**CODE ENFORCEMENT BOARD**

**MEETING MINUTES**

**Wednesday, May 18, 2022**

# MINUTES ARE NOT VERBATIM

A meeting of the Okaloosa County Code Enforcement Board was held Wednesday, May 18, 2022 at 4:00 p.m. at the Okaloosa County Administration Building, 1250 Eglin Parkway, first floor Commissioner’s Chambers, Shalimar, Florida. Chairman Mike Banks, Caralee Gibson, Mark Siner, and Dana Cawthon were in attendance. Dennis Chavez was absent.

Growth Management staff in attendance: Lisa Payton, Code Enforcement Supervisor, Lynne Oler, Code Enforcement Administrative Assistant, Sean Donaldson, Code Enforcement Officer, and Steve Kenney, 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 any others who might speak during the meeting.

**4. APPROVAL OF MINUTES – April 20, 2022 Meeting**

*Motion to approve the minutes made by Caralee Gibson, second by Dana Cawthon, approved unanimously.*

**5. ANNOUNCEMENTS:**

Ms. Payton asked that the last issue on the agenda be removed. – Item D under New Business.

**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 until Probated)**

Ms. Payton reminded the Board that Mr. Franco passed away and it was agreed to table this issue until probate is complete.

**B. 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.

Ms. Payton stated that on April 20th the Board made a motion to begin the fines and administrative fees on that date. The Board later rescinded the motion because Ms. Smith, who was held up in traffic at that time, wanted to discuss the issue. The Board requested that Ms. Smith bring back some paperwork to show that she has a contract or is on the waiting list for a mobile home installer to install the home. Ms. Payton said that the property is cleaned up, but there are no permits for this property.

Ms. Smith stepped up to the podium. She said she had called Hall’s several times, but no one is responding to her calls. Chairman Banks asked if Ms. Smith had tried to call anyone else. She said she contacted someone in Milton, but she wasn’t pleased with the way he answered questions about permits. Ms. Payton asked Ms. Smith to contact Renee Lucas in the Crestview office to get a list of mobile home installers.

Mark Siner recommended that the Board give Ms. Smith until the next meeting to either have the trailer tied down, have the trailer removed, or the Board is going to have to begin the fine that week.

*Mark Siner made a motion to table this issue until the June 15th meeting. Seconded by Caralee Gibson, motion passed unanimously.*

**C. 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.

Ms. Payton said that Mr. Baker had finished his fence and moved everything behind the fence. There is nothing visible from the right of way and she would like to remove this item from the agenda.

*Mark Siner made a motion to remove CEB Case 21-492728 from the agenda, second by Caralee Gibson, motion passed unanimously.*

**D. 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.

Ms. Payton said that the Board tabled this issue until the May 18th meeting. Mr. Oglesby continues to make progress but he did have knee surgery. She said that his dump truck is full and they were going to dump it found kittens in the back and didn’t want to disturb them. Mr. Siner asked if he was making progress and Ms. Payton said yes.

*Mark Siner made a motion to table this issue until the next meeting, second by Caralee Gibson, motion passed unanimously.*

**E.** **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).

Ms. Payton said that the vehicles have still not been removed. She said it looks like they may have moved some trash around, but the property is not in compliance.

Mr. Siner asked for Staff’s recommendation. Ms. Payton said to go ahead and start fining the property.

*Mark Siner made a motion to table this until the next meeting and if it is not in compliance at that time, we will begin the $250 per day fine, along with administrative fees, second by Ms. Gibson, motion passed unanimously.*

**F.**  **CEB CASE #22-504629 Troy Lane Casey**

**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 pointed out that the photos that were taken yesterday. She said the travel trailer had been removed, but the litter is still there. Mr. Siner said this was the property with the people living on the property, squatting. Ms. Payton said yes, they were trying to take ownership of the property. They had applied for permits but Mr. Casey gave power of attorney to Ms. Smith and she filed with the Sheriff’s Office and got them removed from the property. Ms. Smith said that the furniture and trash had been removed. Ms. Payton said that our officer was out there at 8:00 am yesterday and Ms. Smith said they had gone out there around 10:00 am yesterday and removed all the debris. She pointed out on the pictures that the piles were gone.

