

**CODE ENFORCEMENT BOARD
MEETING MINUTES
Wednesday, March 16, 2022**

MINUTES ARE NOT VERBATIM

A meeting of the Okaloosa County Code Enforcement Board was held Wednesday, February 16, 2022 at 4:00 p.m. at the Okaloosa County Administration Building, 1250 Eglin Parkway, first floor Commissioner's Chambers, Shalimar, Florida. Board members in attendance were, Chairman Mike Banks, Caralee Gibson, Mark Siner, and Dennis Chavez. Dana Cawthon was unable to attend.

Growth Management staff in attendance: Lisa Payton, Code Enforcement Supervisor, Lynne Oler, Code Enforcement Administrative Assistant, and Sean Donaldson, Code Enforcement Officer.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

Ms. Lynne Oler conducted roll call.

3. SWEARING IN OF ALL SPEAKERS

Ms. Lynne Oler swore in Lisa Payton, Code Enforcement Supervisor and several others who might speak during the meeting.

4. APPROVAL OF MINUTES – February 16, 2022 Meeting

Motion to approve the minutes made by Caralee Gibson, second by Mark Siner, approved unanimously.

5. ANNOUNCEMENTS:

Ms. Payton reminded the Board to restate the motion if there are any Findings of Facts that needed to be filed.

6. PUBLIC COMMENTS:

There were none.

7. OLD BUSINESS

A. CEB CASE #21-485249

Jesus Franco

Location of Violation:

3026 Sandy Lane, Crestview

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-64 through Section 21-67. **(Tabled March 16, 2022)**

Ms. Payton informed the Board that Mr. Franco passed away and she said that Staff's recommendation would be to table this issue until probate is complete.

Motion to table this issue until probate is complete was made by Caralee Gibson, second by Dennis Chavez, approved unanimously.

B. CEB CASE #21-494091 JNC Property Solutions Inc./Jonathan Cantrell
Location of Violation: 407 Cobia Avenue, Fort Walton Beach

Okaloosa County Code of Ordinances, as amended, Chapter 6, Building and Construction, Article VI Building Code, Sec 6-133 Amendments, Section 105 Permits, (A)105.1 Required; and the Okaloosa Island Protective Covenants and Restrictions, Part G – General Covenants and Restrictions. **(Tabled Until Permit Issue Resolved)**

Ms. Payton said that it is Staff's recommendation to remove this item from the agenda since Mr. Cantrell has permission to get a permit for his shed. He is coming into the office to meet with Marissa soon because there is an issue with the location, but he has permission to get the permit.

Motion to remove this item from the agenda made by Caralee Gibson, second by Mark Siner, approved unanimously.

C. CEB CASE #21-492790 Kevin Rogers
Location of Violation: 1918 Olenes Lane, Baker

Okaloosa County Code of Ordinances, as amended, Chapter 6, Building and Construction, Article VI Building Code, Sec 6-133 Amendments, Section 105 Permits, (A)105.1 Required, Section 110 Inspections; Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; and Appendix E, Chapter 6 Development design Standards, Section 6.00.04 Regulations, 7; and Section 6.02.13 Mobile Homes.(Tabled February 16, 2022)

Ms. Payton stated that Mr. Rogers had said that the property was clean and the only thing left was to obtain the permits for the mobile home. There were no permits purchased and the place has not been cleaned up. The Board's motion at the February meeting was to start the fines of \$250 per day along with administrative costs and the Board approved the motion unanimously.

Ms. Payton introduced Ms. Gloria Smith, Kevin Roger's mother. Ms. Smith stated her name and said her address is 5633 Old River Rd., Baker, FL. Ms. Smith said she had contacted a Bobby and Larry Hall about setting up the mobile home. She said she was told that they are 3 to 4 weeks behind and that she is on a calling list. She said no one is living on the property and that there is no water or electricity on the property.

(Several areas of this tape were distorted because of audience noise).

Chairman Banks asked for Staff's recommendation.

Ms. Payton said that we have run into this issue with contractors unable to get their supplies. More discussion took place and the Board requested that Ms. Smith get something in writing from the Hall's stating that the property is on a waiting list.

Caralee Gibson made a motion to table this issue until the next meeting so that Ms. Smith could supply some type of written proof that this property is on the waiting list for a mobile home set up, second by Mark Siner, motion passed unanimously.

