



CITY OF CRESTVIEW CITY COUNCIL

CITY COUNCIL REGULAR MEETING AGENDA MARCH 27, 2023 6:00 PM CITY COUNCIL CHAMBERS

The Public is invited to view our meetings on the City of Crestview Live stream at <https://www.cityofcrestview.org> or the City of Crestview Facebook Page. You may submit questions on any agenda item in advance (by 3:00 p.m. the day of the meeting) to cityclerk@cityofcrestview.org.

- 1. Call to Order**
- 2. Invocation, Pledge of Allegiance**
 - 2.1. Reverend John Ferguson of Oak Ridge Assembly of God
- 3. Open Policy Making and Legislative Session**
- 4. Approve Agenda**
- 5. Presentations and Reports**
 - 5.1 Presentation of the City of Crestview Bulldog Award
 - 5.2 Proclamation Declaring the Week of April 23-29, 2023 as National Library Week in Crestview
- 6. Consent Agenda**
 - 6.1. Approval of CRA Annual Report
 - 6.2. Approval of the Regular Meeting Minutes of March 13, 2023
 - 6.3. CSX Railroad Property Contract Renewal
 - 6.4. Purchase of By-Pass Bridge Pipe
- 7. Public Hearings / Ordinances on Second Reading**
 - 7.1. Ordinance 1919 - James Lee Blvd E Comprehensive Plan Amendment
 - 7.2. Ordinance 1920 - James Lee Blvd E Rezoning
 - 7.3. Ordinance 1921 - Designating the Official Seal of the City of Crestview
- 8. Ordinances on First Reading**
- 9. Resolutions**

10. Action Items

10.1. Appointment of Mayor Pro-Tempore

10.2. Authorization to Proceed with the Foreclosures of Code Compliance Liens

11. City Clerk Report

11.1. Monthly Update

12. City Manager Report

12.1. Financial Update - Finance Director

13. Comments from the Mayor and Council

13.1 Ground-Mounted Solar Energy Systems Update

14. Comments from the Audience

15. Adjournment

All meeting procedures are outlined in the Meeting Rules and Procedures brochure available outside the Chambers. Florida Statute 286.0105. Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The requirements of this section do not apply to the notice provided in s. 200.065(3). In accordance with Section 286.26, F.S., persons with disabilities needing special accommodations, please contact Maryanne Schrader, City Clerk at cityclerk@cityofcrestview.org or 850-628-1560 option 2 within 48 hours of the scheduled meeting. Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Chance Leavins
DATE: 3/22/2023
SUBJECT: Presentation of the City of Crestview Bulldog Award

BACKGROUND:

In January of 2023, Crestview High School (CHS) began a student of the month recognition program. This recognition aims to highlight students who exhibit characteristics of what it means to be an outstanding Crestview High School Bulldog. Traits that make a student worthy of recognition include but are not limited to leadership, perseverance, dedication, and selflessness. When a teacher witnesses a student exhibiting these traits, they then nominate the student. These nominations are reviewed by CHS administration, and a student of the month is selected.

The City of Crestview understands the value of recognizing members of our community that exemplify these traits and has partnered with CHS to spotlight these students as City of Crestview Bulldog Award winners.

DISCUSSION:

Mayor Whitten will recognize and congratulate the recipients. This recognition will include a certificate from the City of Crestview presented by the Mayor.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

None

RECOMMENDED ACTION

No action is required for this item.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor
DATE: 3/23/2023
SUBJECT: Proclamation Declaring the Week of April 23-29, 2023 as National Library Week in Crestview

BACKGROUND:

National Library Week is celebrated April 23 - 29, 2023.

Whereas the nonprofit National Book Committee was established between the American Library Association and the American Book Publishers in 1957, and

Whereas, National Library Week, was first sponsored in 1958, and

Whereas, it is now a national observance sponsored by the American Library Association, and

Whereas, National Library Workers' Day, National Bookmobile Day, and Support Teen Literature Day are all encompassed in National Library Week, and

Whereas it is celebrated nationally by libraries across the United States, and

Whereas, National Library Week is typically celebrated in April, and

Whereas the recognition takes place from the 23rd of April through the 29th of April 2023, and

Whereas, this recognition has spread worldwide, and

Whereas the theme for this year's celebration is "There's more to the Story",

Now, therefore, I, JB Whitten, Mayor of the City of Crestview, do hereby proclaim the week beginning April 23 and ending April 29, as National Library week in the City of Crestview. I urge all to participate in reading and to celebrate those who help to make reading and the library a positive experience.

Duly passed and adopted on this _____ day of _____ 2023.

DISCUSSION:

Mayor Whitten has proclaimed the week of April 23 - April 29, 2023 as National Library Week in the City of Crestview to recognize our Library contributions.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local

government.

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Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

No action required.

Attachments

1. PROCLAMATION NATIONAL LIBRARY WEEK 2023

A PROCLAMATION

NATIONAL LIBRARY WEEK

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Duly passed and adopted on this 27th day of April 2023.



Mayor JB Whitten City of Crestview



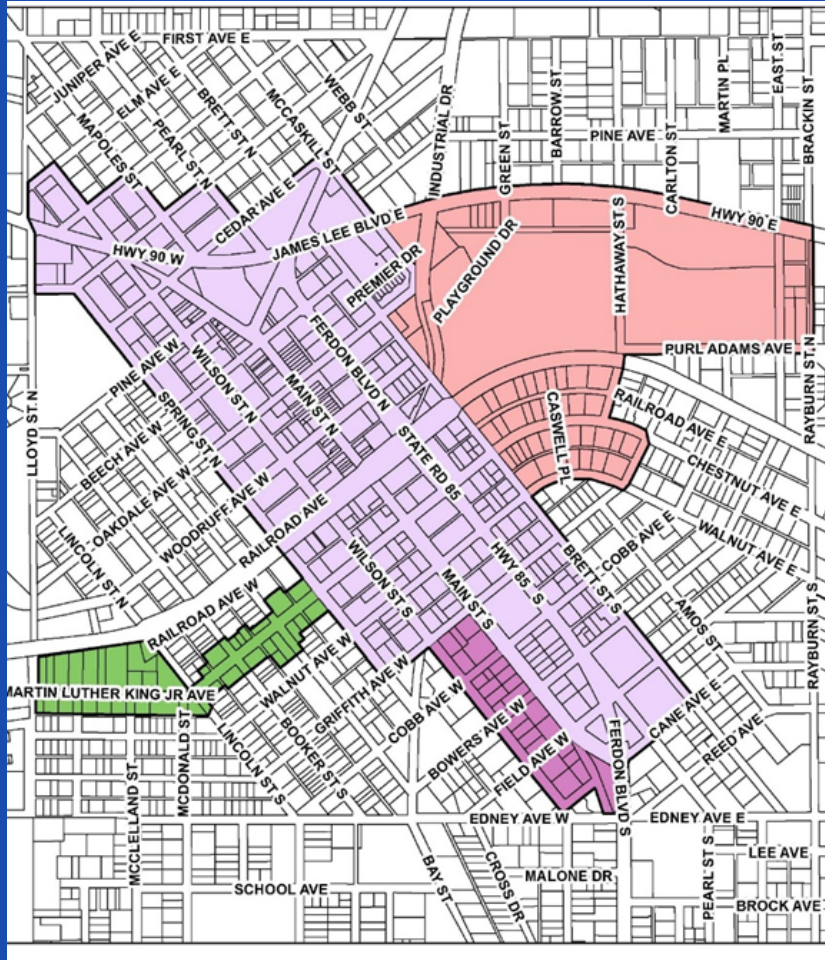
2022 ANNUAL REPORT



PREPARED BY

Elizabeth Roy, CRA Director

CRA AREA MAP



PROPERTY VALUES

BASE YEAR:	\$12,452,562
CURRENT YEAR:	\$35,831,186



CRA

BOARD AND STAFF

ONE
CITY
ONE
MISSION



Andrew Rencich



Cynthia Brown



Doug Capps



Joe Blocker



Ryan Bullard



Margareth Larose-Pierre



Linda Parker



Nathan Boyles,
Chairman
Ad Hoc Member



Elizabeth Roy
CRA Director



Tim Bolduc
City Manager



CRA VISION

"TO ENCOURAGE REDEVELOPMENT WITHIN THE DISTRICT THAT WILL ENHANCE THE QUALITY OF LIFE OF THE COMMUNITY, WHILE MAINTAINING HISTORICAL SIGNIFICANCE."



CRA MISSION

"TO ENHANCE THE QUALITY OF LIFE THROUGH REDEVELOPMENT"



CRA STRATEGIC PLAN



IN JULY OF 2019, THE CRESTVIEW COMMUNITY REDEVELOPMENT AGENCY DEVELOPED A STRATEGIC PLAN TO GUIDE THE CRA THROUGH THE COMING YEARS IN REDEVELOPMENT.

