

**CODE ENFORCEMENT BOARD
MEETING MINUTES
Wednesday, July 17, 2024**

MINUTES ARE NOT VERBATIM

A meeting of the Okaloosa County Code Enforcement Board was held Wednesday, July 17, 2024, at 4:00 p.m. at the Okaloosa County Administration Building, 1250 Eglin Parkway, first floor Commissioner’s Chambers, Shalimar, Florida. Chairman Mike Banks, Dana Cawthon, Mark Siner, Parrish Hollingsworth, Caralee Gibson, Marte Lancaster and Tammy Summers attended the meeting.

Growth Management staff in attendance: Lisa Payton, Code Enforcement Supervisor; Lynne Oler, Code Enforcement Administrative Assistant; Code Enforcement Officers, Ron Cliff, Sean Donaldson and Chris Moody. Lynn Hoshihara, Okaloosa County Attorney’s Office, was also in attendance.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

Ms. Lynne Oler conducted roll call.

3. SWEARING IN OF ALL SPEAKERS

Ex Parte Query: *Chairman Banks, asked if any member of the Board had any ex-parte communications to disclose on the record, including any site visits or any communication with any Respondents. There were none.*

Ms. Lynne Oler swore in all who wished to speak at the meeting.

4. APPROVAL OF MINUTES – May 15, 2024 Meeting

Motion to approve the minutes of the May 15, 2024 meeting, made by Marte Landcaster, second by Caralee Gibson, motion passed unanimously.

5. ANNOUNCEMENTS:

Chairman Banks asked if there were any announcements and Ms. Payton said that case number 24-551803 has come into compliance. They came into compliance after the deadline, but they are in compliance. There are some administrative fees that are associated with this case. She also said that case 24-544976, James D. Jackson and Anita Barnett at 6405 Lake Ella Rd., Crestview, needs to be re-noticed for next month’s meeting.

Ms. Payton stated that the item under other business was not required to be on the agenda, but that she had placed it on the agenda since this is the first time that the Chairman is required to sign these items.

6. PUBLIC COMMENTS:

There was none.

7. OLD BUSINESS:

A. Disposition of Previous Cases:

CEB CASE #24-548039

Location of Violation:

DSV SPV 2 LLC

6141 Robin Road, Crestview

Ms. Payton stated that this property is not in compliance and that Code Enforcement will be filing the Findings of Facts/Conclusion of Law.

CEB CASE #24-548040

Location of Violation:

Thomas Davis Sr. & Thomas Davis Jr.

2364 Hill Drive, Crestview

Ms. Payton announced that this property is not in compliance and that Code Enforcement will be filing the Findings of Facts/Conclusion of Law.

CEB CASE #24-548041

Location of Violation:

Robert B. & Austin L. Martin

1231 E Chestnut Avenue, Crestview

Ms. Payton said that this property is not in compliance, so we will file the Findings of Facts/Conclusions of Law for noncompliance.

8. NEW BUSINESS:

A. CEB CASE #24-553787

Location of Violation:

Justino Chacon

126 Boyce Drive, Shalimar

Okaloosa County Code of Ordinances, as amended, Chapter 6, Building and Construction, Article VI, Building Code, Sec. 6-134(b).

Code Enforcement Officer Chris Moody, read the above violation and stated that his original inspection was April 2, 2024 and a “Stop Work” order was posted. The second notice of violation was April 17, 2024 through certified mail. Officer Moody said that Staff requests the admin costs of \$351.48 and \$250.00 per day if not brought into compliance by the date the Code Enforcement Board sets. The owner sent someone down here twice to speak with Rob Miller, Plans Examiner, and it was explained that we need engineered plans and product approval information. Mr. Moody said we are looking at an unpermitted remodel.

Mr. Justino Chacon, of 126 Boyce Dr., Shalimar approached the podium and requested a 90-day extension. Mr. Moody stated he did not heed the “stop work” order.

Ms. Gibson asked if he owned the home and if he does, can’t he pull the permits. Mr. Moody replied he does own the home and he could pull the permits but he has to have the engineered plans. Mr. Moody stated that Mr. Chacon removed walls and we don’t know if they were load bearing walls. And the back door that he replaced requires a permit.

