.

NTA:5/24/17

13. Reminder to Board Members: Form 1 documents need to be turned into the Supervisor of Elections Office by July 1, 2017

14. Announcements

15. Next Scheduled Meeting: August 9, 2017

16. 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. 4.

ATTACHMENTS:

Description

Proposed Minutes

Type

Minutes

CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

JOY ALLEN
KATHRYN DAVIS
DELORIES HALL
KENNETH GORDON
VICKIE TURNER

CODE ENFORCEMENT BOARD MINUTES

Wednesday, April 12, 2017 at 7:00 PM

Bunnell City Complex

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

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

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

2. Roll Call and determination of Quorum.

Present: Joy Allen, Chair; Kathryn Davis, Co-Chair; Kenneth Gordon; Attorney Charles Cino (non-voting); Ron Bolser (non-voting); Kristen Bates (non-voting)

Excused:

Absent: Delories Hall; Vickie Turner

3. Disclosure of Ex-Parte communications.

None

Annual Board Elections

4. Annual Election of the Chair and Vice-Chair.

This item was moved to the end of the agenda.

5. Approval of Minutes:

2017 02 08 Code Enforcement Board Minutes

Motion: Approve the February 8, 2017 Code Enforcement Board Hearing minutes with corrections.

Moved by: Kathy Davis

Seconded by: Kenneth Gordon

Vote: Motion carried by unanimous vote.

6. Swearing in of witnesses.

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

Ron Bolser, Code Enforcement Officer

Kristen Bates, Acting Community Development Director

Patricia Harris, Case #16-053

Michael Blackburn, Case #17-027

Old Business:

7. Case Number 16-056 City of Bunnell vs. Todd & Edith McCoy

This case was introduced by Acting Community Development Director Kristen Bates.

This case was heard at the February 8, 2017 meeting. As of March 31, 2017, this

property was not in compliance. On April 10, 2017, the property owner brought in a building permit application to extend the privacy fence across the portions of the property not screened by fencing. By April 12, 2017, the fence was installed. Because the fence screens any of the items on the rear of the property, the property is now compliant.

Motion: Find the Respondent Compliant and close the case.

Moved by: Kenneth Gordon

Seconded by: Kathy Davis

Vote: Motion carried by unanimous vote.

New Business:

8. Case Number 16-053 City of Bunnell vs. Patricia Harris

This case was introduced by Acting Community Development Director Kristen Bates. This case was opened in October 2016. There have been very few changes to this property since the case was opened. As of March 31, 2017, there were still several junk vehicles being stored on the property. Patricia Harris testified the minivan has been removed. She is working to have the 2 trucks removed from the property and she plans to sell her Nissan too. Her son's car has a tag, but she removed it from the vehicle.

Motion: Find the Respondent Non-compliant and continue the case to the June meeting.

Moved by: Kathy Davis

Seconded by: Kenneth Gordon

Vote: Motion carried by unanimous vote.

9. Case Number 17-008 City of Bunnell vs. Bank of America Corporate

This case was removed from the agenda. The renewal fees were paid.

10. Case Number 17-027 City of Bunnell vs. Michael and Debra Blackburn

This case was introduced by Acting Community Development Director Kristen Bates. Since October 1, 2016, staff has reached out frequently to get the business tax receipt fees paid/renewed. Michael Blackburn testified he has never done anything with this business. Staff will terminate the business tax receipt. Case was dismissed.

11. Case Number 17-030 City of Bunnell vs. Darin and Jill Pond

This case was introduced by Acting Community Development Director Kristen Bates. This property was returned to the bank in a foreclosure proceeding in March 2017. Because there was a change in ownership, staff requested the case be continued to allow the new property owners the opportunity to bring the property into compliance.

Motion: Continue the case to the June meeting.

Moved by: Kathy Davis

Seconded by: Kenneth Gordon

Vote: Motion carried by unanimous vote

12. Annual Election of the Chair and Vice-Chair.

Motion: Joy Allen to serve as Chair.

Moved By: Kenneth Gordon

Seconded By: Kathy Davis

Vote: Motion carried by unanimous vote

Motion: Kathy Davis to serve as Vice-Chair.

Moved By: Kenneth Gordon

Seconded By: Joy Allen (gavel was passed to Kathy Davis to allow second and vote)

Vote: Motion carried by unanimous vote

13. Announcements:

Joy Allen informed the Board and staff she will not be present at the June meeting.

14. Next Scheduled Meeting: June 14, 2017

15. Adjournment of Code Enforcement Board

Motion: Adjourn the meeting.

Moved by: Kenneth Gordon

Seconded by: Kathy Davis

Vote: Motion carried by unanimous vote.

Board Chair

Acting Community Development
Director



City of Bunnell, Florida

Agenda Item No. 6.

Document Date: 4/13/2017 Code Enforcement Case Number: 16-053
Department: Community Development
Subject: Case Number 16-053 City of Bunnell vs. Patricia Harris
Address: 503 S. Cherry St.
Zoning: R-2, Multi-Family Residential zoning district
Agenda Section: Old Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
Pictures 6/2/2017	Exhibit

Code Excepts: ***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 as long as such motor vehicle or boat is covered by a suitable tarpaulin. However, any junked motor vehicle or boat which is located on business property, and Properly zoned and licensed for such business, shall not hold such property where the general public can view the property from any public street within the city.

Background: This case was opened October 19, 2016.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on October 19, 2016.

This item was heard at the April 12, 2017 Code Enforcement Board meeting. At that meeting, the respondent, Patricia Harris testified she was in the process of having the junk, un-tagged and/or un-registered vehicles removed from the property. The Code

Enforcement Board voted to find the property Non-Compliant and continued the case to the next meeting.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on May 4, 2017. The address confirmed during the April 12, 2017 Code Enforcement Board meeting was used.

The property was posted for the June 14, 2017 Code Board meeting on June 2, 2017. At least 1 junk vehicle remained on the property as of the posting of the property.

The assessed value of this property is less than the homestead exemption applied to this property. As a result, no property taxes are charged on this property.

6-12-2017 01:29 PM
TASK #: 4549
TASK CODE: CODE BOARD ACTION
PROPERTY: 503 CHERRY ST S

TASK NOTES REPORT

PAGE: 1
ORIG. DATE: 4/12/2017
DUE DATE: 3/24/2017

NOTES

Incident Notes:

16-053

Violations COO Sec 26-51 Definitions junked motor vehicle. AND Sec 26-56
Storing, parking, or leaving dismantled or other such motor vehicle or
boat prohibited and declared nuisance; exceptions.