D. CEB CASE #21-492728 Steven R. Baker
Location of Violation: 3918 Poverty Creek Road, Crestview

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65 Nuisance Vehicles. **(Tabled March 16, 2022)**

Ms. Payton said that at the January meeting, the Board continued this case until today's meeting, because there had been significant progress made. He is still making progress, but it isn't as significant as it was in January. Mr. Baker has asked for additional time since he is doing all this by himself and his big truck is currently broken down. He asked to please give him more time because he will get it done. Ms. Payton said this case was started in September 2021.

Caralee Gibson asked for Staff's recommendation. Ms. Payton replied that he is still making progress and there is not much that we can see from the right of way. He lets Code Enforcement on the property and there are other issues that can't be seen unless you go into the property. Ms. Payton said that Mr. Baker is trying to get it all cleaned up. She said that Mr. Baker is also trying to put up a privacy fence around his property.

Caralee Gibson made a motion continue this case and we request that he show a little more progress, second by Mark Siner, motion passed unanimously.

E. CEB CASE #22-497860

Ronnie Oglesby

Location of Violation:

807 Playground Road, FWB

Okaloosa County Code of Ordinances, as amended, Chapter 11 Health and Sanitation, Division 3 Litter, Sec.11-131 Definitions, Junkyard-like conditions; and Chapter 16, Sec. 16-48 Commercial Activity on Public Lands. **(Property has to be in compliance by March 15, 2022) Update**

Ms. Payton said that this issue was tabled at the January until today's meeting. She said Mr. Oglesby continues to make progress however his property is still in violation. She mentioned the photos in the handout shows that his truck is full and he is maintaining things off of the right of way.

Mark Siner said if he is making progress, why not table this until next month.

Mark Siner made a motion to continue this case until next month, second by Caralee Gibson, motion passed unanimously. After a little more discussion, the motion was amended: Mark Siner amended his motion to give Mr. Oglesby 60 days and to bring this back at our May meeting (May 18th), Caralee Gibson seconded, motion passed unanimously.

F. CEB CASE #22-501341

TJ Broxson & Debra J. Chappell

Location of Violation:

4819 Gilmore Road, Holt

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; Appendix E Land Development Code, Chapter 6 Development Design Standards, Sec 6.02.01 Construction Codes 11(c-d). **(Tabled March 16, 2022)**

Ms. Payton said this case was tabled until the March meeting. She said Mr. Broxson has made considerable progress and he only has a few vehicles left. Mr. Broxon told Ms. Payton he was selling them and he would have them gone, one way or the other, next month. Ms. Payton added that they have cleaned up and there is nothing that can be seen from the roadway, and that he has put up a fence. She said there are a few issues that are aside from this case, but they are not under the violations brought before the Board.

Caralee Gibson made a motion continue that this case be tabled until next month, second by Dennis Chavez, motion passed unanimously.

Location of Violation:**5083 Hibiscus Avenue, Crestview**

Okaloosa County Code of Ordinances, as amended Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65; Appendix E Land Development Code, Chapter 6 Development Design Standards, Sec 6.00.04 Travel Trailers, Campers, and Motorhomes; and Okaloosa County Policy Number 2007-007 Travel Trailers, Campers, and Motorhomes.

Ms. Payton said that the Board tabled this issue on February 16th because the respondents had obtained their permits and built a temporary barrier around their property. Their contractor has had some inspections done and is finishing the setup. Ms. Payton said that they are requesting a continuance to finish their fence and have the vehicles hidden from view.

Caralee Gibson made a motion to table this issue until our April meeting, seconded by Mark Siner. Motion passed unanimously.

8. NEW BUSINESS:**Location of Violation:****5465 Lunnie Barnes Street, Baker**

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; Appendix E Land Development Code, Chapter 6 Development Design Standards, Sec 6.02.01 Construction Codes 11(c-d).