Mark Siner made a motion to find Justino Chacon, 126 Boyce Dr., Shalimar, case number 24-553787, in violation of Chapter 6, Building and Construction, Article VI, Building Code, Sec. 6-134(b), and that the Board gives Mr. Chacon until October 15, 2024 to bring the property into compliance and an administration fee of \$351.48 is due now, and if the property is not brought into compliance by October 15, 2024 there will be a fine of \$250 per day assessed. Second by Marte Lancaster, motion passed unanimously.

B. CEB CASE #24-551803

Lee’s Antiques & Consignment

Location of Violation:

1881 W Hwy 98, Mary Esther

Okaloosa County Code of Ordinances, as amended, Chapter 6, Buildings and Construction, Article VI. Building Code, Sec. 6-133. Amendments to; Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-132. Littering prohibited.

Code Enforcement Officer, Chris Moody stated this is the case that Lisa told the Board about that has come into compliance. He stated that trash and debris on the right-of-way was picked up on May 8, 2024 and the electrical permits was reinstated July 10, 2024 and that all violations have been corrected. There is a \$409.54 balance due for administrative fees.

Caralee Gibson made a motion to find Lee’s Antiques & Consignment at 1881 W Hwy 98, Mary Esther, Case #24-551803, is no longer in violation of Chapter 6, Building and Construction, Article VI. Building Code, Sec. 6-133 and Chapter 11, Health and Sanitation, Article II. Nuisances, Division 3. Litter, Sec. 11-132, but that the administrative fee of \$409.54 is due at this time. Second by Mark Siner, motion passed unanimously.

C. CEB CASE #24-551804

Jeanne K. Hutto

Location of Violation:

323 Northampton Circle, FWB

Okaloosa County Code of Ordinances, as amended, Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65.

Code Enforcement Officer, Chris Moody read the above violation. He said the initial inspection was May 2, 2024 stating an unlicensed Honda Civic with all flats in the driveway. All violations remain. Staff is requesting admin fees of \$387.62 and if not compliant by the Board’s date, then a \$250 per day fine should be assessed. The mailed violations came back unsigned and unclaimed. There has been no contact with the property owner and per the last photo, the violation is still on the door. Marte Lancaster asked if anyone lived at the property. Mr. Moody said that he didn’t believe so, but that the lawn was mowed all summer. Ms. Payton spoke up and said that this property is owned by a traveling nurse. She said we have had issues in the past and sometimes the neighbors mow the grass.

Mark Siner made a motion that Jeanne Hutto, 323 Northampton Circle, Fort Walton Beach be found in violation of Okaloosa County Code of Ordinances, as amended, Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65, that Respondent be assessed the administrative fee of \$387.62, and that a \$250 per day fine will be assessed if the property is not brought into compliance by August 20, 2024. Second by Caralee Gibson, motion passed unanimously.

D. CEB CASE #24-553504

Pamela D. Beverly

Location of Violation:

37 12th Street, #124, Shalimar

Okaloosa County Code of Ordinances, as amended, Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65.

Code Enforcement Officer Sean Donaldson read the above violation. He stated that this was a pro-active case, he was in the area on another case, and saw this one. He stated that the vehicles are in a common parking lot. He stated that the respondent’s vehicle was brought into compliance by the date given. He stated that there is a \$366.34 administrative fee that he would like to waive

since she was in compliance by notice of violation. He stated that he would contact the Sheriff's Office for the other vehicles.

Caralee Gibson made a motion to dismiss case 24-553504, as the owner was in compliance by the date of the Notice of Violation. Therefore all fees and fines associated with this case should be dismissed. Second by Marte Lancaster, motion passed unanimously.

E. CEB CASE #24-553517

Mary C. Daniel & Robert Pacheco

Location of Violation:

37 12th Street, #127, Shalimar

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Sec. 11-132. Littering prohibited, Sec. 11-134 (b). Litter Storage, and Sec. 11-136 Public Nuisances; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65.

Code Enforcement Officer Sean Donaldson read the above violation and said that this case goes along with his last case. He said he received a complaint about unregistered vehicles, water in buckets, bottles of cooking oil/grease. Upon initial inspection he found an old ambulance, no registration, and inoperable. He also found bottles of water, commercial cooking fryers, trash cans full of dirty dishes, buckets full of beer bottles. Mr. Donaldson issued a Notice of Violation. He said they have cleaned up the buckets and other trash and removed all cooking material and dishes. However, the ambulance is still unregistered. Chairman Banks asked if they have a license to operate a food truck and Mr. Donaldson replied they do have a license to operate at various locations. Mr. Donaldson stated Staff's recommendation is to recover the \$366.34 administrative cost and if they don't come into compliance within fourteen days, a \$250.00 per day fine should be assessed.

