



~ Agenda ~

City of Fort Walton Beach Regular Meeting of the Code Enforcement Board

Wednesday, November 14, 2018

4:00 PM

Council Chamber

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. SWEARING IN OF PERSONS TO TESTIFY**
- 5. APPROVAL OF AGENDA**
 - 5.1. Approval of Agenda**
(City Manager)
- 6. APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 6.1. Wednesday, September 12, 2018 4:00 PM**
- 7. PUBLIC HEARINGS**
 - 7.1. GHD18-0423**

Grass Height Developed case, staff is requesting issuance of Order I
(Code Enforcement Board)
 - 7.2. LIT18-0510**

Litter case, staff is requesting issuance of Order I
(Code Enforcement Board)
 - 7.3. WS18-0377**

Water Service case, staff is requesting issuance of Order I
(Code Enforcement Board)
 - 7.4. WS18-0471**

Water Service case, staff is requesting issuance of Order I
(Code Enforcement Board)
 - 7.5. 18-00141**

Maintenance General case, staff is requesting issuance of Order II
(Code Enforcement Board)
- 8. CASES IN COMPLIANCE BEFORE HEARING**

8.1. GHU18-0453 Complied

Grass Height Undeveloped, Case Complied
(Code Enforcement Board)

9. UNFINISHED BUSINESS**10. ADDITIONAL BUSINESS****11. ADJOURNMENT**

Quasi-Judicial - denotes that the item must be conducted as a quasi-judicial hearing in accordance with Florida Statutes.

Any person who decides to appeal any decision made with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. Chapter 286.0105).

The City of Fort Walton Beach adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to this meeting by a physically handicapped person upon notice 48 hours prior to the meeting. Please call the City Clerk, Kim M. Barnes, at 850-833-9509 or e-mail at clerk@fwb.org to make a request. For Hearing Impaired dial 1-800-955-8771 (TDD) or 1-800-955-8770 (VOICE) or e-mail clerk@fwb.org.

All City of Fort Walton Beach council and board meetings are recorded. The video can be accessed at www.fwb.org.



Code Enforcement Board

CITY MANAGER MEMORANDUM

To: Michael D. Beedie, City Manager
From: Carole Jones, Executive Assistant
Date: November 14, 2018
Subject: Approval of Agenda

SIGNATURE BLOCK:

Carole Jones	Completed	10/24/2018 4:22 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM



~ Draft Minutes ~
City of Fort Walton Beach
Regular Meeting of the Code Enforcement Board

Wednesday, September 12, 2018

4:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

4:00 PM Meeting was called to order on September 12, 2018 at Council Chamber, 107 Miracle Strip Parkway SW, Fort Walton Beach, FL.

Attendee Name	Title	Status	Arrived
Glenda Glover		Present	
Valerie Moreland		Present	
Willie Harmon		Present	
Bill Robinson		Present	
Michael Keith Bridwell		Present	
Janet Wilson		Present	
Rhonda Stewart		Absent	
Robert Rennie		Present	

SWEARING IN OF PERSONS TO TESTIFY

Casey King of the City Attorney's Office gave the oath to those who planned to testify.

APPROVAL OF AGENDA

Burt Rhodes, Code Inspector, informed that two cases had been added to the agenda: Case GHD18-0444 (Item 7.1) and GHD18-0445 (Item 7.2). Also, Cases NUS18-0393 and MAN18-0005 (Cases 7.4 and 7.5) have been withdrawn due to expected compliance.

The vote on the motion to approve the agenda as amended carried unanimously.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Bill Robinson
SECONDER:	Janet Wilson
AYES:	Glover, Moreland, Harmon, Robinson, Bridwell, Wilson, Rennie

Minutes Acceptance: Minutes of Sep 12, 2018 4:00 PM (APPROVAL OF MINUTES OF PREVIOUS MEETING)

APPROVAL OF MINUTES OF PREVIOUS MEETING

The vote on the motion to approve the minutes of August 8, 2018 carried unanimously.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Bill Robinson
SECONDER:	Janet Wilson
AYES:	Glover, Moreland, Harmon, Robinson, Bridwell, Wilson, Rennie

PUBLIC HEARINGS

Case GHD18-0444, 11 Third Street SE

Ed Moore, Code Inspector, advised the property located at 11 Third Street SE was found in violation of Code Section 5.07.01(S): Grass Height. According to the tax records the owner of said property is H H Carnathan & Co. Inc. and according to the State of Florida Division of Corporations, the registered agent for H H Carnathan & Co. Inc. is Jo Ellen Carnathan.