8 FOCUS AREAS WERE DETERMINED TO BE THE MOST IMPORTANT MOVING FORWARD, WHILE STAYING WITHIN THE ESTABLISHED CRA PLAN.

THE ENTIRE CRA STRATEGIC PLAN MAY BE VIEWED ON THE WEBSITE AT:
WWW.CITYOFCRESTVIEW.ORG

OR A COPY MAY BE RECEIVED BY CONTACTING THE CRA DIRECTOR AT
cra@cityofcrestview.org



CRA
2021-2022
FINANCIAL REVIEW



REVENUES 2021-2022

CASH CARRY-FORWARD (revised) \$ 908,850

GENERAL FUNDS \$ 251,779

Interest \$ 1,079

Other (Grant) \$ 250,000

Other \$ 700

TAX INCREMENT FUNDS \$ 247,581

County TIF \$ 85,186

City TIF \$ 162,395

TOTAL REVENUES INCLUDING CARRY FORWARD \$1,408,210



CRA

2021-2022 FINANCIAL REVIEW



EXPENDITURES 2021-2022

ADMINISTRATIVE \$ 41,171

Supplies	\$ 2,290
Administrative	\$ 692
Dues/Insurance	\$ 3,993
Conference/Training	\$ 2,196
Auditing Fees	\$ 5,000
Director Salary	\$ 27,000

CRA PROGRAMS \$ 810,070

Marketing	\$ 1,996
Engineering Fees/Main Street	\$ 292,560
Main Street Partnership	\$ 50,000
Sanitary Services	\$ 860
Signage	\$ 4,493
Downtown Beautification	\$ 8,688
Bush House Renovation	\$ 402,954
Grants, Incentive	\$ 36,019
Mobility Study Implementation	\$ 12,500

TOTAL EXPENDITURES \$ 851,241

FUND BALANCE \$ 556,969

TOTAL (UNAUDITED) ASSETS AS OF 9/30/2022 \$ 556,969



CRA 2021-2022



*In 2021, the Crestview CRA completed the
Downtown Mobility Study.
The study outlined plans to take Downtown
Crestview from the current conditions:*



CRA 2021-2022



To a vibrant downtown community with wider sidewalks, easier business access and beautiful landscaping.



Work is now underway to turn the plan into reality. Follow our progress at:

www.cityofcrestview.org/Downtown-Crestview-Redevelopment-Information



CRA 2021-2022 ACCOMPLISHMENTS



The major accomplishment for 2022 was the renovation of the Lorenza Bush House.

The Bush House is significant to the History of Crestview through its association with the Louisville & Nashville Railroad and the development of the of the Florida Panhandle. The house was built in 1925 by Lorenza Bush, who was a Supervisor of Tracks for the Louisville & Nashville Railroad.

The renovation of the House was aided in part by a grant from the State of Florida, Department of State.

*The Bush House is now home to the
Crestview History Museum
and also houses the
City of Crestview Cultural Services Division
City of Crestview Sister City Program
City of Crestview Historic Preservation Board*



CRA

2021-2022

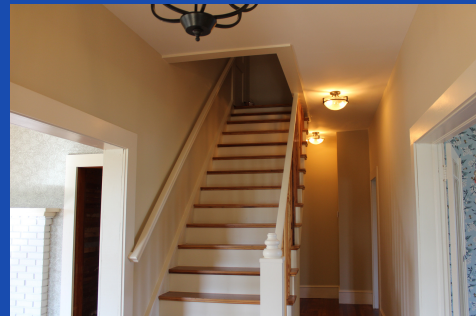
BUSH HOUSE RENOVATIONS



BEFORE



AFTER



CRA

2021-2022

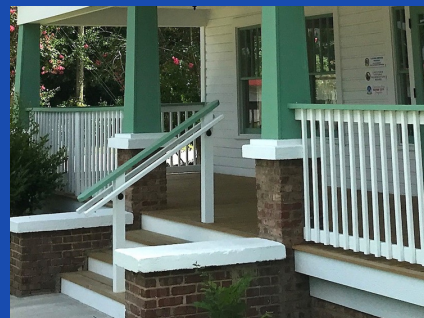
BUSH HOUSE RENOVATIONS



BEFORE



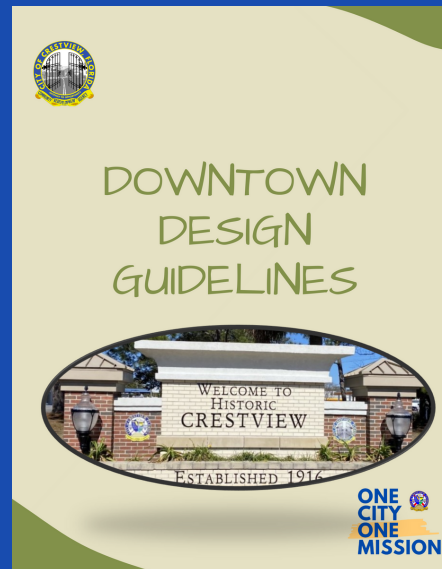
AFTER



CRA 2021-2022 ACCOMPLISHMENTS



*During fiscal 2022, the CRA Office
developed Design Guidelines for
Commercial Businesses in the CRA District*



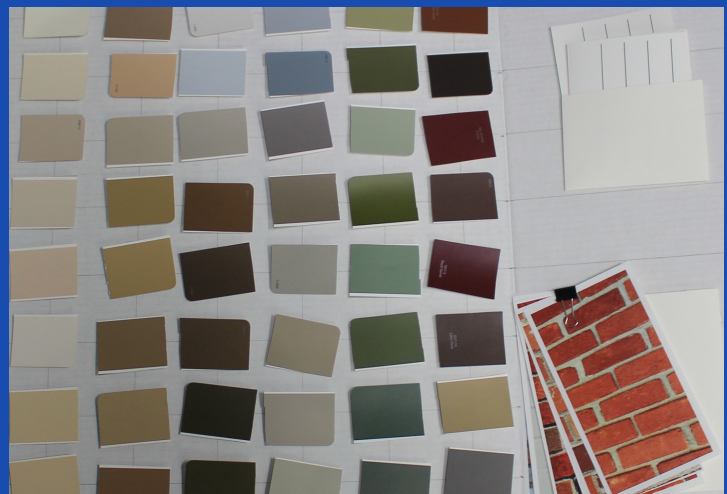
*Photographs of all the different types of bricks in the CRA district
were combined with various historical colors to help business owners
determine the best renovation colors for their businesses to keep the
historical look of the Downtown Crestview area. Other
helpful hints are also included,
and the entire booklet is available online.*



CRA 2021-2022 ACCOMPLISHMENTS



*Storyboards of Bricks and Paint colors
were also developed to aid businesses in selection of
Historical Colors.*



CRA 2021-2022 ACCOMPLISHMENTS



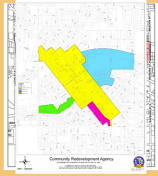
*CRA Office developed a brochure to use
at events and meetings to further explain the purpose of the
CRA*



How we Started:

The City of Crestview formally adopted the Community Redevelopment Agency concept in 1995 for the express purpose of development and redevelopment within a defined community redevelopment area, which encompasses all of the downtown area. The CRA Board (consisting of the five city councilmembers) adopted a Community Redevelopment Plan, which was sanctioned by the Florida Department of Community Affairs.

The CRA operates only within the established CRA district, as defined by the map below.



CRA Vision

"TO ENCOURAGE REDEVELOPMENT WITHIN THE DISTRICT THAT WILL ENHANCE THE QUALITY OF LIFE OF THE COMMUNITY, WHILE MAINTAINING HISTORICAL SIGNIFICANCE."

CRA Mission

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The Future:

The CRA is working closely with the City of Crestview for the redevelopment of Main Street.

The CRA also offers Beautification and Code Compliance Grants, as well as Design Guidance for the CRA Area.

More information is available on the Community Redevelopment Agency Pages at: www.cityofcrestview.org








For More Information about the Crestview CRA:

Please contact
Elizabeth Roy
CRA Director
cra@cityofcrestview.org
850-612-6074
or visit the
Community Redevelopment
Agency Page at:
www.cityofcrestview.org

CRESTVIEW CRA

C Community R Realizing A Dream

"The CRA District is the heart of the City of Crestview. We are looking forward to strengthening the area to keep the heart beating strongly for years to come."

Elizabeth Roy



CRA 2021-2022 ACCOMPLISHMENTS



*The CRA, along with the City of Crestview,
dedicated the Tower Sign at the corner of
US 90 and 85
to long-time
City Attorney Ben Holley
Mr. Holley served the City and the CRA
for over 30 years.*



CITY OF CRESTVIEW COMMUNITY REDEVELOPMENT AGENCY



WORKING TO CREATE A

C
Community
R
Realizing
A
Dream

"The CRA District is the heart of the City of Crestview. We are looking forward to strengthening the area to keep the heart beating strongly for years to come."