Owner:Harris Patricia London

NOV: 10/18/2016

NTA: 3/10/17 CB Hearing: 4/12/17 Outcome: Non-Compliant; Continued

NTA: 5/4/17 CB Hearing: 6/14/17 Outcome:

Closed:

Task #: 4229 - VERIFY COMPLAINT - 10/19/2016

10/18/2016 Onsite visit completed. There were several junk vehicles on
the property.

Task #: 4230 - 01-NOTICE OF VIOL - 10/19/2016

10/19/2016 NOV sent to the property owner as identified on the Flagler
County Property Appraiser website via certified mail return receipt# 7014
2120 0004 5714 2925

Task #: 4313 - REINSPECTION - 3/10/2017

3/10/17: Code Enforcement Officer, Ron Bolser, went to the property.

There are still junk/untagged vehicles stored on the property- 2 trucks, a
dark blue minivan and a gold Nissan. There is an old light blue car
parked on the property, but the back of the vehicle is against the house.

It is not known if that vehicle has a current tag. Case referred to the
Code Board.

Task #: 4549 - CODE BOARD ACTION - 4/12/2017

4/12/17: Code Enforcement Board hearing held. Patricia Harris testified
the minivan has been removed from the property. The 2 trucks are still
present, as are the other 2 untagged vehicles. She is working to remove
the vehicles from the property and stated she will have them removed in
about 1 week. The Board advised if she plans to keep any of the vehicles
she needs to have the current DMV tag and plate on the vehicle. The Board
voted to find the property Non-Compliant and continue the case to June.
Staff confirmed the correct mailing address has been used for all
mailings.

Task #: 4550 - 02-NOTICE TO APPEAR - 3/10/2017

3/10/17: Notice to Appear (NTA) for the April 12, 2107 Code Enforcement
Board meeting was sent to the property owner as identified on the Property
Appraise website via certified mail return receipt #7014 2120 0004 5714
3557.

TASK #: 4549

ORIG. DATE: 4/12/2017

TASK CODE: CODE BOARD ACTION

DUE DATE: 3/24/2017

PROPERTY: 503 CHERRY ST S

NOTES

4/12/17: NTA was returned to the City as "unclaimed."

Task #: 4636 - ONSITE VISIT - 3/31/2017

3/31/17: The property was posted for the April 12, 2017 Code Board meeting. At the visit, several junk vehicles were seen and pictured on the property.

Task #: 4685 - CODE BOARD ACTION - 6/14/2017

Task #: 4743 - 02-NOTICE TO APPEAR - 5/04/2017

5/4/17: The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7016 3010 0000 7488 2517. Staff used the mailing address listed on the website and as confirmed at the April 12, 2017 hearing.

5/31/17: The NTA was returned to the City "Unclaimed."

Task #: 4943 - NOTES - 6/02/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board hearing.

Pictures taken. At least 1 junk vehicle remained on the property.

6/2/2017***Kristen Bates, Acting Community Development Director***





City of Bunnell, Florida

Agenda Item No. 7.

Document Date: 4/13/2017 Code Enforcement Case Number: 17-030
Department: Community Development
Subject: Case Number 17-030 City of Bunnell vs. Federal National Mortgage Association
Address: 301 Deen Rd.
Zoning: R-1, Single Family Residential
Agenda Section: Old Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
Pictures 6/2/2017	Exhibit

Code Excepts: ***Code of Ordinance Sec. 26-108. - Dangerous buildings.***
(a) Definition. All structures which have any or all of the following conditions, such that the life, health, property or safety of the occupants or the general public are endangered, are deemed dangerous buildings:

(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.

(6) For any reason, the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.

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

It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice.

In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to the code enforcement board for adjudication.

Background: This case was opened February 3, 2017. The City had received several calls regarding the condition of the property since December.

A site visit on February 2, 2017 showed there were a number of violations on the

property:

1. There was missing siding from the house. Some of the sections of siding were still hanging off the building, creating a wind hazard.
2. There was vegetation growing out of the overhang creating another hazard as the weight of the vegetation could cause the metal to disconnect from the house.
3. The pool water had turned green which creates a health hazard for adjacent properties.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on February 3, 2017. On February 15, 2017, the NOV was returned to the City as "undeliverable."

This item was heard at the April 12, 2017 Code Enforcement Board meeting. Because the property had changed ownership during the code enforcement proceedings, the Code Enforcement Board voted to continue the case to the next meeting to allow notice of the case to be sent to the new owner.

Since the April 12, 2017 Code Enforcement Board meeting, staff has reached out to the loan company that obtained ownership of the property in foreclosure proceedings using the only number known to the City. There have not been any return phone calls regarding this property or the code enforcement case.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on April 18, 2017. On April 27, 2017, the certified mail receipt was returned to the City signed, but the signature was not legible.

The property was posted for the June 14, 2017 Code Enforcement Board meeting on June 2, 2017.

There are no delinquent property taxes due for this property.

INCIDENT #: 2604

ORIG. DATE: 2/03/2017

INCIDENT CODE: CE-DANGEROUS BLDG

PROPERTY: 301 DEEN RD

NOTES

Incident Notes:

17-030
Violations: CoO Sec. 26-108. - Dangerous buildings. AND Sec. 70-1. -
Removal of certain plants, weeds, trash and litter; duty of owner; service
of notice.

Owner: Federal National Mortgage Association
NOV: 2/3/17
NTA:3/7/17 CB Hearing: 4/12/17 Outcome: Continued
NTA: 4/18/17 CB Hearing: 6/14/17 Outcome:
Closed:

Task #: 4450 - VERIFY COMPLAINT - 2/02/2017

2/2/17: Code Enforcement Officer, Ron Bolser, went to the property.
Siding is falling off or missing from the house. There is
vegetation/weeds growing from the gutters and hanging over a foot down
from them. The pool water is green/filled with algae and creating a
health hazard for surrounding properties. Code violations exist. Code
case opened.

Task #: 4451 - 01-NOTICE OF VIOL - 2/03/2017

2/3/17: Notice of Violation (NOV) sent to the property owner as
identified on the Flagler County Property Appraiser website via certified
mail return receipt #7014 2120 0004 5714 3397.
2/15/17: The NOV was returned to the City "Return to Sender; Attempted-
Not Known; Unable to Forward." Staff checked the Property Appraiser
website again for address information. No new address information was
listed or available. There are no delinquent taxes on the property. The
last property tax payment was made in November 2016 and the address listed
on the tax bill is the same used for the NOV.

Task #: 4452 - REINSPECTION - 3/07/2017

3/7/17: There has been no improvement in the status of this property.
Case referred to the Code Enforcement Board.