This is a repeat violation that was first observed on July 23, 2018. Per an Order of the Code Enforcement Board dated October 8, 2014, the aforementioned violation(s) constitute a repeat violation.

Mr. Moore advised that on August 30, 2018, service was obtained for the Notice of Hearing for a repeat violation, and on August 9, 2018 and September 12, 2018, photographs of the violation were taken. As of today, September 12, 2018, the property remains in violation.

As there were no respondents present, Exhibits A through G were entered into the record and the Board viewed exhibits including photographs.

Staff is requesting issuance of Order II for a repeat violation including the \$325.00 administrative fee and requests a fine of \$500.00 per day be imposed on the property with a starting date of July 23, 2018.

The vote on the motion to accept the Findings of Fact, Conclusions of Law made by Staff, and order the respondent(s) to correct the violations immediately, pay the assessed administrative fee and a fine of \$500.00 per day for each day the violations continue beyond July 23, 2018, carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Robinson
SECONDER:	Janet Wilson
AYES:	Glover, Moreland, Harmon, Robinson, Bridwell, Wilson, Rennie

Case GHD18-0445, 15 Third Street SE

Mr. Moore, Code Inspector, advised the property located at 15 Third Street SE was found in violation of Code Section 5.07.01(S): Grass Height. According to the tax records the owner of said property is H H Carnathan & Co. Inc. and according to the State of Florida Division of Corporations the registered agent for H H Carnathan & Co. Inc. is Jo Ellen Carnathan.

This is a repeat violation that was first observed on July 23, 2018. Per an Order of the Code Enforcement Board dated October 8, 2014, the aforementioned violation(s) constitute a repeat violation.

Mr. Moore advised that on August 30, 2018, service was obtained for the Notice of Hearing for a repeat violation, and on August 9, 2018 and September 12, 2018, photographs of the violation were taken. As of today, September 12, 2018, the property remains in violation.

As there were no respondents present, Exhibits A through G were entered into the record and the Board viewed exhibits including photographs.

Staff is requesting issuance of Order II for a repeat violation including the \$325.00 administrative fee and requests a fine of \$500.00 per day be imposed on the property with a starting date of July 23, 2018.

The vote on the motion to accept the Findings of Fact, Conclusions of Law made by Staff, and order the respondent(s) to correct the violations immediately, pay the assessed administrative fee and a fine of \$500.00 per day for each day the violations continue beyond July 23, 2018, carried immediately.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Robinson
SECONDER:	Janet Wilson
AYES:	Glover, Moreland, Harmon, Robinson, Bridwell, Wilson, Rennie

Case PR18-0116, 220 Sotir Street SW

Burt Rhodes, Code Inspector, advised that on April 4, 2018, the property located at 220 Sotir Street NW owned by Christopher D. Shea was found in violation of Permit Required: Sec. 3.01.05 Florida Building Code Sec. 105.1, Failure to Obtain Required Permit Before Commencing with Construction and Alterations Including But Not Limited to Electrical, Plumbing, Framing, Windows, and Doors to Include Enclosure of a Covered Rear Porch.

Mr. Rhodes presented the case history and advised that at the time the violations were recognized, the subject property was in the process of being sold. The prior and current owners were notified of the violations. It is believed that at the closing, \$15,000 was set aside to correct the violations. Before sending the Notice of Violation, staff waited 3 months and made several calls to the new owner regarding the violations.

As there were no objections from the respondent(s), Exhibits A through G were entered into the record and the Board viewed exhibits including photographs.