Elizabeth Roy



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader
DATE: 3/16/2023
SUBJECT: Approval of the Regular Meeting Minutes of March 13, 2023

BACKGROUND:

Approval of routine minutes.

DISCUSSION:

Draft minutes were distributed prior to the meeting.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

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Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the minutes of March 13, 2023.

Attachments

1. 03132023 City Council Regular Meeting Minutes Draft

City Council Minutes - DRAFT
March 13, 2023
6:00 p.m.
Council Chambers

1. Call to Order

The Regular Meeting of the Crestview City Council was called to order at 6:00 p.m. by Mayor JB Whitten. Board members present: Mayor Pro-Tem Andrew Rencich, Council members: Doug Capps, Cynthia Brown, Joe Blocker, and Ryan Bullard. Also present: City Manager Tim Bolduc, City Clerk Maryanne Schrader, City Attorney Jonathan Holloway, and various staff members.

2. Invocation, Pledge of Allegiance

2.1. Pastor Edward Parker from the First Church of God in Christ

The Invocation and Pledge of Allegiance was led by Pastor Edward Parker from the First Church of God in Christ.

3. Open Policy Making and Legislative Session

Mayor JB Whitten announced there was a quorum present and went over the rules and procedures.

4. Approve Agenda

Mayor JB Whitten called for action.

Motion by Councilmember Joe Blocker and seconded by Councilmember Ryan Bullard to approve the agenda, as presented.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard.
All ayes. Motion carried.

5. Presentations and Reports

5.1. Homelessness & Housing Alliance (HHA)

Crystal Harrison, Executive Director, of the Homelessness and Housing Alliance (HHA) came forward to present data on the Okaloosa-Walton Homeless Continuum of Care. She went over the Point in Time count to depict an accurate snapshot of homelessness. She mentioned that homelessness' affects us all, as it is a humanitarian, health, economic, and moral issue. She said partnership, advocacy, education, and awareness are ways the city can help.

Mayor JB Whitten and the City Council welcomed Ms. Harrison to the area.

6. Consent Agenda

Mayor JB Whitten called for action.

Motion by Councilmember Cynthia Brown and seconded by Councilmember Joe Blocker to approve the Consent Agenda, as presented.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard.
All ayes. Motion carried.

6.1. Approval of the City Council Regular Meeting Minutes from February 27, 2023

6.2. Approval of the Crestview Unlimited, Inc. Regular Meeting Minutes of February 27, 2023

6.3. Purchase Petersen TL-3 Knuckleboom Loader Truck

6.4. GreatLife Golf Contract

7. Public Hearings / Ordinances on Second Reading

No items were brought forward.

8. Ordinances on First Reading

8.1. Ordinance 1919 - James Lee Blvd E Comprehensive Plan Amendment

Planning Administrator Nicholas Schwendt introduced Ordinance 1919, James Lee Boulevard Comprehensive Plan Amendment for first reading. He mentioned both Ordinances tonight pertain to 1289 James Lee Blvd East and consists of 42 acres. He mentioned the commercial zoning designations and stated the request is for residential zoning.

Planning Administrator Nicholas Schwendt then asked the City Clerk to read the ordinance.

City Clerk Maryanne Schrader read the Ordinance by Title: An Ordinance of the City of Crestview, Florida, Amending Its Adopted Comprehensive Plan; Providing For Authority; Providing For Findings of Fact; Providing For Purpose; Providing For Changing the Future Land Use Designation From Commercial (C) to Residential (R) on Approximately 42.82 Acres, More or Less, In Section 16, Township 3 North, Range 23 West; Providing For Future Land Use Map Amendment; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing for an Effective Date.

Mayor JB Whitten called for comment from the Council and the public. In hearing none, he called for action.

Motion by Councilmember Ryan Bullard and seconded by Councilmember Cynthia Brown to approve Ordinance 1919 on 1st reading and move to second reading for final adoption.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

8.2. Ordinance 1920 - James Lee Blvd E Rezoning

Planning Administrator Nicholas Schwendt presented Ordinance 1920, James Lee Boulevard East Rezoning, to the City Council and asked the City Clerk to read the ordinance.

City Clerk Maryanne Schrader read the Ordinance by Title: An Ordinance of the City of Crestview, Florida, Providing For the Rezoning of 42.82 Acres, More or Less, of Real Property, Located In Section 16, Township 3 North, Range 23 West, From the Commercial Low-Intensity District (C-1) Zoning District to the Single and Multi-Family Density Dwelling District (R-3) Zoning District; Providing For Authority; Providing For The Updating of the Crestview Zoning Map; Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; Providing For Repeal of Conflicting Codes and Ordinances; and Providing For an Effective Date.

Mayor JB Whitten called for comment from the Council and the public. In hearing none, he called for action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Joe Blocker to approve Ordinance 1920 on 1st reading and move to second reading for final adoption.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

8.3. Ordinance 1921 Designating the Official Seal of the City of Crestview

City Clerk Maryanne Schrader presented Ordinance 1921 to the City Council. She stated in researching the City Charter and Code of Ordinances, she was unable to locate documentation or legislation officially designating the Official Seal for the City of Crestview or safeguarding the use. She added, the purpose of this Ordinance is to designate an official municipal seal to be affixed on all official actions or documents of the City and to identify and authenticate documents.

She read Ordinance 1921 by Title: An Ordinance by the City Council of the City of Crestview, Florida Designating the Official Seal of the City; Providing For Penalties For Unauthorized Use; Standards For Public Use; Providing For Severability; Providing For Repeal of Ordinances in Conflict; and Providing an Effective Date.

Mayor JB Whitten called for comment from the Council and the public. In hearing none, he called for action.

Motion by Councilmember Douglas Capps and seconded by Councilmember Cynthia Brown to approve Ordinance 1921 on 1st reading and move to second reading for final adoption.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

9. Resolutions

- 9.1. Resolution Regarding a Comprehensive Fee Schedule Amendment - Sidewalk Fund Planning Administrator Nicholas Schwendt presented Resolution 2023-7 to the City Council mentioning there has been an increase in materials and cost of installation of sidewalks since the passage of the fee schedule. This resolution will consider changes in the material for the sidewalks when setting the fee for sidewalk installation. He then asked the City Clerk to read the Resolution.

City Clerk Maryanne Schrader read the Resolution by title: A Resolution of the City of Crestview, Florida, Amending the Comprehensive Fee Schedule to Revise the Sidewalk Fund Contribution Amount; Providing For Severability; Providing For Repeal of all Resolutions or Parts of Resolutions In Conflict Herewith and Providing For an Effective Date.

Mayor JB Whitten called for comment from the Council and from the public. In hearing none, he called for action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Ryan Bullard to adopt Resolution 2023-07.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

- 9.2. Resolution Relating to the Florida Department of State Revolving Fund - Elevated Storage Tank

City Manager Tim Bolduc presented Resolution 2023-8 to the City Council mentioning this is part of the funding mechanism for the building of the water tower on the west side. This ensures the planning portion to pursue State Revolving Funds. He mentioned this is near the new school and bypass, which we need in order to regulate pressure. In response to Councilmember R. Bullard on whether it will replace the existing tower, City Manager Tim Bolduc replied that this area has limited pressure, so this will be an additional tower. He asked the City Clerk to read the Resolution.

City Clerk Maryanne Schrader read the Resolution by title: A Resolution of the City Council of the City of Crestview, Florida, Relating to the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF), Adoption of the Elevated Water Storage Tank Planning Project, and Providing For an Effective Date.

Mayor JB Whitten called for comment from the Council and the public. In hearing none, he called for action.

Motion by Councilmember Cynthia Brown and seconded by Councilmember Joe Blocker to adopt Resolution 2023-8.

Roll Call: Joe Blocker, Cynthia Brown, Andrew Rencich, Douglas Capps, Ryan Bullard. All ayes. Motion carried.

10. Action Items

No additional items were presented.

11. City Clerk Report - No additional items were presented.

12. City Manager Report

City Manager Tim Bolduc stated he had provided the monthly report to the Council. He reminded the Council of the March 29th Strategic Planning workshop. He mentioned the list of professionals, LEAD graduates, and high school students who will be attending.

City Manager Tim Bolduc said the city attorney and he are finalizing the RFP for solid waste and went over who will sit on the selection committee. He mentioned the committee will include the Budget and Grants Analyst, Planning Administrator, City Engineer, a city resident, a councilmember, the Deputy Director of Public Services, and Public Information Manager. He added we are looking for proposals that will provide quality service and address the future needs of the community.

Mayor Pro-Tem A. Rencich volunteered to be on the committee, and the Council concurred with the selection.

