

**CODE ENFORCEMENT BOARD
MEETING MINUTES
Wednesday, May 15, 2024**

MINUTES ARE NOT VERBATIM

A meeting of the Okaloosa County Code Enforcement Board was held Wednesday, May 15, 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, and Tammy Summers attended the meeting. Caralee Gibson and Marte Lancaster were unable to attend the meeting.

Growth Management staff in attendance: Lisa Payton, Code Enforcement Supervisor; Lynne Oler, Code Enforcement Administrative Assistant; Code Enforcement Officers, Ron Cliff and Carlos Jones. Kirsten Mood, 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 – February 21, 2024 Meeting

Motion to approve the minutes of the February 21, 2024 meeting, made by Tammy Summers, second by Mark Siner, motion passed unanimously.

5. ANNOUNCEMENTS:

There were none.

6. PUBLIC COMMENTS:

There was none.

7. OLD BUSINESS:

A. Disposition of Previous Cases:

CEB CASE #24-541912

Location of Violation:

Woodrow Broxson

1779 Dads Road, Baker

Ms. Payton stated that compliance has been obtained.

CEB CASE #24-544974

Clarence A. Stewart II

Location of Violation:

201 Pawnee Circle, FWB

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 #24-544147

William M. Price

Location of Violation:

3655 Grady Johnson Road, CV

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

CEB CASE #24-544148

Tonya L. & Robert F. Toney

Location of Violation:

3640 Grady Johnson Road, CV

Ms. Payton stated they have begun the DO (Development Order) process and that the Director has granted a Temporary Use to allow time to complete the process.

CEB CASE #24-544977

James David Properties, LLC

Location of Violation:

5768 Hwy 4, Baker

Ms. Payton said that a permit was obtained and finalized.

B. Update on Tabled Cases:

CEB CASE #23-537418

Leslie T. McDowell

Location of Violation:

1764 Sycamore Avenue, Niceville

Ms. Payton asked that this issue be removed from the agenda. The house has been demolished and a permit for a new home has been obtained.

At this point Mr. Siner asked staff and the other members of the Board if it would be possible to move Agenda Item #9, OTHER BUSINESS, to this point on the agenda. The Board agreed to do so.

9. OTHER BUSINESS:

A. Request for Reduction of Code Enforcement Lien

- 408 Walter Circle, Fort Walton Beach

Ms. Payton said the Board filed a lien on this property and the heir, the son, is asking for a reduction in lien. She said she has a letter from him, addressed to the County Commissioners, but it's for this Board also. She stated that we don't usually bring a property that hasn't been abated to the Board but the son has a buyer ready to close on the house and to abate the violations. They have to remove the tenant that caused the problems, but as soon as they do this, within a few days they should have the property demolished and they already have plans for what is going up on the site. Chairman Banks asked what they are asking it be reduced to and what are the current violations. Ms. Payton stated that it is still a nuisance property and the Code allows for administrative fees plus 20%. Ms. Payton added that on top of these fees, there will be legal fees because the County was in the process of foreclosing on the property. Mr. Siner asked how they could give an amount if the fees aren't complete. He asked if we could request the County Commissioners issue a lien reduction based on 20% of the final cost, plus administrative fees. Ms. Mood said that would be appropriate.

John Lee, attorney and friend, said this was an example of the working together. Mr. Wyatt has removed 6 dumpsters of garbage and he has another dumpster on site. He stated there is an active

push to get the property cleaned up. Mr. Lee stated that Mr. Wyatt is under contract to purchase the property and the title has been cleared, and they are ready to go. The only thing lacking is the amount that will be paid to the County. Mr. Lee stated that they would respectfully request that the Board forward the recommendation to Board of County Commissioners to reduce the lien to 20% of the total lien, and Mr. Wyatt would pay the administrative fees and the legal fees. He understands that the exact numbers aren't in yet, but they would like to move forward.

Mark Siner made a motion to make a recommendation to the Board of County Commissioners to reduce the lien to 20% of the lien amount, plus any administrative fees and legal fees that will accrue, based on the exigent circumstances. Second by Dana Cawthon, motion passed unanimously.