Staff is requesting acceptance of the Findings of Fact, Conclusions of Law and issuance of Order I, including the \$325.00 administrative fee. Staff also recommends 60 days for compliance of the violation(s) which would make the compliance deadline on November 12, 2018.

Christopher Shea, 220 Sotir, explained that at closing he was informed \$15,000 would be enough to comply the violations. However, upon further inspection, it was discovered a structural engineer would be needed that would cost more than \$15,000, and the money in escrow was taken back by the former owner. Mr. Shea has spoken with attorneys who advised he come to the Board and see if he could have additional time.

The Board was very sympathetic of Mr. Shea's dilemma and discussed giving him six months.

The vote on the motion to accept the Findings of Fact, Conclusions of Law made by Staff and order the respondents to correct the violations on or before April 12, 2019, and to waive the administrative fee of \$325.00, carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Robinson
SECONDER:	Janet Wilson
AYES:	Glover, Moreland, Harmon, Robinson, Bridwell, Wilson, Rennie

CASES IN COMPLIANCE BEFORE HEARING

The following cases complied before today's hearing: Case LIT18-0354, Litter; Case NUS18-0355, Nuisance; and Case GHD18-0362, Grass Height.

CASES WITHDRAWN

The following cases were withdrawn pending compliance: Case NUS18-0393, Nuisance General and Case MAN18-0005, Maintenance General.

UNFINISHED BUSINESS

None.

ADDITIONAL BUSINESS

None.

ADJOURNMENT: 4:32 pm

Minutes Acceptance: Minutes of Sep 12, 2018 4:00 PM (APPROVAL OF MINUTES OF PREVIOUS MEETING)



Code Enforcement Board

CODE ENFORCEMENT BOARD MEMORANDUM

To: Michael D. Beedie, City Manager
From: Bert Rhodes, Code Enforcement
Date: November 14, 2018
Subject: GHD18-0423

SIGNATURE BLOCK:

Bert Rhodes	Completed	10/24/2018 2:47 PM
Carole Jones	Completed	10/24/2018 3:45 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM



Code Enforcement Board

CODE ENFORCEMENT BOARD

MEMORANDUM

To: Michael D. Beedie, City Manager
From: Bert Rhodes, Code Enforcement
Date: November 14, 2018
Subject: LIT18-0510

SIGNATURE BLOCK:

Bert Rhodes	Completed	10/24/2018 2:49 PM
Carole Jones	Completed	10/24/2018 3:45 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM



Code Enforcement Board

CODE ENFORCEMENT BOARD

MEMORANDUM

To: Michael D. Beedie, City Manager

From: Bert Rhodes, Code Enforcement

Date: November 14, 2018

Subject: WS18-0377

SIGNATURE BLOCK:

Bert Rhodes	Completed	10/24/2018 2:52 PM
Carole Jones	Completed	10/24/2018 3:44 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM



Code Enforcement Board

CODE ENFORCEMENT BOARD MEMORANDUM

To: Michael D. Beedie, City Manager
From: Bert Rhodes, Code Enforcement
Date: November 14, 2018
Subject: WS18-0471

SIGNATURE BLOCK:

Bert Rhodes	Completed	10/24/2018 2:55 PM
Carole Jones	Completed	10/24/2018 3:44 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM



Code Enforcement Board

CODE ENFORCEMENT BOARD

MEMORANDUM

To: Michael D. Beedie, City Manager
From: Bert Rhodes, Code Enforcement
Date: November 14, 2018
Subject: 18-00141

SIGNATURE BLOCK:

Bert Rhodes	Completed	10/24/2018 2:57 PM
Carole Jones	Completed	10/24/2018 3:44 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM



Code Enforcement Board

CODE ENFORCEMENT BOARD

MEMORANDUM

To: Michael D. Beedie, City Manager

From: Bert Rhodes, Code Enforcement

Date: November 14, 2018

Subject: GHU18-0453 Complied

SIGNATURE BLOCK:

Bert Rhodes	Completed	10/24/2018 3:02 PM
Carole Jones	Completed	10/24/2018 3:43 PM
Code Enforcement Board	Pending	11/14/2018 4:00 PM