13. Comments from the Mayor and Council

13.1. Ordinance Discussion - Ground-Mounted Solar Panels

City Manager Tim Bolduc explained that when a Council-generated item is received, staff will bring it forward for discussion. He received a request from Councilmember D. Capps to introduce an ordinance regarding solar panel placement. Some issues facing the community are insurance companies do not want to insure roofs with solar panels, and we would like to address solar panel placement in front yards.

Councilmember D. Capps stated he does not want solar panels in the front yard because of safety and aesthetic issues.

Mayor JB Whitten called for comment from the Council.

Discussion ensued on property lines that can accommodate the solar panels, the need for a 6-foot privacy fence, and the heat generated by the solar panels.

City Manager Tim Bolduc said the front yard is defined in the Land Development Code, so he will ensure the definition is included in the Ordinance, as well as including language that solar panels must be secure and safe. Planning Administrator N. Schwendt added there is a provision in the LDC for placement of an accessory structure.

In response to Councilmember J. Blocker for the data on elevating the panels, City Manager Tim Bolduc replied staff will bring an ordinance back to the City Council that addresses safety concerns. Mayor Pro-Tem A. Rencich also voiced concern on the heat and electrical currents that the panels emit and requested adjustability. Also,

Planning Administrator N. Schwendt stated he did not feel it would create a non-conformance issue in response to Mayor Pro-Tem A. Rencich. City Manager T. Bolduc said Nick will research the positioning, larger lots, and security issues.

City Manager T. Bolduc added we will also bring up at a later date a sexual predator ordinance, if they do not have a permanent residence.

Mayor asked for additional comment from the Council.

Councilmember R. Bullard clarified that a homeless meeting will be held April 18th at 11 a.m. at Warriors' Hall. He also mentioned the issues he has raised with solid waste problems. City Manager T. Bolduc said we will make sure that his concerns are addressed. He added a shortlist with a thorough scoring system will be done, and out of that score, the submittals will be invited back for a public presentation before a full City Council meeting.

In response to Councilmember J. Blocker and his question on animal control, City Manager T. Bolduc asked for the contact information, and he will contact the individuals with their concerns.

Mayor JB Whitten reminded everyone to support Triple B on March 25th from noon to 6. He added Narcan Administration training will be held March 30th at either 9 a.m. or 6:00 p.m. at the Community Center.

14. Comments from the Audience

Mayor JB Whitten asked for public comment.

Shannon Hayes came forward and invited everyone to attend the “New Worlds Reading Initiative” tomorrow night at Allen Park from 4:30 to 6:30 p.m. He also asked that the Council follow to follow several bills affecting the community.

Next, Mark Lynch, HOA president, mentioned the 42 acres that Harvest Ministries is bringing forward. The concern is the watershed that will impact his community, as well as the density being considered is up to eight per acre which is high for that area.

15. Adjournment

Mayor JB Whitten adjourned the meeting at 6:57 p.m.

Minutes approved this ___ day of ___, 2023.

JB Whitten
Mayor

Maryanne Schrader
City Clerk

Proper Notice having been duly given



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Wayne Steele, Director of Operations, Jayce Vanderford, Project Manager
DATE: 3/22/2023
SUBJECT: CSX Railroad Property Contract Renewal

BACKGROUND:

The City Hall employee parking lot between the railroad track and city hall belongs to CSX Railroad and has been under lease to the city since 1962. Additionally, the land between Wilson Street and Main Street, where the train depot once stood, is also part of this lease. Recently we inquired from CSX about the use and possible lease of the empty CSX office building across the street from City Hall. They responded that the building structure could be added to our lease. Upon review, it was discovered our current 15-year lease was up for renewal in April of 2023, and our rates would need to be reviewed. The current rates were based on old numbers, and the current lease rates had to be brought up to the current market value.

DISCUSSION:

The new Lease Agreement consists of two parcels of land consisting of 1.35 acres total, the first located between Spring Street and Wilson Street adjacent to city hall currently used for parking, the other located between Main Street and Wilson Street, which includes a 2,100 sq. ft. office building and additional area for parking.

The new lease amount will be as follows; first year, a base rental amount of \$5,000.00, second year, a base rental amount of \$10,000.00, third year, a base rental amount of \$15,000.00. This escalation from \$730.00 to \$15,000.00 annually is the base fee necessary to bring the property to fair market value. Thereafter, the base fee and rental amount shall be adjusted annually by three percent (3%) per annum.

The lease agreement, two exhibits, and the current lease invoice are attached for review.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

Funding for the rate increase is available in General Fund G & A Contingencies or Fund Balance.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the Lease Agreement between CSX Transportation Inc. and the City of Crestview.

Attachments

1. CSX978065-City of Crestview--Crestview FL
2. Aerial - FL-091-1094206
3. Exhibit A - FL-091-1094206 (2)
4. SCityAdmin23032015390

LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease"), made and effective as of _____ (the "Effective Date"), by and between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202 hereinafter called "Lessor," and The CITY OF CRESTVIEW, whose mailing address is 198 Wilson Street N. Crestview, FL, 32536, hereinafter called "Lessee," WITNESSETH:

That, for and in consideration of the rents hereinafter agreed to be paid by Lessee and of the covenants and agreements herein to be kept and performed by Lessee, Lessor hereby demises and leases unto Lessee, solely for the purpose herein expressed, certain improved land, owned by Lessor, as shown on Exhibit A, dated 02/27/2023, attached hereto and made a part hereof; hereinafter referred to as "the Premises," and described as follows:

An irregularly shaped parcel of land, containing 1.35 acres, more or less, situated on both sides of N Wilson St beginning at Milepost 00K 700.61, at or near Crestview, Okaloosa County, Florida

1. USE:

1.1 Lessee shall use and occupy the Premises solely for the purpose of parking and office space use of present building and for no other purpose(s).

1.2 The removal of soils from the Premises by Lessee is strictly prohibited. Should Lessee desire to bring soil or fill materials that originates off-site to the Premises then Lessee shall submit to Lessor a soil management plan that demonstrates compliance with Lessor's then-current clean fill policies.

1.3 Lessee hereby acknowledges that it has access to/from the Premises via lands owned by Lessee and/or a public right-of-way. Any road crossing of Lessor's track(s) or right-of-way necessary for access to/from the Premises must be covered by a separate agreement.

2. RENTS:

2.1 Rent shall be as follows

Effective_____ Lessee shall yield and pay to Lessor the sum of FIVE THOUSAND AND 00/100 U.S. DOLLARS (\$5,000.00) (the "Base Rental"), plus any applicable sales or rental tax thereon.

Effective_____ Lessee shall yield and pay to Lessor the sum of TEN THOUSAND AND 00/100 U.S. DOLLARS (\$10,000.00) (the "Base Rental"), plus any applicable sales or rental tax thereon.

Effective_____ Lessee shall yield and pay to Lessor the sum of FIFTEEN THOUSAND AND 00/100 U.S. DOLLARS (\$15,000.00) (the "Base Rental"), plus any applicable sales or rental tax thereon.

2.2 The Base Rental shall be adjusted on an annual basis by three percent (3%) per annum. For avoidance of doubt, the aforementioned escalation percentage in any given year of this Lease shall be applied to the previous year's Base Rental.

2.3 Failure of Lessee to receive any bill for periodic rent, or receipt of a bill showing an incorrect rent, shall neither override the Lease terms nor excuse or release Lessee from liability or responsibility for the correct contract rent. Limitation on collection for any erroneous billings or payments shall be three (3) years from the termination of this Lease. In the event the Lessor is required to employ an attorney to collect the Base Rent, Lessee agrees to reimburse the cost of the attorney employed to collect the Base Rent upon receipt of a statement from Lessor.

2.4 The payment by Lessee of any sum(s) in advance shall not create an irrevocable lease for the period for which the same is/are paid.

3. TAXES/ASSESSMENTS ON LESSEE'S PROPERTY:

3.1 Lessee shall pay the full amount of any and all taxes/assessments - State, County, Municipal and Special - levied or assessed the Premises, and any penalties in connection therewith due to acts or omissions of Lessee. All necessary payment, listing and other duties in connection with the taxation of said Premises shall be performed by Lessee.

3.2 If taxes and/or assessments on said property or improvements are levied against and paid by Lessor, Lessee shall reimburse Lessor for the full amount thereof within thirty (30) days after presentation of bill(s) from Lessor therefor.

3.3 In the event any street, sidewalk, or other municipal or public improvements are made on or adjacent to the Premises during this Lease, Lessee shall pay further additional rent equivalent to twelve and one-half percent (12.5%) per annum of the cost of the same.

4. TERM:

4.1 This Lease shall continue in effect unless and until terminated by thirty (30) days' written notice by registered or certified mail from either party hereto to the other. Either party may terminate this Lease by giving such notice, without cause and regardless of performance or nonperformance of any covenants or agreements contained herein and regardless of rental having been paid in advance for any period, and without any loss or damage to either party as a result of such termination.