Ms. Payton read the above violation. She said that on September 2, 2020 Code Enforcement received a complaint about someone living in a camper on this property. The complainant said that there was a burnt structure and various piles of debris. We visited the site and the violations were verified. There was no one at the site so we left our contact information. Multiple trips found no one on site and there had been no contact with our office. We sent a Notice of Violation to the address of record, which was delivered, but we received no contact from the owner. We received another complaint that someone was running a generator at night and someone was dumping debris on the property. We went to the site again and still did not make contact with anyone. We found that Mr. Casey had been sentenced to four years in prison and transferred to a facility in Quincy. Ms. Payton said she sent a notice to Mr. Casey at the Quincy Annex and Mr. Casey notified us this week that he would like to delay the Board process and did not want to be fined. He stated that he had not given anyone permission to be on the property. There is a young lady that has been going into the Crestview office trying to obtain permits. She is the one squatting on his property. She brought in a letter stating that she had permission from Mr. Casey to obtain permits. She has not received any permits yet, and this was before we heard from Mr. Casey saying that no one had permission to be on the property. Mr. Casey told us that the original mobile home had broken down and that he was in the middle of taking care of it when he was arrested. He is authorizing his friend, Gloria Smith, power of attorney to represent him. He also said that he was going to contact the Sheriff's Office about a No Trespassing Affidavit and would have signs put up. Ms. Payton said he is incarcerated until September 2024, but wants to try to clean up the property and he is concerned about a fine and a lien. He would like us to hold off on this issue until he can address the situation.

Ms. Smith addressed the Board saying Mr. Casey is a friend of the family. She said that she had gone to the tax office to pay the taxes on that property and was told that a Mr. Youngblood had paid the taxes on the property. Ms. Smith said she received a call from Mr. Casey and he told her that no one had permission to be on the property. Ms. Smith rode by the property and contacted

the Sheriff's Office. She said she was assuming that Mr. Youngblood, who paid the taxes, was the one living on the property. She said that when Troy Casey left there was nothing on the property, but now there is a small trailer there, a swing set, and all kinds of trash. Ms. Smith said she contacted an aunt of Mr. Casey's and was told that Mr. Youngblood was not related to them and that the aunt had been out to the property and told them to get off of the property.

Chairman Banks asked Ms. Payton for Staff's recommendation. He then said there was someone else that wished to speak to the Board.

Ms. Debra Fountain, 5474 Lunnies Barnes Street, Baker, FL, said that her property is across the street and said that this property is a mess. She said that the lady that is squatting there is Sandra Renee King. Ms. Fountain said that Ms. King said she had Troy Casey's permission to be there. She said that Ms. King said she put up the privacy fence so that we would not bother her and talk about her trash. She went on to say that most of the privacy fence has since fallen down. Ms. Fountain said that the fence looked like garbage when it was up.

Chairman Banks asked for Staff's recommendation. Ms. Payton said that we have to give them time, but we can't wait until he gets out of jail. Mr. Chavez asked if we could make it contingent on Mr. Casey filing some kind of complaint against the squatters with the police department. Ms. Payton said Mr. Casey gave Ms. Smith a power of attorney and they are going to get a Trespass Affidavit against them.

Mark Siner made a motion to give them 30 days to bring the property into compliance, seconded by Caralee Gibson. Motion passed 3-1, with Mr. Chavez as the nay.

B. CEB CASE #22-502541

Drage, LLC/Harry E. Townley IV

Location of Violation:

5170 Quince Avenue, Crestview

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; Appendix E Land Development Code, Chapter 6 Development Design Standards, Sec 6.02.01 Construction Codes 11(c-d).

Ms. Payton read the above violation into the record. Code Enforcement received a complaint on August 5, 2021 saying the abandoned property had an unsafe structure and debris. After researching we found an address and phone number for the company and we called and left a message, but never received a call back. We went out to the site and found a mobile home that was open to the elements and debris scattered throughout the property. We sent an email to the company and received no response. On October 21, 2021 we mailed a Notice of Violation to the address of record and it was returned.

Chairman Banks asked for Staff's recommendation. Ms. Payton said 30 days to comply or a fine of \$250 per day, along with administrative costs.

Caralee Gibson made a motion to give them 30 days to come into compliance, after the 30 days if the property is not brought into compliance, then there will be a fine of \$250 per day fine, along with administrative costs. Seconded by Dennis Chavez, motion passed unanimously.

C. CEB CASE #22-504844

Jerry D. Chessher Life Est.

Location of Violation:

4351 Sundance Way S, Holt

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health & Sanitation, Article III, Nuisances, Division 3, Litter, Section 11-131, Definitions, Section 11-134, Litter Storage, and Section 11-136, Public Nuisances; and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Section 21-65 Nuisance Vehicles.