Caralee Gibson made a motion to find the property at 37 12th St., Unit 127, Shalimar, Mary C. Daniel & Robert Pacheco in violation of Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec 21.65 and that they have until July 31, 2024 to bring the property into compliance or they will be assessed a fee of \$250 per day as of August 1, 2024. They will be responsible for the administrative fees of \$366.34. Second by Tammy Summers, motion passed unanimously.

F. CEB CASE #24-544976

James D. Jackson & Anita Barnett

Location of Violation:

6405 Lake Ella Rd., Crestview

Okaloosa County Code of Ordinances, as amended, Appendix E, Land Development Code, Chapter 1A. Code Administration, Section 1A.02.00.

Code Enforcement Officer Ron Cliff read the above violation and stated this is the case that will have to be re-noticed.

G. CEB CASE #24-551375

Kristi J. & Amber C. Creech

Location of Violation:

5161 Hwy 4, Baker

Okaloosa County Code of Ordinances, as amended, Chapter 6, Buildings and Construction, Article VI. Building Code, Sec. 6-133. Amendments to, Section 104.5 Unsafe buildings or systems, Sec. 6.134 (b) Building permits and fees; Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-136. Public nuisances described; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance vehicles, Sec.21-65.

Code Enforcement Officer Ron Cliff read the above violation. Mr. Cliff said on February 14, 2024 he received a complaint of vehicles, trash and illegal campers on the property. He said he inspected the property and found building code violations, trash accumulation, and several nuisance vehicles. There was a make-shift structure that extended from an RV that someone was living in. There were several nuisance vehicles and lots of trash, appliances and an RV that was putting water on the ground, including an outdoor shower. Upon notifying the Health Department, the owners were given 72 hours to correct the violations. On April 10, 2024, the Health Department inspected the property and they were in compliance with the Health Department. Mr. Cliff made several attempts to contact Ms. Creech with no success and a Notice of Hearing was sent for today's date (July 17, 2024). Staff's recommendation is for them to pay the administrative fee of \$455.37 and that the Board signs the Findings of Facts/Conclusions of Law and if they don't come into compliance by August 20, 2024, a fee of \$250.00 per day will be assessed, and if any new administrative fees have collected, they should also be paid.

Ms. Kristi Creech, 5161 Hwy 4, Baker, FL, stated she had not received any notices. She stated the nuisance vehicles have been gone for two months. She was holding a letter which she said was dated July 1, 2024 and that she had received it on July 10th. Ms. Creech explained that she had a one week notice to comply. She said they had been cleaning up the property and that the cars had been gone since May.

After some discussion, it was decided to table this item until the next meeting.

Mark Siner made a motion to table this item until the August meeting, seconded by Marte Lancaster. Motion passed unanimously.

**H. CEB CASE #24-553463
Location of Violation:**

**Little Haven Coffee Shop, LLC
895 James Lee Blvd., W, Crestview**

Okaloosa County Code of Ordinances, as amended, Chapter 6, Building and Construction, Article VI, Building Code, Sec. 6-134(b) and Appendix E, Land Development Code, Chapter 1A.02.01 and 1A.02.02, Development Order or Permit Required.

Code Enforcement Officer Ron Cliff, read the above violation. He said that this was turned into Code Enforcement by the Building Department, on April 2, 2024. He said on April 4, 2024, he went out there and found an unpermitted modular structure, unpermitted electrical, alterations to the structure to include an outside porch addition on the premises. Mr. Cliff found that the owner had put in for a temporary permit for a self-contained food truck on this site. He notified the Health Department who found an unapproved septic recovery system. April 8, 2024 Mr. Cliff issued a Cease-and-Desist notice to the owner, who refused to sign the notice, and issued it without a signature. Mr. Cliff stated that an engineer, the owners, the Planning Department, Public Works, and the Health Department had a phone conference, to inquire about the Development Order and permits as required. Mr. Cliff stated that at the end of the phone conversation, he gave the date and time of the Code Enforcement Board Meeting so that they could attend. Staff's recommendation is to sign the Findings of Facts/Conclusions of Law and give them until August 20, 2024 to acquire permits and a Development Order. Pay the administrative fees of \$435.62. Failure to comply by that date would begin a daily fine of \$250 per day, along with any new administrative fees accrued during this time.