Task #: 4541 - 02-NOTICE TO APPEAR - 3/07/2017

3/7/17: Notice to Appear (NTA) for the April 12, 2107 Code Enforcement
Board meeting sent to the property owner as identified on the Flagler
County Property Appraiser website via certified mail return receipt #7014
2120 0004 5714 3540.
3/21/17: The NTA was returned to the City as "Not deliverable as
addressed, Unable to Forward." The City used the same mailing address for
the property owners as listed on the Flagler County Property Appraiser
website and on their tax notices.

NOTES

Task #: 4542 - CODE BOARD ACTION - 4/12/2017

4/12/17: The ownership of the property changed just prior to the Code Enforcement Board Hearing. Staff has left messages for the mortgage company. The Code Enforcement Board voted to continue the case to the next meeting to allow notice to be sent to the mortgage company.

Task #: 4640 - ONSITE VISIT - 3/31/2017

3/31/17: The property was posted for the April 12, 2017 Code Enforcement Board meeting. Pictures were updated at the same time. There has been no change in the property since the case was opened.

While on site, the next door neighbor came over to ask if someone was finally going to do something about the hazards on the property. He was most concerned about the pool and the mosquitos it is drawing.

Task #: 4661 - NOTES - 4/10/2017

4/6/17: Received an e-mail from Jill Pond. She stated the foreclosure proceedings on this property were finished this month; Flagler County Case #2009-CA-002360. She provided contact information for the lender who now owns the property- Rushmore Loan Management. Staff called the lender/mortgage company at the number provided by Jill Pond. Left a message for Jennifer, the point of contact for this property, regarding the Code Enforcement case and condition of the property. Requested call back before the weekend.

Task #: 4697 - NOTES - 4/18/2017

4/18/17: Updated case for the bank, Federal National Mortgage Association, which received ownership of the property in March 2017.

Task #: 4698 - 02-NOTICE TO APPEAR - 4/18/2017

4/18/17: Notice to Appear for the June 14, 2017 meeting was sent to the new respondent, Federal National Mortgage Association, via certified mail return receipt #7014 2120 0004 5714 3601.

4/27/17: The NTA was returned to the City signed. Signature was not legible.

Task #: 4716 - CODE BOARD ACTION - 6/14/2017

Task #: 4944 - ONSITE VISIT - 6/02/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board meeting. Pictures updated. There have been no changes in the status of the property.

6/2/2017

Kristen Bates, Acting Community Development Director





06/02/2017







City of Bunnell, Florida

Agenda Item No. 8.

Document Date: 5/12/2017 Code Enforcement Case Number: 17-035

Department: Community Development

Subject: Case Number 17-035 City of Bunnell vs. Mary Fullwood

Address: 210 S. Anderson St.

Zoning: O-1, Office, Medical & Related Service

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
Building Permit	Exhibit
Pictures 6/2/2017	Exhibit

Code Excepts: ***Code of Ordinance Sec. 26-108. - Dangerous buildings.***

(a) Definition. All structures which have any or all of 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, as a result of decay, deterioration or dilapidation, is likely to fully or partially collapse.

(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.

Background: On December 30, 2016 there was a structure fire at this location which damaged a majority of this house. On February 9, 2017, the City was informed the arson

investigation for this property was completed. This case was opened February 16, 2017.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on February 16, 2017.

The demolition permit for this property was issued March 15, 2017.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on May 10, 2017.

The demolition of the house has been completed. However, one of the conditions of the demolition permit was the removal of all debris. As of June 2, 2017, there was still debris left on the property.

The property was posted for the June 14, 2017 Code Enforcement Board meeting on June 2, 2017.

There are no delinquent property taxes due for this property.

Staff
Recommendation:

Find the property Non-Compliant and impose a one-time fine of \$100.00.

6-12-2017 01:46 PM
INCIDENT #: 2638
INCIDENT CODE: CE-DANGEROUS BLDG
PROPERTY: 210 ANDERSON ST S

INCIDENT NOTES REPORT

PAGE: 1
ORIG. DATE: 2/16/2017

NOTES

Incident Notes:

17-035
Violation: CoO Sec. 26-108. - Dangerous buildings.
Owner: Mary Fullwood
NOV: 2/16/17
NTA: 5/10/17 CB Hearing: 6/14/17 Outcome:
Closed:

Task #: 4500 - VERIFY COMPLAINT - 2/16/2017

12/30/2016: There was a structure fire at this location. The entire rear of the building was destroyed by fire.
2/9/17: The State Fire Marshall informed the City the arson investigation has been completed.
2/10/17: Pictures of the property taken and sent to the City Building Official.
2/11/17: The Building Official confirmed the building is dangerous and action is needed. Code Enforcement case to be opened.

Task #: 4501 - 01-NOTICE OF VIOL - 2/16/2017

2/16/17: The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail receipt #7014 2120 0004 5714 3441.
2/23/17: Certified mail receipt was returned to the City signed by Fred Walker.

Task #: 4502 - REINSPECTION - 2/27/2017

2/27/17: Spoke with Sharlene Fullwood. Her mother-in-law wishes to pull the demolition permit. Advised the permit request forms will be left at the front desk of the City offices for Mrs. Fullwood to pick up or have someone pick-up for her. Explained the forms needs to be completed and returned for the Building official to review. The permit fee will be collected once the permit has been issued by the Building Official.

Task #: 4505 - PHONE CALL - 2/22/2017

2/22/17: Spoke to Sharlene Fullwood (daughter-in-law to the property owner. There is no insurance on this property and her mother-in-law does not have the means to hire anyone to take care of this problem. Advised the demo permit cost is \$40.00. A local church had addressed the Commission stating they wanted to help with this property. Provided the contact information of the Pastor for that church. Discussed the goal of the City is to make sure the structure does not pose a danger to community. As long as steps are being taken, we will work with the family

Task #: 4517 - REINSPECTION - 3/21/2017

NOTES

3/21/17: The property owner applied for a demolition permit through the City Building Department. This permit was paid for/picked up on March 20, 2017. The respondent has taken the first step to bring the property into compliance.

Task #: 4572 - REINSPECTION - 3/21/2017

5/3/17: Called Sharlene Fullwood. She advised that Tashs, grand-daughter to Mary Fullwood, is taking care of this matter now. Obtained the contact number for Tasha. Spoke with Tasha. Advised the demolition permit has been issued for over a month, but no progress has been made. In order to avoid going before the Code Enforcement Board, progress on the removal of the structure must be made. Offered to provide a list of local churches she could contact to see if they were able to help. List printed and left at City front desk for pick-up.

