



~ Draft Minutes ~

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

Wednesday, November 8, 2017

4:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

4:00 PM Meeting was called to order on November 8, 2017 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	
J.T. Edwards		Present	
Janet Wilson		Present	
Rhonda Stewart		Absent	
Robert Rennie		Present	

Alternate Rhonda Stewart was an unexcused absence.

SWEARING IN OF PERSONS TO TESTIFY

Jennifer Gutai of the City Attorney's Office gave the Oath to those who planned to testify

APPROVAL OF AGENDA

Burt Rhodes, Code Inspector, advised that Items 7.1, 7.6, 7.7, 7.8, 7.9, and 7.10 complied before the hearing. He advised that respondents were present so Case 17-1194 will be heard first, followed by Case 17-1276.

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, Edwards, Wilson, Rennie

APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of minutes of October 11, 2017.

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

PUBLIC HEARINGS

Case 17-1194—62 Martisa Road NW

Mr. Rhodes advised that on June 6, 2017, the property located at 62 Martisa Road NW owned by Ralph F. and C. Czarnecki was found in violation of Nuisance: Sec. 5.04.01 (1)(2)(3)(4)(5)(6)(7) 5.04.02(1)(3)(4)(5)(6)(9)(11)(12)(13) Failure to secure premises; Pool maintenance: Sec. 5.04.12; Fence maintenance: Sec. 5.07.01 Grass height, developed: Sec. 5.07.01; and Unlicensed, non-operative items: Sec. 5.04.01 & 5.04.02(9)(10) Prohibited accumulation & outside storage of four unlicensed non-operative vehicles litter and debris.

Mr. Rhodes presented the case history and advised that as of today, November 8, 2017, the property remains in violation. As there were no objections from the respondent, Exhibits A through G were entered into the record and the Board viewed the 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, and ten (10) days for compliance of the violation(s), which makes the compliance deadline on November 18, 2017.

Mr. Rhodes noted the property is in foreclosure and will probably be sold the following day.

Ralph Czarnecki, respondent, discussed the circumstances that led to the violations.

The vote on the motion to accept the Findings of Fact, Conclusions of Law and issuance of Order I, including the \$325.00 administrative fee, and ten (10) days for compliance of the violation(s), which makes the compliance deadline on November 18, 2017, carried unanimously.

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

Case 17-1276—212 Bradley Drive NE

Ed Moore, Code Inspector, advised that on July 18, 2017, the property located at 212 Bradley Drive NE owned by Ricky G. Alexander was found in violation of Code Section 5.04.01 (1 to 7) & 5.04.02 (2, 4, 6, 7, & 9): Litter and Code Section 5.04.01 & 5.04.02 (9) (10): Unlicensed/Non-Operative Items.

Mr. Moore presented the case history and advised that as of today, November 8, 2017, the property remains in violation. As there was no objection from the respondent, Exhibits A through G were entered into the record and the Board viewed exhibits of the violations, 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, and forty (40) days compliance of the violation, which makes the compliance deadline on November 28, 2017.

Ricky Alexander, respondent, discussed the circumstances that led to the violations. Mr. Alexander requested additional time of 40 days to correct the violations due to his work schedule. Staff had no objections to the 40-day deadline.

The vote on the motion to accept the Findings of Fact, Conclusion of Law made by Staff and order the respondent(s) to correct the violations on or before December 18, 2017 and to pay the assessed administrative fee of \$325.00 carried unanimously.

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

Case 17-1176—135 Moriarty Street NW

Mr. Rhodes advised that on June 29, 2017 the property located at 135 Moriarty Street NW owned by Barry D. Boutwell was found in violation of Maintenance General: Sec. 5.07.0, Failure to Repair and Maintain Structures on the Property.

Mr. Rhodes presented the case history and advised that as of today, November 8, 2017, the property remains in violation. As there were no objections from the respondent, Exhibits A through G were entered into the record and the Board viewed the 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, and thirty (30) days for compliance of the violation(s), which makes the compliance deadline on December 8, 2017.

Mr. Rhodes informed that significant progress has been made on several of the violations.

Sheila Boutwell, representing her husband, the respondent, explained the circumstances that led to the violations from renters that were occupying the home, and that the intention is to sell the home. Ms. Boutwell stated it is her understanding from three potential buyers that the house will be demolished when sold.

Discussion ensued regarding how long to give the respondents to repair the home and 90 days was discussed. Staff noted they do not have a problem with a 90-day time frame.

Clarification was given that the respondents will have 90 days to make the repairs to the home. However, if the home is sold within that 90-day time frame, it is understood the new owner will be responsible to have the repairs made or to demolish the home completely.

The vote on the motion to accept the Findings of Fact, Conclusions of Law and issuance of Order I, including the \$325.00 administrative fee, and ninety (00) days for compliance of the violation(s), which makes the compliance deadline on February 8, 2018, carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janet Wilson
SECONDER:	J.T. Edwards
AYES:	Glover, Moreland, Harmon, Robinson, Bridwell, Edwards, Wilson, Rennie

Case 17-1112—45 Robinwood Drive NW

Mr. Moore advised that on June 23, 2017, the property located at 45 Robinwood Drive NW (Sand Pebbles Apartments) owned by Trust No Spebbles32803LT c/o Donna Dewrell Trust, was found in violation of code Section 8.01 & 8.01.01 Business Tax Receipt. There was a failure to renew the City's business tax receipt for the apartments at this property.

Mr. Moore presented the case history and advised that as of today, November 8, 2017, the property remains in violation. As there were no respondents presents, Exhibits A through G were entered into the record and the Board viewed exhibits of the violations, 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, and ten (10) days compliance of the violation, which makes the compliance deadline on November 18, 2017.

The vote on the motion to accept the Findings of Fact, Conclusion of Law made by Staff and order the respondent(s) to correct the violations on or before November 18, 2017 and to pay the assessed administrative fee of \$325.00 carried unanimously.

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

CASES IN COMPLIANCE BEFORE HEARING

Case 17-706--Maintenance General; Case17-1390--Unlicensed Non-operative Items; Case17-1450—Litter; Case17-1460--Water Service; Case17-1485--Business Tax Receipt; and Case 18-51--Unlicensed Non-operative Items.

UNFINISHED BUSINESS

Mr. Rhodes advised there are no cases planned for the meeting scheduled for December 13, 2017, and asked if the Board wanted to cancel the December meeting.

The vote on the motion to cancel the Code Enforcement Board Meeting scheduled for December 13, 2017 carried unanimously.

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

ADDITIONAL BUSINESS

None.

ADJOURNMENT: 4:50 pm