Ms. Gibson asked when Code could verify that the debris is gone and Ms. Payton replied that we could go out to the site tomorrow morning.

*Caralee Gibson made a motion that the Board assess a fine of $250 per day, along with administrative fees, effective today (May 18, 2022) if this property is not brought into compliance tomorrow morning (May 19, 2022). Motion seconded by Mark Siner, and passed unanimously.*

**G. 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.

Ms. Payton pointed out that some clean up has been done, a few vehicles were removed, but there is still a lot of litter on the ground. They still have quite a bit to do.

*Caralee Gibson made a motion that this property be brought into compliance by June 13, 2022, and if it is not brought into compliance a $250 per day fine, along with administrative fees, would begin. Second by Mark Siner, motion passed unanimously.*

**H. 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.

Ms. Payton explained that Mr. Davis was issued a Temporary Use Permit, by the Director, and has six months.

*Caralee Gibson made a motion to table this issue until our November Board meeting, second by Dana Cawthon. Motion passed unanimously.*

**I. 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 said the Keniston’s had two derelict vehicles in their driveway and have been unresponsive to us, so last month the Board made a motion to fine $250 per day, along with administrative fees, beginning on April 20 for failing to come into compliance by the required date. We had the Findings of Facts prepared, however, we were contacted by the owner and they said they have taken care of this issue and that they never received any of the notices and did not see the posting of the property. Ms. Payton said she spoke with Legal and they said that since the vehicles have been removed, the Board could make a motion to revoke the order and remove this item from the agenda.

*Caralee Gibson made a motion to revoke the fines placed on this property and to remove this item from the agenda, second by Dana Cawthon. Motion passed unanimously.*

**J. CEB CASE #22-506623 C H & Sharon W. Butler Jr.**

**Location of Violation: 9 5th Street, Shalimar**

Violation of Okaloosa County Code of Ordinances, as amended, Appendix E, Land Development Code, Chapter 2, Zoning Regulations, Section 2.21.05. Limitations and Restrictions (2); Chapter 9, Operational performance Standards, Section 9.03.05 Public Nuisance, (2); and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec.21-25 Nuisance Vehicles.

Ms. Payton said that on April 20, 2022, the Board gave Mr. Butler thirty days to remove the washer and dryer and take care of the nuisance vehicles and come into compliance, and if it was not brought into compliance by the next meeting a fine of $250 per day, along with administrative fees, would be assessed. Code visited the site today and the washer and dryer have been removed, one vehicle is covered by a tarp, which is what we told Mr. Butler could not be done. The other vehicle still does not have a current registration. Mr. Butler’s son told us that it would be obtained right away, but it hasn’t been done. The Board tabled the issue.

*Caralee Gibson made a motion that, as of today (May 18, 2022), a fine of $250 per day, along with administrative fees, will be assessed because the property has not come into compliance. Second by Mark Siner. The motion passed unanimously.*

**K. CEB CASE #22-506624 Terrance & Dawn Bowman**

**Location of Violation: 3797 Golden Acres Circle, Crestview**

Okaloosa County Code of Ordinances, as amended, Appendix E, Land Development Code, Chapter 9, Operational performance Standards, Section 9.03.05 Public Nuisance. (Extension)

Ms. Payton said that the Board voted to table this issue, and if progress had been made by this (May) meeting, the Board would extend the item until the June meeting. Ms. Payton said that some progress has been made on the property. He picked up the majority of the cans and the trailer that was stacked with junk is gone.

*Mark Siner made a motion to extend this issue until June 14th, second by Caralee Gibson. Motion passed unanimously.*

At this point Ms. Payton introduced our newest Code Enforcement Officer, Steve Kenney.

**L. CEB CASE #22-506917 Betty A. Lawrence**

**Location of Violation: 1445 Greenwood Road, Baker**

Okaloosa County Code of Ordinances, as amended, Appendix E, Land Development Code, Chapter 9, Operational performance Standards, Section 9.03.05 Public Nuisance and Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec.21-25 Nuisance Vehicles.

Ms. Payton said that the Board made a motion to give Ms. Lawrence until May 17th to come into compliance and if the property was not in compliance a $250 per day fine, along with administrative fees, would begin. Ms. Payton said Code was out there today and there was some clean up, but the unregistered truck was still there and some old tires were in the bed which could cause a mosquito issue.