Ms. Payton read the above violation into the record. She said the complaint stated nuisance vehicles, public nuisance and unsafe wiring at the property. We went to the site and spoke with Mr. Chessher on January 28, 2021. We told Mr. Chessher about the violations and what he needed to do and said we would be back in about two weeks. In February we went to the property and found some clean up but there was still a lot of debris. Subsequent visits found minimal clean up, so in October 2021, two Code Enforcement Officers visited the site, took photos and Mr. Chessher, along with another man, was stripping the cars for metal. He admitted to both the officers that he was stripping the cars for the metal. Not seeing any progress, we sent the Notice of Violation. Mr. Chessher is here to address the Board.

Mr. Jerry Chessher of 4351 Sundance Way, S, Holt, said he was there by himself and was unable to do much, but now his son is out there with him now. He requested additional time to get the place cleaned up.

Chairman Banks asked for Staff's recommendation. Ms. Payton said we could grant him additional time, if the Board wished.

Caralee Gibson motioned to give Mr. Chessher 30 days to come into compliance. Much discussion took place about the amount of debris on the property. Caralee Gibson amended her motion to give them 60 days to come into compliance, with a report at the next meeting with photos of the progress, seconded by Mark Siner. Motion passed unanimously.

D. CEB CASE #22-504857

Jerry Davis

Location of Violation:

702 Woodlawn Avenue NW, FWB

Okaloosa County Code of Ordinances, as amended, Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-131 Definitions, Sec. 11-134 Litter Storage, Sec. 11-135 Litter Control, Sec. 11-136 Public Nuisances; Chapter 21 Traffic and Motor Vehicles, Article IV. Abandoned and Nuisance Vehicles; Sec. 21-65; Appendix E Land Development Code, Chapter 6 Development Design Standards, Section 6.00.04 Regulations, (7) Travel Trailers, campers and motorhomes.

Lisa Payton read the above violation into the record. She said Code Enforcement received a complaint on October 21, 2021 about this address having people living in campers, tents, motor homes and trash. We went out to the property and noticed the trash and met some of the people living on the property. We informed Mr. Davis about the violation and explained what needed to be done and gave him the Violation Notice. We followed up in a month and he had 3 out of 5 moved out of the tents, shed and makeshift living area and had removed trash and debris out of the right-of-way and had made significant progress. When we went by the property on January 6th there were still had people living in campers. Mr. Davis came in and spoke with us during this time and was requesting additional time to find somewhere for the people to live. We suggested some of the mobile home parks and RV parks, but they ran into some issues because of the age of the campers.

Mr. Jerry Davis, 702 Woodlawn Avenue, Fort Walton Beach addressed the Board, saying he had gotten rid a lot of the trash that was around. He then went on to point out two of his handicap residents that lived in the trailers. He said he couldn't just throw them out on the street and he was trying to find somewhere they could afford and that would take the RVs.

Chairman Banks asked Ms. Payton for Staff's recommendation. Ms. Payton said she couldn't give him authorization to violate the Code and he would have to go through the Planning Department to try to rezone this property to a mobile home park. She said he would also have to contact the Health Department. There was much discussion about the possibility of changing his property to a mobile home park.

There were several conversations going on at the same time; inaudible.

Caralee Gibson made a motion to allow Mr. Davis until the May 17, 2022 to explore his options and make application and get the process started to get his property into compliance, seconded by Mark Siner. Motion passed unanimously.

E. CEB CASE #22-504879

Jeffrey & CW Keniston

Location of Violation:

4566 Scarlett Drive, Crestview

Okaloosa County Code of Ordinances, as amended, Chapter 21 Traffic and Motor Vehicles, Article IV. Abandoned and Nuisance Vehicles, Sec. 21-65.

Ms. Payton read the above violation into the record. She said this issue started in September 2021. We went by the property, took pictures and left our contact information. We went back and our information was removed, but still no contact. We sent them a certified notice in October and it came back, Return to Sender, Unable to Forward. Subsequent visits found no action and no contact.

Caralee Gibson made a motion to give Jeffrey and CW Keniston 30 days to come into compliance and if they do not, a fine of \$250 per day plus administrative cost to begin on April 20, 2022.

9. OTHER BUSINESS:

There was none.

10. ADJOURN

There being no further business before the Board, Chairman Banks declared the meeting adjourned.

Prepared by:



Lynne Oler

Code Enforcement Administrative Assistant