Mr. Brian Harris approached the podium. Mr. Harris' address is 618 Risen Star Dr., Crestview. Mr. Harris said he has been trying to get everything right for over a year now. Ms. Harris said that the electrical pole was put in for the truck and that the septic had been checked by the Health Department for several months, and added that they had stopped work. Discussion took place about the issues, including a temporary use, the food truck, and the building.

Ms. Lynn Hoshihara, of the Okaloosa County Attorney's Office, stated that we should be able to verify the progress, since this could be another year, she suggested every 90 days or so a professional (example an engineer) could give the Code Enforcement Board an update and the Board could see a good faith effort. More discussion took place about the violations of this property.

Ms. Payton suggested the Board make a motion to give them the time to work on the issue and she would talk with Mr. Adams, the Building Official, to see what he might say about the tie downs and other possible inspections.

Mark Siner made a motion to find the Little Haven Coffee Shop, LLC, 895 James Lee Blvd, W, Crestview, Case #24-553462, in violation of Okaloosa County Code of Ordinances, as amended, Chapter 6, Building and Construction, Article VI, Building Code, Sec. 6-134(b) and Appendix E, Land Development Code, Chapter 1A.02.01 and 1A.02.02, Development Order or Permit Required, and that they owe an administrative fee of \$435.62, and the Board gives them until October 16, 2024, to come before the Board and show a good faith effort to bring the property into compliance. Second by Tammy Summers.

Mr. Siner amended his motion to add that the respondents work with Staff to get a temporary inspection by the Building Inspector. Amended second by Tammy Summers. Motion passed unanimously.

Ms. Payton asked that she be given the authority to remove the filing fees from this case if we do not have to file with the Clerk of Court. Mr. Siner said he would like to leave things as they stand and we could readdress the administrative fees if and when they come into compliance. Ms. Gibson asked if the administrative fees due now. Ms. Payton said no, that we must give them time to either come into compliance or not come into compliance.

I. CEB CASE #24-553462

Tina Walder

Location of Violation:

4605 Eagle Way, Crestview

Okaloosa County Code of Ordinances, as amended, Chapter 6, Buildings and Construction, Article VI. Building Code, Sec. 6-133. Amendments to, Section 104.5 Unsafe buildings or systems, Sec. 6.134 (b) Building permits and fees; Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-136. Public nuisances described; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance vehicles, Sec.21-65.

Code Enforcement Officer Ron Cliff, read the above violation. He received a complaint about delinquent vehicles on this property. He said he made several attempts to contact the owner to no avail. Mr. Cliff said Staff's recommendation is to sign the Findings of Facts/Conclusions of Law, allow until August 20, 2024 to comply and to pay the administrative fees. If they do not come into compliance a \$250 per day fee, along with any further administrative fees, will be assessed to the property.

Motion made by Caralee Gibson to find the property 4605 Eagle Way, Crestview, owner Tina Walder, Case #24-553462, in violation of Okaloosa County Code of Ordinances, as amended, Chapter 6, Buildings and Construction, Article VI. Building Code, Sec. 6-133. Amendments to, Section 104.5 Unsafe buildings or systems, Sec. 6.134 (b) Building permits and fees; Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-136. Public nuisances described; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance vehicles, Sec.21-65, and that they pay the administrative fees. They will have until August 20, 2024 to come into compliance and if they do not, a \$250 per day fee will be assessed to the property, along with any other administrative fees due at that time. Second by Marte Lancaster. Motion passed unanimously.

9. OTHER BUSINESS:

A. Chair to sign Order Imposing Fees

- 4776 Antioch Road, CV
- 201 Pawnee Circle, FWB
- 3655 Grady Johnson Road, CV

Ms. Payton stated that this is the first time that we have included the Order Imposing Fees and the Chairman said he would sign them after the meeting.

10. ADJOURN:

There being no further business before the Board, Chairman Banks declared the meeting adjourned at 5:43 pm.

Prepared by:

Lynne Oler
Code Enforcement Administrative Assistant