*Caralee Gibson made a motion that the fine of $250 per day, along with administrative fees, would begin today (May 18, 2022) on the property 1445 Greenwood Rd., Baker, FL, second by Dana Cawthon. Motion passed unanimously*.

**8. NEW BUSINESS:**

 **A. CEB CASE #22-508833 Merrie A. Wright**

**Location of Violation: 2332 Willow Bend Blvd., Ft. Walton Beach**

Violation of Okaloosa County Code of Ordinances, as amended, Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-134 Litter Storage; and Appendix E

Land Development Code, Chapter 9, Operational Performance Standards, Section 9.03.05 Public

Nuisance.

Ms. Payton read the above violation. She stated the first pictures she showed the Board were taken at the time of the complaint, but these are pictures that were taken today. She has cleaned the property very well, but she has put the debris out on the right-of-way (ROW) and that she would have to pay Waste Management to pick it up. Ms. Payton explained that we gave her notice, we issued a Correction Notice, and left her Notice of Violation at the house, but it wasn’t until she got the Notice of Hearing that she actually cleaned up the property.

*Caralee Gibson made a motion that if this debris has not been picked up by June 14th, then a fine of $250 per day, along with administrative fees would begin. Second by Dana Cawthon. Motion passed unanimously*.

**B. CEB CASE #22-509456 S K ENTP of Northwest FL**

**Location of Violation: 1916 W Hwy 98, Mary Esther**

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. 11-136 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.

Ms. Payton read the above violation into the record. Caralee Gibson asked how long the property had looked like these pictures. Ms. Payton said over a year.

*Caralee Gibson made a motion to begin a fine of $250 per day, along with administrative fees, if the property is not brought into compliance by June 14, 2022, second by Dana Cawthon, motion passed unanimously.*

**C. CEB CASE #22-508843 Real Property of Northwest Florida**

**Location of Violation: 201 Taylor Street. Ft. Walton Beach**

Violation of Okaloosa County Code of Ordinances, as amended, Chapter 11, Health and Sanitation, Article III. Nuisances, Division 3. Litter, Sec. 11-132 Littering Prohibited; Sec 11-136 Public Nuisance Described; and Appendix E Land Development Code, Chapter 2, Zoning Regulations, Section 2.21.05 Limitations and Restrictions, 5 Dumpster.

Ms. Payton read the above violation into the record. We received a complaint on March 11, 2022, and stated that Waste Management will empty the dumpster, but does not clean up around it. On March 14, 2022, we visited the site and found the debris. The dumpster was located on the ROW and is also in an R-2 zoning district, in which a dumpster is not permitted. We also observed a lot more trash around the air conditioning unit and a washing machine outside by the end unit. No one was on site, so we issued a Correction Notice. On March 17th a Notice of Violation was mailed and on March 19th the Notice of Violation was received. March 29th, we found that the dumpster had been serviced but remained on site. The items on the ground remained, as well as the washing machine. We had still not heard from the owner. On April 6th there was still no change to the property and still no word from the owner, so the issue was sent to the Code Board. April 22nd, we sent a Notice of Violation and a Notice of Hearing that were received and signed for. On that same day we received a call from Sonja of the property management company (NBI), stating that the dumpster would be removed by April 27th. The dumpster was removed and all the trash, but the enclosure and the washing machine still remained. We went out today, and the enclosure is gone and the washing machine is gone, but there is more debris where the dumpster was located.

*Caralee Gibson made a motion that if the debris was not removed by June 14, 2022, then a fine of $250 per day, along with administrative fees would begin. Second by Dana Cawthon, motion passed unanimously*.

**D. CEB CASE #22-509119 Joseph R. & Tracey L. Novak**

**Location of Violation: 4510 Bristol Court S, Niceville**

Okaloosa County Code of Ordinances, as amended, Chapter 6 Buildings and Construction, Article IV Building Code, Sec.6-133 Amendment to; Sec.6-134 Buildings Permits and Fees.

The Chairman stated that Item D was removed from the agenda.

**9. OTHER BUSINESS:**

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There was none.

**10. ADJOURN**

*There being no further business before the Board, Chairman Banks declared the meeting adjourned at 5:06 pm.*

Prepared by:

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Lynne Oler

Code Enforcement Administrative Assistant