5. APPROVAL OF PLANS; MAINTENANCE, REPAIRS, FLAGGING:

5.1 Lessee shall not make, or permit to be made, any building, structure, improvements or alterations on or to the Premises without the prior written approval and consent of Lessor. Lessee, at Lessee's sole cost and expense, may make such changes in said Premises necessary to make Premises suitable for the permitted use, after obtaining consent of Lessor, and provided that Lessee, at the expiration of this Lease, shall return the Premises to Lessor restored

to original condition or to condition acceptable to Lessor. Lessee shall provide Lessor with detailed plans and specifications for any such structure(s), etc., for such approval and consent.

5.2 Lessee shall not create or permit any nuisance in, on or about the Premises. All work by Lessee pursuant to this Lease shall be performed in good and workmanlike manner and in compliance with all applicable code provisions.

5.3 Lessee shall be solely responsible for the cost, installation, maintenance, replacement, operation and safety of equipment located on the Premises.

5.4 Neither the approval by Lessor of any improvements or installations made by Lessee contractors, nor the failure of Lessor to object to any work done, any material used, or the method of construction or installation, shall be construed as an admission of responsibility by Lessor or as a waiver of any of Lessee's obligations under this Lease.

5.5 Lessor shall in no manner be obligated to reimburse Lessee for all or any part of any expenditures made by Lessee, under this or prior agreements, for any repairs, replacements, renovations or any other work on or about the Premises.

5.6 If Lessor deems it necessary, during any construction, maintenance, demolition or removal of anything on or from the Premises, to provide flagging or construction oversight for protection of Lessor's operations, Lessor shall have the right to do so at Lessee's expense.

6. INSPECTIONS:

6.1 Lessor shall have the right, during regular business hours, upon reasonable notice to Lessee, and at mutually agreeable times, to conduct field examinations of the Premises and verify: (i) Lessee's use of the Premises is in accordance with the terms of this Lease; and (ii) any other reasonable review or assessment of the Premises or matters pertaining to the Lease as reasonably determined by Lessor.

7. PERMITS, ORDINANCES, REGULATIONS, ETC.:

7.1 Lessee, at Lessee's sole cost and expense, shall secure all necessary permits (including but not limited to zoning, building, construction, safety, or environmental matters), letters or certificates of approval. Lessee expressly agrees and warrants that it shall conform and limit its activities to the terms of such permit(s) and approval(s), and shall comply with all applicable ordinances, rules, regulations, requirements and laws of any governmental authority (state, federal or local) having jurisdiction over the Premises or Lessee's use thereof.

7.2 Lessee assumes all liability for failure to so comply or to secure necessary permits and shall further defend, indemnify and hold Lessor harmless from any violation, any penalty, levy, fine, assessment or charge, however denominated, and all costs of defense of or of compliance with any citation, summons, order or violation notice(s), including any such citation, order, etc. issued after termination of this Lease for any act, omission or event occurring in connection with this Lease during the Lease term.

7.3 Lessee shall provide Lessor with copies of any permits or authorizations Lessee obtains in compliance with any laws, ordinances, codes or regulations applicable to the prevention or control of discharge of pollutants or contaminants into environment (land, water or air) in connection with Lessee's use of the Premises. Lessee shall also promptly provide Lessor with a copy of any notice(s) served upon Lessee from/by any governmental authority claiming violations of any such law, ordinance, code or regulation, or requiring or calling attention to the need for any work, construction, alteration or installation on or in connection with the Premises in order to comply with any such law, ordinance, code or regulation.

8. DRAINAGE:

8.1 Lessee shall maintain, in accordance with all applicable statutes, ordinances, codes, subdivision covenants and restrictions, an adequate drainage system on the Premises or other lands of Lessee, diverting all roof, stream, or other surface drainage water from the Premises to the nearest public (or non-Lessor owned) drainage or storm sewer system, in order to prevent the discharging of such waters upon adjacent lands, right-of-way and facilities of Lessor.

8.2 Lessee shall maintain any segment of Lessor's railroad drainage ditch located within the limits of Premises.

9. SERVICES, UTILITIES:

9.1 Lessor will be under no obligation to furnish the Premises with any utility services that may be necessary in connection with Lessee's use of the Premises. Lessee shall contract directly with any utility company for such services, and Lessee shall pay for them directly, and shall defend, indemnify and hold Lessor harmless from such costs or expenses, and shall reimburse Lessor as additional rent any costs of or charges for such utilities paid by Lessor.

9.2 Except as provided for in this Lease, Lessee shall not use, for utility lines or otherwise, any property of Lessor other than the Premises without first obtaining Lessor's prior written consent and complying with all requirements of Lessor applicable thereto.

10. PIPE AND WIRE LINES:

10.1 Lessor reserves the right at all times to maintain existing and/or to construct new, and to permit others to maintain and/or construct, overhead and/or underground pipe and/or wirelines upon or across the Premises, and to use, repair, renew and remove the same.

10.2 However, Lessee shall be responsible for verification of location of all utilities and for coordination of any construction or excavation by Lessee with the owner of such utilities.

10.3 Any utility of Lessee crossing under/over tracks or rights-of-way of Lessor must be covered separately by Lessor's standard utility agreement.

11. CLAIM OF TITLE:

11.1 Lessee shall not at any time own or claim any right, title or interest in or to the Premises, nor shall the exercise of this Lease for any length of time give rise to any right, title or interest in or to the Premises, other than the leasehold herein created.

11.2 The term "lease" used herein, shall mean with regard to any portion of the Premises which is owned by Lessor in fee simple absolute, or where the applicable law of the State where the Premises is located otherwise permits Lessor to make such grants to Lessee, as "a leasehold" of the Premises. With regard to any other portion of Premises occupied, used or controlled by Lessor under any other facts or rights, Lessor merely waives its exclusive right to occupy the Premises and grants no other rights whatsoever under this Lease, such waiver continuing only so long as Lessor continues its own occupation, use or control. Lessor does not warrant or guarantee that the lease granted hereunder provides Lessee with all of the rights necessary to occupy any portion of the Premises. Lessee further acknowledges that it does not have the right to occupy any portion of the Premises held by Lessor in less than fee simple absolute without also receiving the consent of the owner(s) of the fee simple absolute estate. Further, Lessee shall not obtain, exercise or claim any interest in the Premises that would impair Lessor's existing rights therein.

12. LIENS:

12.1 Lessee is specifically denied the right, authority or power to create a lien upon the Premises or any title, interest or portion thereof under any state Mechanic's Lien Law or otherwise, and shall so specify in all contracts let by Lessee for any construction, installation, alteration, maintenance or repair of any building or other improvement on the Premises.

12.2 Lessee shall pay all debts incurred to, and shall satisfy all liens of contractors, subcontractors, mechanics, laborers and material suppliers arising from any construction, alteration, maintenance and/or repair on and to the Premises and any improvements thereon, whether by or at the direction of Lessee, and shall indemnify, defend and hold Lessor harmless against all legal costs and charges, including reasonable counsel fees, in any suit involving any lien, the enforcement or removal thereof, or encumbrance caused by the same, with respect to the Premises or any part thereof.

13. TERMINATION, REMOVAL, COSTS:

13.1 Upon termination of this Lease, by expiration of term or any reason, Lessee shall vacate said Premises and remove therefrom all buildings, structures, other improvements and contents thereof, placed thereon by Lessee or which were located thereon as of the first day of this Lease (other than buildings, structures, tracks, other track materials, rail facilities and/or improvements designated by Lessor as owned by Lessor), all at Lessee's sole risk, cost and expense. Lessee shall clear all debris resulting from such removal and shall clear and restore the Premises to a condition satisfactory to the Lessor. Such removal shall include the removal of all structures and facilities (whether on the surface or underground), and the filling of all excavations and holes, which shall be tamped, compacted and graded uniformly.

13.2 Such vacation and removal shall be completed by Lessee within the time specified in any notice of termination or at the latest within fifteen (15) days after the termination or expiration of this Lease.

13.3 Upon failure of Lessee to effect such removal, all buildings, structures or improvements and contents thereof, at the option of Lessor, shall either (a) be considered and treated as having been abandoned by Lessee, and upon the written exercise of such option by Lessor, the ownership of the same shall be considered surrendered to Lessor or (b) be removed by Lessor and the Premises restored to foresaid condition, at the sole risk, cost and expense of Lessee, which cost and expense Lessee hereby agrees to pay to Lessor on demand.

13.5 At the sole option of Lessor, at or after termination, Lessor may obtain, at Lessee's cost, the services of an independent, qualified consultant and state-approved laboratory to sample and test any visibly contaminated area of the Premises to insure that the Premises are returned to Lessor reasonably free from pollution-induced conditions; however, failure by Lessor to sample and/or test shall not be construed as a waiver of any claim established by law, or of any other provision or condition of this Lease.