Task #: 4738 - REINSPECTION - 5/10/2017

5/10/17: The demolition permit has been issued since March. As of this date, no steps have been taken to start the demolition of this structure. There has been no change in this property. This case will be referred to the Code Enforcement Board.

Task #: 4806 - CODE BOARD ACTION - 6/14/2017

Task #: 4807 - 02-NOTICE TO APPEAR - 5/10/2017

5/10/17: The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent to the proprty owner as identified on the Flagler County Property Appriaser website via certified mail return Receipt #7016 3010 0000 7488 2654.

5/17/17: The certified mail receipt for the NTA was returned to the City signed by Fred Walker.

Task #: 4808 - NOTES - 5/10/2017

5/10/17: The list of churches printed by City staff for the family still has not been picked up yet.

Task #: 4945 - ONSITE VISIT - 6/02/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board meeting. The house has been demolished. However, the debris from the demolition remains on the property. The debris needs to be removed for the property to be in compliance. Pictures taken.

6/2/2017

Kristen Bates, Acting Community Development Director



CITY OF BUNNELL

PO Box 756, Bunnell, FL 32110
386-437-7516 FAX 386-437-8253

00006667

ISSUED: 3/15/2017

BUILDING PERMIT

PERMIT INFORMATION		LOCATION INFORMATION	
PERMIT #	00006667	ADDRESS: 210 ANDERSON ST S	
PERMIT TYPE	RESIDENTIAL DEMOLITION	TOWNSHIP:	RANGE:
CLASS OF WORK:	RESIDENTIAL DEMOLITION	LOT(S):	BLOCK:
PROPOSED USE:		SUBDIVISION:	
SQ FEET:	0.00	PARCEL #: 10-12-30-0850-00620-0010	
		FLOOD ZONE: X	
		ZONING: O-1	
COST:	\$ 2,000.00	RIGHT SETBACK:	LEFT SETBACK: :
TOTAL FEES:	\$ 40.00	FRONT SETBACK:	REAR SETBACK:
CONTRACTOR INFORMATION		OWNER INFORMATION	
NAME:	MARY FULLWOOD	NAME: MARY FULLWOOD	
ADDRESS:	210 S ANDERSON ST BUNNELL FL 32110		
PHONE:			
WORK DESCRIPTION: RESIDENTIAL DEMOLITION OF HOUSE DUE TO FIRE DAMAGE ***HOME OWNER TO MAKE ARRANGEMENTS TO HAUL ALL DEBRIS AWAY FROM THE SITE. IF USING A TRUCKING COMPANY FOR ON-SITE DUMPSTER, THE COMPANY MUST HAVE A CURRENT CITY OF BUNNELL BUSINESS TAX RECEIPT (BTR)***			

REQUIRED INSPECTIONS

DATE

INSPECTOR

FINAL DEMOLITION

- PERMIT HOLDER WILL READ AND FOLLOW INSTRUCTIONS ON THIS PERMIT. HOME OWNERS BUILDING THEIR OWN HOME WILL FILE 'STATEMENT OF FACT' WITH OFFICE.
- FAILURE TO COMPLY WITH THE MECHANICS LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR BUILDING IMPROVEMENTS.
- SANITATION FACILITIES SHALL BE PROVIDED DURING DURATION OF CONSTRUCTION AT NEW BUILDING SITES. S.S.B.C. 2109.0(b)
- UNLAWFUL TO REMOVE OR DEFACE THIS CARD UNTIL CONSTRUCTION IS COMPLETE.
- THIS CERTIFICATE IS ISSUED IN ACCORDANCE WITH THE LAWS, ORDINANCES AND REGULATIONS ENFORCED BY THE DEPARTMENT OF INSPECTIONS OF THE CITY OF BUNNELL.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.



BUILDING OFFICIAL

3/15/17
DATE

IF AN INSPECTION IS NOT PERFORMED WITHIN 6 MONTHS, THIS PERMIT WILL EXPIRE

****IMPORTANT** PLEASE CALL 386-437-7516 TO SCHEDULE
ALL INSPECTIONS**



06/02/2017



06/02/2017



City of Bunnell, Florida

Agenda Item No. 9.

Document Date: 5/12/2017 Code Enforcement Case Number: 17-038
Department: Community Development
Subject: Case Number 17-038 City of Bunnell vs. Douglas Jackson
Address: 200 S. Forsyth St.
Zoning: R-1, Single Family Residential
Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
Pictures 6/2/2017	Cover Memo

Code Excepts: ***Code of Ordinance Sec. 26-106. - Keeping and storing discarded property prohibited; exceptions.***

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

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

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

Background: This case was opened February 28, 2017.

A site visit on February 28, 2017 revealed a section of the privacy fence was damaged and missing, there was a large pile of debris on the lot, a damaged tree was in the process of falling over, and the yard was over grown.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on February 28, 2017. On March 10, 2017, the certified mail receipt was returned to the City signed by Douglas Jackson.

An additional site visit on May 5, 2017 revealed the condition of the property had worsened. The grass and weeds were taller, the damaged tree had fallen over from the root system, the fence had not been repaired, and there were new debris piles in the yard in addition to the one located at the time the case was opened.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on May 5, 2017.

The property was posted for the June 14, 2017 Code Enforcement Board meeting on June 2, 2017. There has been no improvement in the property.

There are no delinquent property taxes due for this property.

Staff Recommendation:	Find the property Non-Compliant and impose a fine of \$25.00 per day until the property is brought into compliance.
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NOTES

Incident Notes:

17-038
Violations: COO Sec. 26-106. - Keeping and storing discarded property prohibited; exceptions. AND COO Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

Owner: Douglas Kevin Jackson
NOV: 2/28/2017
NTA: 5/5/17 CB Hearing: 6/14/17 Outcome:

Task #: 4522 - VERIFY COMPLAINT - 2/28/2017

2/28/2017 Site visit completed. There are tires and other debris located in the side yard. There is a broken fence panel. The yard is overgrown and damaged tree limbs on the property or hanging from trees. Violations exist. Code enforcement case opened.

Task #: 4523 - 01-NOTICE OF VIOL - 2/28/2017

2/28/2017 Notice of violation (NOV) sent to property owner as identified on the FLAGLER County Property Appraiser Website Via Certified Mail return receipt #7014 2120 0004 5714 3472.

3/10/17: Certified mail receipt returned to the City signed by Douglas Jackson.

Task #: 4524 - REINSPECTION - 5/05/2017

5/5/17: Went to the property. There have been no changes in the property. The tree has fallen over now and the overgrowth is worse. Pictures updated. Case to be set on the next Code Enforcement Board agenda.