8. NEW BUSINESS:

A. CEB CASE #24-548039

DSV SPV 2 LLC

Location of Violation:

6141 Robin Road, Crestview

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 Ron Cliff read the above violation. On January 2, 2024, Code Enforcement received a complaint about the yard being a mess, with vehicles, campers, and debris that could harbor rodents and other animals, that could be seen from the road and adjoining properties. Mr. Cliff went over the history and said that he mailed a Notice of Violation, that was signed by T. Smith on February 20, 2024. Mr. Cliff said staff's recommendation is to have the Board sign the Findings of Facts/Conclusion of Law, pay the administrative fees currently at \$469.68, allow them until June 14, 2024 to comply or a \$250 per day fine will be assessed. Mr. Cawthon asked if someone lives there and Mr. Cliff replied yes, they do.

Mr. Siner made a motion that the property of 6141 Robin Road, Crestview, DSV SPV 2 LLC, be found in violation of 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 Nuisance; Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65, and that Respondent be assessed the administrative fee of \$469.68 and shall have until June 18, 2024 to bring the property into compliance or face a fine of \$250 per day. Second by Dana Cawthon, motion passed unanimously.

B. CEB CASE #24-548040

Thomas Davis Sr. & Thomas Davis Jr.

Location of Violation:

2364 Hill Drive, Crestview

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, Ron Cliff, read the above violation. He said this property was reported on December 18, 2023 and reported as a dump site. The complainant reported that there are rats, snakes and insect infestations on the property. Upon inspection Mr. Cliff found a washing

machine, dryer, tires full of water, dilapidated furniture, a broken television laying in the County Right-of-way, non-registered boat, a camper and many other items throughout the property. He received a message from Tiffany, saying that she found his card and to please give her a call. He tried the number she left, but was unable to reach anyone. February 12, 2024, after several attempts to contact the owner, Mr. Cliff sent a Notice of Violation requesting that all violations be resolved by March 14, 2024. The Notice was returned as unclaimed. A Notice of Hearing was provided and scheduled for today. Staff's recommendation is to request the Code Enforcement Board to sign the Findings of Facts/Conclusion of Law and that the administrative fee of \$446.32, allow until June 18, 2024 to bring the property into compliance or a \$250 per day fine will be assessed.

Mark Siner made a motion to find Thomas Davis, Sr. and Thomas Davis, Jr, property 2364 Hill Dr., Crestview in violation of 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 and to assess Respondent the administrative fee of \$446.32 and give Respondent until June 18, 2024 to bring the property into or a \$250 per day fine will be assessed. Second by Tammy Summers, motion passed unanimously.

**C. CEB CASE #24-548041
Location of Violation:**

**Robert B. & Austin L. Martin
1231 E Chestnut Avenue, Crestview**

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; Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65; and Appendix E, Land Development Code, Chapter 2, Zoning Regulations, Sec. 2.03.04 Permitted uses, Sec. 2.21.05 Limitations and restrictions.

Code Enforcement Officer, Ron Cliff read the above violation. He said the complaint was received February 2, 2024 stating that an auto repair shop was being run out of the address. Upon inspection Mr. Cliff found several vehicles, some that were not tagged, there were tires holding water, automotive parts and trash. June 5, 2023 there was a citation issued for this property. A Notice of Violation was sent with a compliance date of March 14, 2024. The Notice was returned unclaimed. The property continued to deteriorate even more. A Notice of Hearing was issued and scheduled for today. Staff's recommendation is to sign the Findings of Facts/Conclusion of Law, that the administrative fee of \$433.28 to be paid and allow until June 18, 2024 to bring the property into compliance or a \$250 per day fine will be assessed.

Mark Siner made a motion that 1231 E. Chestnut Avenue, Crestview, Robert B. & Austin L. Martin be found in violation of 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; Chapter 21, Traffic and Motor Vehicles, Article IV Abandoned and Nuisance Vehicles, Sec. 21.65; and Appendix E, Land Development Code, Chapter 2, Zoning Regulations, Sec. 2.03.04 Permitted uses, Sec. 2.21.05 Limitations and restrictions, that Respondent be assessed the administrative fee of \$433.28, and that a \$250 per day fine will be assessed if the property is not brought into compliance by June 18, 2024. Second by Dana Cawthon, motion passed unanimously.

10. ADJOURN:

There being no further business before the Board, Chairman Banks declared the meeting adjourned at 4:50 pm.

Prepared by:

Lynne Oler
Code Enforcement Administrative Assistant