13.6 This Lease supersedes existing agreement(s) dated 04/30/1962, Contract No. LN 048171, between CSX Transportation, Inc., or its predecessor in title, and **City of Crestview**, or its predecessor in title, covering the premises described herein, which agreement(s) is/are terminated and superseded by the execution hereof.

14. RISK, LIABILITY, INDEMNITY:

14.1 To the extent permitted by applicable law without waiver of sovereign immunity (if applicable), Lessee hereby assumes, and releases and waives any right to ask for or demand damages for or on account of, and agrees to protect, save harmless, defend and indemnify Lessor from and against all fines, suits, damages, claims, demands, losses, actions, liabilities, expenses and costs (including reasonable attorneys' fees and court costs, whether at trial or on appeal) for:

(A) All loss and damage to any property whatsoever, including property of Lessee, property of Lessor and of all other persons whomsoever, placed or stored upon the Premises and upon any temporary usage area provided herein, and the loss of or interference with any use or service thereof;

(B) All loss and damage on account of injury to or death of any person whomsoever, including but not limited to invitees, guests, agents, and employees of the parties hereto and all other persons whomsoever on the Premises or said temporary use area(s); and

(C) All consequential loss or damage occurring off the Premises but arising from acts or events on the Premises;

caused by, arising out of or resulting in any manner from the condition, existence, use or occupancy of the Premises and any adjoining lands used by Lessee or Lessee's guests, invitees, agents, servants, or employees, regardless of cause and whether caused by, arising out of or

resulting from any fault, failure or negligence of Lessor or otherwise. Lessor shall not be liable or responsible for any loss or damage to any property or the death or injury to any person occasioned by theft, fire, act of God, public enemy, injunction, riot, strike, insurrection, war, court order, requisition of other governmental body, or by any other matter beyond the control of Lessor. Under no circumstances shall Lessor be liable for special or consequential damages.

14.2 Notwithstanding any other provision hereof, Lessee agrees to defend, indemnify and hold Lessor harmless from all claims, costs and expenses (including reasonable attorneys' fees) as a consequence of any incident resulting in the pollution of air, water, land and/or ground water arising from or in connection with this Lease or Lessee's use of the Premises or property adjacent to the Premises, including any claim or liability arising under Federal or State law dealing with the pollution of air, water, land and/or ground water or the remedy thereof or from Lessee's failure to secure and comply with permits required by applicable or the provisions of this Lease.

14.3 If the Premises leased herein are adjacent and/or contiguous to Lessor's mainline or passing track(s), right-of-way and/or yard operations, Lessee acknowledges the increased exposure to hazards or dangers from railroad accidents or derailment and potential injury to business invitees, guests and/or employees of Lessee or damage to property, equipment and/or goods of Lessee and other from and on the Premises, including resultant loss of business or revenue. As such, in further consideration for the grant of this Lease (and notwithstanding the liability and indemnity provision of this Lease), Lessee: (a) expressly assumes full responsibility to keep all personal property, equipment, and personnel of Lessee, and any business or social invitees of Lessee, off of and away from Lessor's adjacent railroad property and operations, and (b) assumes, and also agrees to defend, indemnify and hold Lessor harmless from: any claims for death of or personal injury to any person(s) or loss of or damage to any property, including death of or injury to any employee(s) of either Lessor or Lessee and loss of or damage to any property of Lessor or Lessee, either (i) occurring on the adjacent railroad property and operations of Lessor, and arising directly or indirectly from Lessee's failure to keep such persons, property, or equipment off of said adjacent railroad property and away from operations, or (ii) occurring on the leased Premises but which arise directly, indirectly or consequently from any train accident or rail car derailment on, or objects propelled from, said adjacent track(s); regardless of any contributory or causally proximate fault, failure or negligence of Lessor: but only if said death, injury, damage or destruction would not have occurred but for Lessee's presence on the leased Premises.

15. INSURANCE, ETC.:

15.1 Prior to commencement of due diligence or use of the Premises for the permitted use, Lessee shall procure, and shall maintain during continuance of this Lease, at its sole cost and expense, a policy of Commercial General Liability Insurance (CGL), naming Lessor, and/or its designee, as additional insured, covering liability under this Lease. Coverage of not less than FIVE MILLION U.S. DOLLARS (\$5,000,000.00) Combined Single Limit per occurrence for bodily injury and property damage is required as a minimum to protect Lessee's assumed obligations hereunder. If said policy does not automatically cover Lessee's contractual liability under this Lease, a specific endorsement adding such coverage shall be purchased by Lessee. If

said policy is written on a "claims made" basis instead of an "occurrence" basis, Lessee shall arrange for adequate time for reporting losses. Failure to do so shall be at Lessee's sole risk.

Lessee shall also carry, for the benefit of Lessee and its employees, Worker's Compensation Insurance as required by the state in which the Premises is located. This policy shall include Employer's Liability Insurance with a limit of not less than ONE MILLION AND 00/100 U.S. DOLLARS (\$1,000,000.00) per occurrence. Unless prohibited by law, such insurance shall waive subrogation against Lessor.

Lessee shall also maintain Automobile Liability Insurance in an amount not less than ONE MILLION AND 00/100 U.S. DOLLARS (\$1,000,000.00) single limit, bodily injury and/or property damage combined, for damages to or destruction of property including the loss of use thereof, in any one occurrence. Policy shall name Lessee as insured and Lessor, and/or its designee, as additional insured.

15.2 If Lessee contracts for new construction or structural alterations to the Premises, Lessee shall provide prior to commencement of any construction activity, and maintain during the period of construction and all related activities, at no cost to Lessor, a policy of Owner's Protective Liability Insurance designating Lessor, and/or its designee, as insured, with a limit of not less than FIVE MILLION U.S. DOLLARS (\$5,000,000.00) Combined Single Limit per occurrence for all bodily injury and property damage liability. If the construction, demolition or alterations operations are within fifty (50) feet of any Lessor operated railroad track or have the potential to affect any railroad bridge, trestle, tunnel, track, roadbed, overpass or underpass, the insurances shall be written on the ISO/RIMA Form (ISO Form CG-00-35, or current) the ISO/RIMA Form (ISO Form CG-00-35, or current) of Railroad Protective Insurance, with Pollution Exclusion Amendment (ISO Endorsement No. CG-28-31), having a limit of not less than FIVE MILLION U.S. DOLLARS (\$5,000,000.00) Combined Single Limit per occurrence for bodily injury and property damage and at least a TEN MILLION U.S. DOLLARS (\$10,000,000.00) aggregate limit during each annual policy period. The original protective liability policy shall be submitted to and approved by Lessor's Director - Casualty Insurance, at the address above, prior to commencement of the construction.

At Lessor's option, in lieu of purchasing RPL insurance from an insurance company (but not CGL insurance), Lessee may pay Lessor, at Lessor's current rate at time of request, the cost of adding any construction and/or demolition activities, to Lessor's Railroad Protective Liability (RPL) Policy for the period of actual construction. This coverage is offered at Lessor's discretion and may not be available under all circumstances.

15.3 Lessor may at any time request evidence of insurance purchased by Lessee to meet requirements of this Article, and may demand that Lessee purchase insurance deemed adequate by Lessor, but not to exceed the limits of this Article. Failure of Lessee to comply within thirty (30) days of Lessor's, or its designee's, demand shall be a default, subject to the termination provisions of this Lease. Furnishing of insurance by Lessee shall not limit Lessee's liability under this Lease but shall be additional security therefore.

16. DEFAULT:

16.1 Any of the following events shall constitute a default by Lessee:

- (A) If the rent (base or additional) shall be in arrears, in whole or in part, for thirty (30) or more days; or
- (B) If Lessee shall have failed to perform any other term, condition, or covenant of this Lease, on its part to be performed, for a period of fifteen (15) days after notice of such failure from Lessor; or
- (C) If Lessee creates a situation involving hazard to the safety of railroad operations of Lessor and fails to correct same within forty-eight (48) hours of notice from Lessor to do so; or
- (D) If the Premises are vacant, unoccupied or deserted for a period of fifteen (15) days or more any time during the term; or
- (E) If Lessee is adjudicated a bankrupt for liquidation; or
- (F) If Lessee's leasehold interest under this Lease is assigned or sold under execution, attachment or decree of any court, to satisfy any debt of Lessee; or
- (G) If any lien (including a mechanic's or environmental fund lien) is filed against Lessee's leasehold interest, and is not discharged within ten (10) days thereafter.
- (H) If Lessee fails to remediate any deficiencies found during inspection of the Premises, pursuant to the terms of this Lease and notice thereof.