Task #: 4759 - CODE BOARD ACTION - 6/14/2017

Task #: 4760 - 02-NOTICE TO APPEAR - 5/05/2017

5/5/17: The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7016 3010 0000 7488 2562.

5/25/17: The certified mail receipt was returned to the City signed by Douglas Jackson. It was signed 5/12/17.

Task #: 4946 - ONSITE VISIT - 6/02/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board meeting. There has been no change in the property. Pictures taken.

6/2/17

Kristen Bates, Acting Community Development Director





06/02/2017



06/02/2017





City of Bunnell, Florida

Agenda Item No. 10.

Document Date: 5/12/2017 Code Enforcement Case Number: 17-039

Department: Community Development

Subject: Case Number 17-039 City of Bunnell vs. Patricia Jones and Wendy Jones

Address: 818 Hymon Cir.

Zoning: R-1, Single Family Residential

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
Pictures 6/2/2017	Exhibit

Code Excepts: ***Code of Ordinance Sec. 26-108. - Dangerous buildings.***

(a) Definition. All structures which have any or all of 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.

(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.

Background: There was a structure fire at this property on March 5, 2017. On March 8, 2017 the City Building Official confirmed this building falls under the dangerous building regulations.

This case was opened March 16, 2017.

The Notice of Violation (NOV) was sent to the property owner identified on the Flagler County Property Appraiser website on March 16, 2017. The certified mail receipt was returned to the City on March 30, 2017 signed by Patricia Jones.

Since this case has been opened, neither a contractor nor the owners have obtained either a demolition permit or a permit to repair and restore the structure to a safe standard. There have been reports that un-permitted work may be going on; however, City staff has not seen work being completed on the house.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on May 4, 2017.

The property was posted for the June 14, 2017 Code Enforcement Board meeting on June 2, 2017.

There are no delinquent property taxes due for this property.

There are outstanding liens due for this property. There is a lien in the amount of \$5622.00 due for the nuisance abatement action taken for Case Numbers 12-079 and 13-016. There is also a lien for \$150.00 for Case Number 15-056. Both of these liens are for costs the City has incurred on behalf of this property.

Staff Recommendation:	Find the property Non-Compliant and impose a fine of \$50.00 per day until the property is brought into compliance.
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NOTES

Incident Notes:
17-039
Violation: CoO Sec. 26-108 Dangerous Buildings
Owners: Patricia Jones & Wendy Jones
NOV: 3/16/17
NTA: 5/4/17 CB Hearing: 6/14/17 Outcome:

Task #: 4557 - VERIFY COMPLAINT - 3/16/2017
3/5/17: Bunnell Fire Chief, Derek Fraser, informed the Building Department there was a structe fire at this address. The front bedroom was gutted and there was significant damage to the rest of the structure from heat, smoke and water. All utilities were shut off.
3/8/17: The Bunnell Building Official, Dennis Fischer, declared the structre a dangerous building.
3/16/17: Code Enforcment case opened.

Task #: 4558 - 01-NOTICE OF VIOL - 3/16/2017
3/16/17: Notice of Violation (NOV) was sent to the property owners as identified on the Flagler County Property Appraiser website via certified mail return receipt #7014 2120 0004 5714 3564.
3/30/17: The certified mail receipt was returned to the City signed by Patricia Jones.

Task #: 4559 - REINSPECTION - 3/16/2017
3/16/17: The proprety owner has made no contact with the Building Department to take any action on the property. There have been no calls to ask what should be submitted to restore the structure to a safe condition or to demolish the structure.

Task #: 4560 - NOTES - 3/16/2017
3/16/17: There are outstanding liens on this property. \$5,622.00 for Code Case Numbers 12-079 & 13-016 and \$150.00 for Code Case Number 15-056. This is a total of \$5,772.00 due to the City. These liens were for expenses the City incurred for nuisance abatement and for unpaid solid waste services for debris removal.

Task #: 4561 - REINSPECTION - 3/16/2017
5/3/17: Dennis Fischer, Building Official, visited the property. The structure is still considered dangerous as no repairs have been made since the fire. Staff checked the Building Permit system. No permits have been issued for 818 Hymon Cir for either the demolition of the building or the restoration of the building. Building Official recommended the case go before the Code Enforcement Board.

6-42-2017 02:21 PM
INCIDENT #: 2670
INCIDENT CODE: CE-DANGEROUS BLDG
PROPERTY: 818 HYMON CIR

INCIDENT NOTES REPORT

PAGE: 2
ORIG. DATE: 3/16/2017

NOTES

Task #: 4740 - CODE BOARD ACTION - 6/14/2017

Task #: 4741 - 02-NOTICE TO APPEAR - 5/04/2017

5/4/17: The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7014 2120 0004 5714 3618.

5/31/17: The NTA was returned to the City "Unclaimed."

Task #: 4742 - 05-LIEN - 5/04/2017

5/4/17: Note to file. This property already has the following liens imposed:

\$5622.00 for Code cases #12-079 & #13-046 (nuisance abatement action)

\$150.00 for Code Case #15-056 (solid waste lien)

Total amount already owed the City for this property is \$5772.00. These were actual costs the City has spent to bring this property into compliance with City codes.

Task #: 4923 - NOTES - 5/24/2017

5/24/17: The Building Official reviewed a building permit application submitted by Patricia Jones on 5/23/17. Insufficient supporting documentation was provided with the application. It was missing the floor plan, electrical information, plumbing information, HVAC information and the product approval sheets for the doors and windows. Also, the cost of the improvement did not match the scope of the work required to restore the house to a safe condition (it was much too low). Building permit cannot be approved. Applicant was notified additional information would be needed.

Task #: 4947 - ONSITE VISIT - 6/02/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board meeting. To date, a building permit has not been issued to restore the structure to a safe/secure status.

6/2/2017

Kristen Bates, Acting Community Development Director



06/02/2017



06/02/2017



City of Bunnell, Florida

Agenda Item No. 11.

Document Date: 5/23/2017 Code Enforcement Case Number: 17-046

Department: Community Development

Subject: Case Number 17-046 City of Bunnell vs. Marvins Garden Inc.

Address: 4601 E. Moody Blvd Units C1, C2, and C-3

Zoning: B-1, Business zoning district

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
Pictures taken 5/23/17	Exhibit
Fire Inspector Statement	Exhibit
Utility Account Notice	Exhibit

Code Excepts: ***Bunnell Land Development Code Sec. 6-33. - Florida Building Code—Adopted.***
(a) Adopts the Florida Building Code of 2004, and all its revisions or changes thereafter.

Bunnell Land Development Code Sec. 6-64. - Compliance with other regulations.
An inspection or approval under this article does not relieve the owner or operator of the obligation to comply with other applicable state, regional, or local code or regulation. The inspection shall not relieve any owner or operator of any liability for violation of any code, regulation, rule, ordinance or requirement.

Bunnell Land Development Code Sec. 6-65. - Notice of violation; compliance.
Whenever the fire safety inspector determines that there is a violation of this article, the inspector shall notify the owner or operator in writing of the violation, and shall give reasonable time to comply, and follow up inspections shall be made to insure compliance. In the event of noncompliance after the third inspection the fire safety inspector shall use all means available under most current law to insure compliance.

Bunnell Land Development Code Sec. 34-117. - B-1 Business district.
(c) Permitted special exception. Permitted special exceptions, which are subject to approval by the planning, zoning and appeals board, in the B-1 district shall be as follows:

(2) Uses permitted in the residential districts, and multifamily uses.

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*

Code of Ordinance Sec. 66-1. - Connection to city water, sewer and reclaim system.

(e) All occupied structures connected to the city water and sewer system shall maintain an active utilities account as applicable.

Background: This case was opened May 8, 2017.

The owner of the property is Marvins Garden Inc. The tenant, per City business tax receipt records, is Jack Munteer doing business as Inquest Valuation Services, a real estate appraisal business. The business tax receipt records show a lease for Unit C2 only.

In the beginning of May, the City received reports from citizens paying utility bills that a welding business was operating at 4601 E. Moody Blvd. Unit C1. City records did not have a business operating in Unit C1. There was not an active utility billing account open for Unit C1.

On May 4, 2017, the City Fire Inspector turned in a fire inspection report citing several fire code violations for Units C1, C2 and C3. In addition, he described the conditions of the units. It was reported that plumbing and electrical work had been done. A check of City building permit records did not show any permits issued to Unit C1, C2 or C3. A statement from the City Fire Inspector is attached.

On May 5, 2017, the utility billing department confirmed there was 1 active utility account in the name of New Spectrum Real Estate. The account was active in Unit C2 only. New Spectrum Real Estate no longer has a current City of Bunnell business tax receipt.

On May 22, 2017, City staff checked the Department of Business and Professional Regulation license website. Jack Munteer has the following licenses registered at 4601 E. Moody Blvd Unit C2: Certified General Appraiser; Certified Building Contractor; Real Estates Broker or Sales; Registered Trainee Appraiser. The business tax receipt for the City of Bunnell only has information regarding the appraisal business, Inquest Valuation Services. As other state licenses are also active at this location, the potential to do this type of business from this location also exist.

Additionally, based upon the complaints and allegations received by the City, there are concerns about an unregistered welding business, owner/operated by Jeff Munteer, operating at this location without the appropriate fire safety measures in place, inspected and approved.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on May 8, 2017. On May 17, 2017, the certified mail receipt was returned to the City signed by C. Eure. The NOV was signed for on May 15, 2017.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on May 23, 2017.

The property was posted for the June 14, 2017 Code Enforcement Board meeting on June 2, 2017.

There are no delinquent property taxes due for this property.

Staff
Recommendation: Find the property Non-Compliant and impose a fine of \$100.00 per day until all violations have been corrected.

NOTES

Incident Notes:
17-046
Violations: LDC Sec. 6-33. - Florida Building Code-Adopted; Sec. 6-64. - Compliance with other regulations; Sec. 6-65. - Notice of violation; compliance; Sec. 34-117. - B-1 Business district. AND CoO Sec. 58-36. - Levying of tax; Sec. 66-1. - Connection to city water, sewer and reclaim system.
Owner: Marvins Garden Inc (Tenant: inquest Valuation Services)
NOV: 5/8/17
NTA: 5/23/17 CB Hearing: 6/20/17 Outcome:

Task #: 4770 - VERIFY COMPLAINT - 5/08/2017
5/4/17: Fire Inspector Chris Hughes visited the location. On 5/5/17 he turned in the fire inspection report which documented several fire code violations and fire hazards. Additionally, there was a build out without permits being pulled. Staff checked the BTR and utility account database and found other violations of City Codes. Code Enforcement case will be opened.

Task #: 4771 - PHONE CALL - 5/08/2017
5/5/17: Acting Community Development Director Kristen Bates spoke with Marvin Sheets regarding the issues in these 3 units on his property. He stated he was currently out-of-town but would look into the problems on Monday.

Task #: 4772 - REINSPECTION - 5/08/2017
5/23/17: Fire Chief and Code Enforcment Officer, Ron Bolser, conducted a site visit with property owner Marvin Sheets and tenant Jack Munteer. He advised there were several code violations that needed to be resolved. Plumbing work to raise the toilet and install a shower were seen. Sections of the wall between the units were cut out between studs for pass throughs/access to adjacent units. He instructed both to contact the Building Official and the Fir Inspector to determine the legal way to correct all violations.

Task #: 4773 - 01-NOTICE OF VIOL - 5/08/2017
5/8/17: The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7016 3010 0000 7488 2579.
5/17/17: The certified mail recpit for the NOV was returned to the City signed by C. Eure. It was signed on 5/15/17.

Task #: 4865 - PHONE CALL - 5/22/2017
5/22/17: Jack Munteer, tenant of Units C-1 to C3, called the City. He

NOTES

received a copy of the NOV Friday. He is out of town working, but states he will work on the issues. He disagrees with several the violations cited. He states he is only using 1 of the units for business and the other 2 are for storage of his personal items and hobby stuff. The stove and refrigerator are not used or connected to power. He did re-plumb for a sink without a permit. He does not feel that he needs a utility account for all the units he is occupying & states the Code is being interpreted incorrectly by Staff. He believes the Fire Inspector came down too hard and he feels that the City has over reacted. Advised the City had received multiple complaints. Also explained the fire code regulations are for the safety of all people, first responders, adjacent tenants, etc.

Task #: 4866 - NOTES - 5/22/2017

5/22/17: Staff checked the Department of Business and Professional Regulation license website. Jack Mounteer has the following licenses registered at this location in Bunnell: Certified General Appraiser; Certified Building Contractor; Real Estates Broker or Sales; Registered Trainee Appraiser. The business tax receipt for the City of Bunnell only has information regarding the appraisal business, Inquest Valuation Services. As other state licenses are also active at this location, the potential to do this type of business from this location also exist.