17. LESSOR'S REMEDIES:

17.1 In the event of alleged breach or default, other than involving safety of railroad operations, either party may give written notice (registered or certified mail, return receipt requested) of breach and time to cure, not to exceed fifteen (15) days. Failure to cure within said notice period, or mutually extended period, will be cause for termination, regardless of rental having been paid in advance for any period.

17.2 In the event of an alleged default or breach of covenants or nonperformance by Lessee involving safety of railroad operations, Lessor may give notice by telephone, telegraph or messenger to Lessee to effect a cure or remedy within forty-eight (48) hours. Failure of Lessee to cure within said notice period will be cause for immediate termination by Lessor.

17.3 In the event of default as defined herein, Lessor, in addition to any and all legal and equitable remedies it may have, shall have the following remedies:

- (A) At any time after default, to declare this Lease terminated upon immediate notice, and to enter and take possession of the Premises with or without legal process. In such event, Lessor shall have the benefit of all provisions of law now or hereafter in force respecting

the speedy recovery of possession from Lessee's holding over or proceedings in forcible entry and detainer, and Lessee waives any and all provisions for separate or additional notice under such law(s).

(B) To distraint at all times for rent due, and Lessor shall have a valid and first lien upon all property of Lessee (including but not limited to Lessee's improvements, structures, equipment and contents) situated on the Premises as security for the payment of rent herein reserved. Lessee expressly consents to the recording of a Financing Statement, at Lessee's cost, to evidence and perfect Lessor's lien hereunder.

17.4 Notwithstanding such re-entry and/or termination, Lessee shall immediately be liable to Lessor for the sum of the following: (a) all rent and additional rent then in arrears, without apportionment to the termination date, including Lessee's contribution to taxes as provided for herein; (b) all other liabilities of Lessee and damages sustained by Lessor as a result of Lessee's default, including but not limited to, the reasonable costs of reletting the Premises and any broker's commissions payable as a result thereof; (c) all of Lessor's costs and expenses (including reasonable counsel fees) in connection with such default and/or recovery of possession of Premises; and (e) any other damages recoverable by law.

17.5 In the event Lessor brings any action against Lessee to enforce compliance by Lessee with any condition of this Lease, including the covenant to pay rent, and it is judicially determined that Lessee has defaulted in performing or complying with the same, then and in such event, Lessee shall pay to Lessor all costs and expenses incurred by Lessor in bringing and prosecuting such action against Lessee, including reasonable attorney fees.

17.6 If any amount due pursuant to the terms of this Lease is not paid by the due date, it will be subject to Lessor's standard late charge and will also accrue interest at eighteen percent (18%) per annum, unless limited by local law, and then at the highest rate so permitted.

17.7 Lessee agrees to reimburse Lessor for all reasonable costs (including attorney's fees) incurred by Lessor for collecting any amount due under this Lease.

18. BREACH WAIVER:

18.1 No waiver by Lessor of any breach of any covenant, condition or agreement herein contained shall operate as a permanent waiver of such covenant, condition or agreement itself or of any subsequent breach thereof. No endorsement or statement on any check or letter accompanying a check for payment of rent shall be deemed an accord and satisfaction, and Lessor may accept such check or payment without prejudice to Lessor's right to recover the balance of such rent or to pursue any other remedy provided in this Lease. No payment by Lessee or receipt by Lessor of a lesser amount than the installments of rent herein stipulated shall be deemed to be other than on account of the earliest stipulated rent.

18.2 If Lessor shall institute collection or litigation proceedings, and a compromise or settlement thereof shall be made, the same shall not constitute a permanent or general waiver of any covenant herein contained nor of any of Lessor's rights hereunder unless so expressed in

writing by Lessor. No re-entry by Lessor after a breach shall be considered an acceptance of a surrender of this Lease, unless so expressed by Lessor in writing.

19. BANKRUPTCY OF LESSEE:

19.1 In the event any assignment for the benefit of creditors or a petition in bankruptcy is filed by Lessee, or if Lessee is adjudged bankrupt or insolvent by any court, or if a trustee in bankruptcy or a receiver of Lessee or Lessee's property shall be appointed in any suit or proceeding brought by or against Lessee, and if at such time this Lease is in default by Lessee, then and in such event Lessor, at its option, may: (a) terminate this Lease at the end of the following month; or (b) request affirmance or rejection of this Lease under Sec. 365 of Bankruptcy Act by giving Lessee or any such assignee, trustee, or receiver written notice of such termination or demand for election. If Lessee, or such assignee, trustee or receiver, fails to elect affirmance and fails to furnish adequate assurances of correction of existing debt and continued performance under the Lease, within the term of the notice, Lessee shall be deemed to have rejected the same.

19.2 If Lessee or such assignee, trustee, or receiver shall reject or be deemed to have rejected this Lease, Lessee shall vacate the Premises pursuant to the terms and conditions of this Lease, without further notice necessity. If Lessee or such assignee, trustee or receiver shall affirm this Lease, it shall thereupon be bound by all terms hereof, including payment of all rentals from the date of Lessor's notice of demand for election and remedies of Lessor for nonpayment or other breach as hereinabove provided (including the provisions of this Section).

20. SUCCESSORS AND ASSIGNS; LIMITS ON TRANSFER, SUBLEASE, ETC.:

20.1 Except as hereinafter provided, the terms, covenants and provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of Lessor and the successors and assigns of Lessee.

20.2 However, Lessee shall not transfer, assign, encumber, license or sublet this Lease or any part of the Premises or any rights and privileges herein granted except to a subsidiary, parent or common controlled affiliate. This covenant shall also apply whether such sale or transfer is made voluntarily by Lessee or involuntarily in any proceeding at law or in equity to which Lessee may be a party, whereby any of the rights, duties and obligations of Lessee may be sold, transferred, conveyed, encumbered, abrogated or in any manner altered without the prior notice to and consent of Lessor.

20.3 Lessee shall not suffer or permit any other entity to use any part of the Premises except with the separate written consent of Lessor; provided, however, the previous sentence shall not operate to prevent Lessee's agents, servants, employees, invitees and guests from entering the Premises at the invitation of Lessee subject to the terms and conditions of this lease.

20.4 Prior to any Lessor consent to Lessee's request(s) to transfer, assign, encumber, license or sublease, Lessor, in its sole discretion, may request a copy of the proposed agreement

for such purpose. No such approved transfer, assignment, encumbrance, license or sublease shall release Lessee of any obligations arising under this Lease.

20.5 Any unauthorized sale, transfer, assignment, license, sublease or encumbrance of this Lease, or any of the rights and privileges hereunder, or use of any part of the Premises, shall constitute a default by Lessee and Lessor, at its option, may terminate this Lease by giving Lessee or any such assignee, licensee or sublessee written notice of such termination, and Lessor may thereupon immediately enter and retake possession of the Premises.

21. LESSOR'S COSTS:

21.1 Any actual additional or alternative costs or expenses incurred by Lessor to accommodate Lessee's use the Premises as a result of track changes, shall also be paid by Lessee.

21.2 Lessor's actual expense for wages ("force account" charges) and materials for any work performed at the expense of Lessee pursuant hereto shall be paid by Lessee within thirty (30) days after receipt of Lessor's bill therefor. Lessor may, at its discretion, request an advance deposit for estimated Lessor costs and expenses.

21.3 Such expense shall include, but not be limited to, actual cost of railroad labor and supervision under "force account" rules, plus current applicable overhead percentages, the actual cost of materials, and insurance, freight and handling charges on all materials used. Equipment rentals shall be in accordance with Lessor's applicable fixed rate(s), provided such rates are commercially reasonable. Lessor may, at its discretion, require advance deposit for estimated costs and expenses associated herein.

22. RECORDATION:

22.1 This instrument is not to be recorded by any party and recordation shall not constitute notice for any legal effect without Lessor's prior written consent, which may be withheld for any reason. In the event of recordation, all costs, stamps and/or taxes, however styled or assessed, necessary to place this Lease or a Memorandum of this Lease (and any subsequent Release or Memorandum of Release) upon record shall be borne solely by Lessee.

23. CONDEMNATION:

23.1 Should the Premises or any part thereof be condemned, appropriated and/or acquired for public use, then this Lease, at the option of Lessor, shall terminate upon the date of taking. No part of any damage or award shall belong to Lessee, except to the extent of any specific award from the governmental authority for improvements and/or facilities of Lessee. Improvements and/or facilities of Lessee not so condemned, appropriated and/or acquired shall be removed by Lessee in accordance with this Lease.

23.2 Lessor's land shall be valued as of such date (or other legal date of valuation) as vacant land, without consideration of this Lease or Lessee's improvements on said land as an enhancement or detriment to said land value.