Task #: 4898 - NOTES - 5/23/2017

5/23/17: City received another call about this property. The caller did not identify themself, but stated there are 2-3 people living in units C1 to C-3. In addition, a welding business is operating at this location too. The welding is being done inside the building.

Note: Units C1, C2 and C3 used to be separate units and each have their own water meter. The caller reports that interior walls have been opened to make the units connected.

Task #: 4899 - NOTES - 5/23/2017

5/22/17: The Fire Inspector, Chris Hughes, confirmed the fire propection/walls between each of the units has been removed between studs to allow access from one unit to the next without having to walk outside. By life safety regulations, this means the space is treated as one open unit. He is not the authorit for whether the work was done per Florida Building code. There was a shower installed and the kitchen items- stove and refrigertor- were in use/plugged in. Additionally, an outlet was overloaded with extension cords to get power to adjacent units.

Task #: 4900 - CODE BOARD ACTION - 6/14/2017

Task #: 4901 - 02-NOTICE TO APPEAR - 5/23/2017

INCIDENT #: 2835

ORIG. DATE: 5/08/2017

INCIDENT CODE: CE-MULTIPLE CODES

PROPERTY: 4601 MOODY BLVD E C-02

NOTES

5/23/17: The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7014 2120 0004 5714 3694.

5/30/17: The certified mail receipt for the NTA was returned to the City signed by D. Wilbanks. It was signed 5/26/17.

Task #: 4902 - NOTES - 5/23/2017

5/23/17: Research into City BTR records documents Jack Mounteer terminated his business tax receipt for New Spectrum Real Estate at 4601 E. Moody Blvd Unit C-2 on 12/15/15. The information provided to Mick Cuthbertson was that New Spectrum was out of business.

Note: The utility account for Unit C-2 is still in the name of New Spectrum Real Estate.

Task #: 4940 - NOTES - 5/31/2017

5/24/17: Building Official Dennis Fischer reviewed the pictures taken 5/23/17. He confirmed the electrical and plumbing work done should have been done with building permits. All violations should be corrected as soon as possible. Building permit application and all required supporting documentation need to be submitted for review and approval. Permits need to correct all work.

Task #: 4949 - ONSITE VISIT - 6/02/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board meeting.

Task #: 4950 - NOTES - 6/02/2017

6/2/17: Utility Account update. The utility account (water and sewer services) were disconnected on 5/23/2017 for not following through with correcting the utility account. As of this date, service has not been restored. This location has been without water & sewer services since 5/23/17 which is in violation of City Codes.

6/2/2017

Kristen Bates, Acting Community Development Director

Pictures taken 5/23/17: 4601 E. Moody Blvd Unit C2



At least 1 extension cord running to unit C3 to provide power

Breaker panel from Unit C2; All breaker spaces filled/used



Pictures taken 5/23/17: 4601 E. Moody Blvd Unit C2



Note: toilet built on a raised platform;
Also shortens the height of the sink.
Not ADA compliant

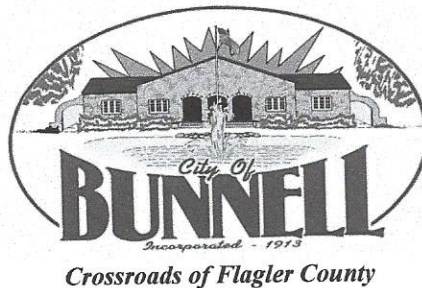


Shower installed in a commercial
space; Unit was not plumbed for a
shower

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DAN DAVIS
CITY MANAGER



COMMISSIONERS:

ELBERT TUCKER

BILL BAXLEY

JOHN SOWELL

5/23/17

RE: Fire Inspection conducted at Inquest Valuation, 4601 E Moody Blvd Unit C1-C3

The annual fire safety inspection was conducted on 5/4/17 and the following violations were found:

- No Current City of Bunnell Local Business Tax receipt posted *ORD 2007-42*
- Several Exit signs were not working properly *NFPA 1, 10.4.1*
- Emergency lighting was not working properly *NFPA 1, 10.4.1*
- Fire Extinguishers were not certified annually *NFPA 1, 13.6.6.8.3*
- Multiple extension cords throughout the building as well as unprotected electrical wiring throughout *NFPA 1, 11.1.5*
- All units are combined into 1 business location due to no definitive tenant separation between units due to holes cut in walls combining the units. Unit C-1 and C-2 are joined by traveling through a small closet like area that also does not meet code for path of travel. *NFPA 101 6.1.14.4.1(a) NFPA 1, 14.4*

The front of unit C-1 was set up as a business office however the remaining areas were set up as a workshop and living area. According to tenant this area was designated as his personal space and all the equipment and tools were part of his hobbies. There were two other people in the building during my inspection. One was in the office area the other was working on a RV camper in the back of one of the units. If it is determined that the tenant is using the space as a residence, additional codes would be in violation.

At the conclusion I explained to the tenant that he was in violation of several codes and he was provided a copy of the report. I also explained to him that it appears he is living in the unit as well as running additional businesses out of the unit and I would have to notify city hall officials. He received the violation notice and signed at the bottom.

If any additional information is needed reference the fire inspection please feel free to contact me.

Christopher Hughes
City of Bunnell Fire Inspector
386 503 7306

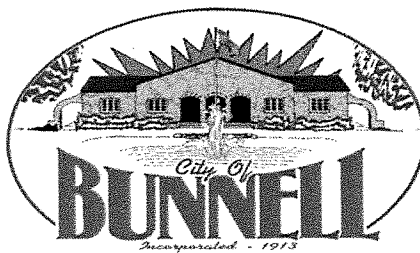
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www.bunnellcity.us

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DAN DAVIS
CITY MANAGER



Crossroads of Flagler County

COMMISSIONERS:

ELBERT TUCKER

BILL BAXLEY

JOHN SOWELL

May 5, 2017

Inquest Valuation (New Spectrum Real Estate)
4601 E Moody Blvd #C2
Bunnell, FL 32110

Dear Mr. and/or Mrs. Mounteer,

This letter is to inform you that your utility account will be closed and your utility service with the City of Bunnell will be discontinued on **May 22, 2017** as allowed per Florida Administrative Code 25-30.320:

25-30.320 Refusal or Discontinuance of Service.

(2) As applicable, the utility may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the customer shall be given written notice and allowed a reasonable time to comply with any rule or remedy any deficiency:

(c) For the use of utility service for any other property or purpose than that described in the application.

Account 01-3710-03 was opened, in 2012, under the business name and tax receipt of New Spectrum Real Estate. That business tax receipt was subsequently closed in 2015. The City of Bunnell requires active commercial accounts to maintain active business tax receipts and/or active business tax receipt holders to maintain active utility accounts in their names, if services are available at the service address.

To prevent the account closure and service disconnection, you must complete the following **no later than May 19, 2017**:

1. Update the Business Tax Receipt for **Inquest Valuation** to include units C1-C3,
2. Complete a new application for utility service under the business tax receipt for **Inquest Valuation**,
3. Provide an updated lease agreement that includes usage of units C1-C3, **AND**
4. Pay new deposits for **all** units that are being used that are individually metered.

Thank you for your prompt attention to this matter.

Lakesha Byrd
Utility Billing Specialist

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City of Bunnell, Florida

Agenda Item No. 12.

Document Date: 5/24/2017 Code Enforcement Case Number: 17-050

Department: Community Development

Subject: Case Number 17-050 City of Bunnell vs. Pinecrest Business Center

Address: 1108 S. State St, #106

Zoning: B-1, Business zoning district

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Affidavit	Exhibit
6/5/17 Tax Collector website screenshot	Exhibit

Code Excepts: ***Code of Ordinances Sec. 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. The amount of tax levied shall be on an annual basis. Half-year rates shall be in effect between April 1st, and September 30th of each year. 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. 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. Every receipt issued shall be posted in a conspicuous place in the place of business for which it is issued.

(c) 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.

Background: This case was opened May 9, 2017.

The owner of the property is Pinecrest Business Center LLC. The tenant is Jacky's

Dog Grooming.

The City partners with the Flagler County Tax Collector Office for all business tax receipt (BTR) renewals. The Flagler County Tax Collector Office sent out renewal reminders in mid-July 2016. Bunnell Code does not require the City to send renewal notices or to continue to make efforts to remind the business of the fees if the fees are not paid by October 1.

From the Bunnell Code of Ordinance:

Sec. 58-39(a)(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.*

Since October 1, 2016, the Code Enforcement Officer has made various attempts to remind this business of the delinquent BTR through on-site visits and phone calls. Reminder notices were taped to the door, over the lock whenever the business was not open at the time of the visit. Staff has also left at least 2 different messages on voicemail at the number provided in the City's business tax receipt database.

The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website on May 9, 2017.

The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent on May 24, 2017.

The property was posted for the June 14, 2017 Code Enforcement Board meeting on June 2, 2017.

There are no delinquent property taxes due for this property.

Staff
Recommendation:

Find the property Non-Compliant and impose a one-time fine of \$290.00. This includes the \$250.00 fine permitted by Code and \$40.00 in administrative costs incurred by the City for this case.

This amount does not include the money due to the City for the renewal of the business tax receipt.

6-5-2017 08:51 AM
INCIDENT #: 2845
INCIDENT CODE: CE- BTR RENEWAL
PROPERTY: 1108 STATE ST S 106

INCIDENT NOTES REPORT

PAGE: 1
ORIG. DATE: 5/09/2017

NOTES

Incident Notes:

17-050
Violation: CoO Sec. 58-39. - Business tax receipts; dates due and delinquent, notices; penalties.
Owner: Pinecrest Business Center LLC (Tenant: Jacky's Dog Grooming)
NOV: 5/9/17
NTA: 5/24/17 CB Hearing: 6/14/17 Outcome:
Closed:

Task #: 4789 - VERIFY COMPLAINT - 5/09/2017

5/8/17: Staff checked Bunnell BTR system records and Flagler County Tax Collector BTR on-line records. The BTR renewal fee for FY 16/17 for the City of Bunnell BTR & Flagler County BTR still has not been paid. The Flagler County Tax Collector's office sent out renewal notices in July 2016. Staff has left notices on-site and left messages for the owner of the business. The BTR is now delinquent. Code Enforcement case opened. Business= Jacky's Dog Grooming.

Task #: 4790 - 01-NOTICE OF VIOL - 5/09/2017

5/9/17: The Notice of Violation (NOV) was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7016 3010 0000 7488 2616.
5/16/17: The certified mail receipt for the NOV was returned to the City. It was signed on 5/13/17.

Task #: 4791 - REINSPECTION - 5/09/2017

5/24/17: Staff checked the Flagler County Tax Collector website. The BTR for Jacky's Dog Grooming still has not been renewed. Case referred to the Code Enforcement Board.

Task #: 4921 - CODE BOARD ACTION - 6/14/2017

Task #: 4922 - 02-NOTICE TO APPEAR - 5/24/2017

5/24/17: The Notice to Appear (NTA) for the June 14, 2017 Code Enforcement Board meeting was sent to the property owner as identified on the Flagler County Property Appraiser website via certified mail return receipt #7014 2120 0004 5714 3724.

Task #: 4952 - ONSITE VISIT - 6/05/2017

6/2/17: The property was posted for the June 14, 2017 Code Enforcement Board meeting.

INCIDENT #: 2845

ORIG. DATE: 5/09/2017

INCIDENT CODE: CE- BTR RENEWAL

PROPERTY: 1108 STATE ST S 106

NOTES

Task #: 4953 - NOTES - 6/05/2017

6/5/17: Staff checked the Flagler County Tax Collector website. This BTR still has not been renewed. To date, the business has not contacted the City to report if they have closed. The utility billing account for this business is still active.

6/5/17:***Kristen Bates, Acting Community Development Director***

Suzanne Johnston Flagler County Tax Collector

Business Tax Information

Last Update: 6/5/2017 8:53:40 AM EDT

Business Tax Information

Account Number	New Business Date	License Year						
2514	12/8/2004	2016						
Business Address JACKY'S DOG GROOMING 1108 S STATE ST UNIT 106 BUNNELL FL 32110								
Mailing Address COUSIN JACQUELINE 12 LONDONDERRY DR PALM COAST FL 32137								
Units 0								
Status **ACTIVE**								
Occupation GROOMING CITY OF BUNNELL @ \$93.00 CITY OF BUNNELL FIRE INSP @ \$30.00								
<table><tr><td>Business Tax</td><td>\$11.00</td></tr><tr><td>Penalty Fee</td><td>\$2.75</td></tr><tr><td>Other Fee</td><td>\$146.25</td></tr></table>			Business Tax	\$11.00	Penalty Fee	\$2.75	Other Fee	\$146.25
Business Tax	\$11.00							
Penalty Fee	\$2.75							
Other Fee	\$146.25							
If Paid By		Amount Due						
6/30/2017		\$160.00						

[Click Here To Pay Now](#)

By paying this tax I certify that this business/profession is currently in compliance with all licensing and regulatory requirements of Florida, Flagler County and any applicable city.