24. ENVIRONMENTAL, SAFETY:

24.1 The Premises shall not be used for a scrap or junk yard, the burning of refuse, deposit of debris, garbage, sewage, or waste of any kind, or for any other unsanitary or unhealthful purposes of any kind or nature, or any other use contrary to any laws or regulations.

24.2 No portion of the Premises may be used for the transportation, treatment, storage or disposal of hazardous materials, hazardous substances or hazardous waste, as classified under RCRA (Title 42 U.S. Code, Sections 6901, et al.), CERCLA (Title 42 U.S. Code, Sections 9601-9657, et al.) or SARA (Title 42 U.S. Code, Sections 9601(35), et al.), or for any other use or purpose requiring a federal or state environmental permit.

24.3 Lessee shall not store or permit to be stored on the Premises any explosive of any kind, except that gasoline or other fuel may be stored on the Premises in such manner and in such quantities as expressly allowed by Lessor by separate written consent.

24.4 Lessee shall not temporarily block any sight view area of any rail/road crossing on the Premises, by parking or allowing parking of motor vehicles or any other means, or erect any permanent structure thereon nor allow any landscaping/vegetation to block said sight view.

24.5 Notwithstanding any provision herein, in the event the Premises shall be used for the inbound or outbound movement of railroad tank or other cars or other vehicles containing dangerous or hazardous commodities consigned to or shipped from Lessee (whether explosive, combustible, flammable, poisonous or otherwise listed or scheduled as placarded items) or shall be used for the storage and/or handling of such dangerous or hazardous commodities, Lessee further expressly agrees that:

(A) Lessee shall fully comply with all governmental regulations pertaining to the storage, loading, unloading and/or handling of any dangerous or hazardous commodities handled, loaded, unloaded, stored or moved on or off the Premises, and shall be solely liable for any damages, penalties, costs or charges incurred by Lessor for Lessee's failure to so comply.

(B) Lessee shall defend, indemnify and hold harmless Lessor, its successors and assigns, from and against all losses, damages, costs, expenses (including attorney fees), claims, suits and judgments, whatsoever arising from or growing out of any injuries to or death of persons, or losses or damages to property, which may be caused or contributed to by the presence on said Premises of such dangerous or hazardous commodities, and whether such injury, death, loss or damage result from fire, explosion, collapse or any other cause, including Lessor's joint, concurring or sole negligence.

(C) In the event of leakage or spillage of such dangerous or hazardous commodities from tank or other cars being shipped to or from Lessee, or from storage and/or handling of Lessee, or from other vehicles or Lessee's operations, Lessee shall notify Lessor and, at Lessee's sole expense, promptly undertake to clean the Premises to the satisfaction of Lessor and any public body having jurisdiction over said leakage or spillage. Should said leakage or

spillage result in a fine, penalty, cost or charge being incurred by Lessor, Lessee shall promptly and fully reimburse and indemnify Lessor on account thereof.

(D) It is the intent of the parties to this Lease that the indemnification provided in this section be strictly limited to situations wherein such death, personal injury, property loss or damage would not have resulted but for the dangerous or hazardous nature of the commodities on the Premises. The indemnification provisions of this section shall apply during the term of this Lease and at any time thereafter that a claim is made against Lessor for any damages alleged to have been caused during the term of this Lease from/by any dangerous or hazardous commodity moved, stored or handled by Lessee, regardless of whether Lessor now owns the Premises, has leased the Premises to another party, or has conveyed the Premises to another party in the interim.

25. NOTICES:

25.1 Notices under this Lease shall be in writing and sent by Registered or Certified Mail, Return Receipt Requested, or by courier, express or overnight delivery, and by confirmed e-mail.

25.2 The date such notice shall be deemed to have been given shall be the business day of receipt if received during business hours, the first business day after the business day of receipt if received after business hours on the preceding business day, the first business day after the date sent by courier, express or overnight ("next day delivery") service, or the third business day after the date of the postmark on the envelope if mailed, whichever occurs first.

25.3 Notices to Lessor shall be sent to:

CSX Transportation, Inc.
c/o Real Estate Contract Management – J180
500 Water Street
Jacksonville, FL 32202
E-mail: customerrelations@csx.com

Notices to Lessee shall be sent to:

*

Attn: *

Email: *

Phone: *

25.4 Any party hereto may change its address or designate different entities to receive copies by notifying the other party in a manner described in this Section.

26. TIME OF ESSENCE: Time shall be considered of the essence both to the Lessee and the Lessor for all activities undertaken or required pursuant to this Lease.

27. MISCELLANEOUS:

27.1 This Lease is executed by all parties under current interpretation of any and all applicable federal, state, county, municipal, or other local statute, ordinance, or law. Further, each and every separate division (paragraph, clause, item, term, condition, covenant or agreement) herein contained shall have independent and severable status from each other separate division, or combination thereof, for the determination of legality, so that if any separate division herein is determined to be unconstitutional, illegal, violative of trade or commerce, in contravention of public policy, void, voidable, invalid or unenforceable for any reason, that separate division shall be treated as nullity, but such holding or determination shall have no effect upon the validity or enforceability of each and every other separate division contained, or any other combination thereof.

27.2 In the event this Lease is part of a package of agreements for Lessee, this Lease and all other such documents shall be read as compatible parts of the same and not in contradiction to each other, such that any apparent conflict in any duties here/thereunder, Lessor/Railroad shall designate which clause(s) shall survive or control any others.

27.3 All obligations of Lessee hereunder to release, indemnify and hold Lessor harmless shall also extend to officers, agents and employees of Lessor, and to companies and other legal entities that control, or are controlled by, subsidiaries of or are affiliated with Lessor, as well as any railroad that operates over the right-of-way on which the Premises is located, and their respective officers, agents and employees.

27.4 The provisions of this Lease are considered confidential and may not be disclosed by Lessee to a third party without the consent of the Lessor, except: (a) as required by statute, regulation or court order, (b) to a parent, affiliate or subsidiary company, (c) to an auditing firm or legal counsel that are agreeable to the confidentiality provisions.

***28. IMPROVEMENT PROVISIONS:**

28.1 Lessee accepts building(s) owned by Lessor "as is," and Lessor shall be under no obligation with respect to the condition or maintenance of said building(s) or any facility(ies) or system(s) therein. When Lessee occupies the entire building(s), Lessee, at Lessee's cost and expense, shall keep said building(s) in good condition and repair, including, but not limited to the roof(s), door(s), window(s), column(s), existing fire extinguisher(s), fire hoses(s), electronic protective service(s) and sprinkler system(s). When Lessee occupies less than the entire building(s), Lessee, at Lessee's cost and expense, shall construct and maintain partitions separating the Premises used by Lessee from the remainder of said building(s) and shall keep the interiors thereof, including but not limited to, windows, doors, hinges, in good condition and repair. Lessee shall be responsible for all interior painting and, if use is of an entire building, exterior painting. Additionally, extraordinary maintenance or damage repairs to said building(s), etc., occasioned by Lessee's use of the Premises, shall be performed by Lessee at its sole cost and expense. If Lessee fails to make such maintenance or repairs, Lessor may have the same performed at sole cost and expense of Lessee.

28.2 If this Lease is only for a portion of a building, or of a building with common service utilities, Lessee shall provide and pay for the separation of existing utilities (gas, electric

and water), and shall thereafter provide for and pay directly to the applicable utility company all separately metered charges for such services or supplies.

28.3 Lessee shall cooperate with Lessor's Risk Management Department and shall promptly comply with fire prevention measures requested by said Department. Lessee shall also comply with all applicable rules and regulations of the National Fire Codes established by the National Fire Protection Association, as the same may affect the Premises or the use thereof.

28.4 Lessee shall make no electrical installations or alterations in and to the improvements or electrical circuits (whether for power, light, heat or other purposes) located on the Premises except by a duly licensed electrician, and shall make no installation of natural gas, propane, kerosene or other combustion fuel heating or cooling units, except by licensed heating or cooling contractor.

28.5 Lessee shall assume control of and properly operate and maintain any sprinkler system installed by Lessor in said Premises. Lessee assumes all liability for, and shall defend, indemnify and save Lessor harmless from any claim for damage to or loss of goods or property of Lessee or any other person(s) or corporation(s), arising from the installation or maintenance of said sprinkler system, failure to operate, leakage or dampness therefrom or incident thereto.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed as of the Effective Date of this Lease.

Witness for Lessor:

CSX TRANSPORTATION, INC.

By: _____

Print/Type Name: _____

Print/Type Title: _____

Witness for Lessee:

*

By: _____

Who, by the execution hereof, affirms that he/she has the authority to do so and to bind the Lessee to the terms and conditions of this Lease.

Print/Type Name: _____

Print/Type Title: _____



FL-CRESTVIEW-CRESTVIEW BUILDINGS
SITE: FL-091-1094206
OKALOOSA COUNTY - CRESTVIEW, FL
O - OFFLINE - FOREIGN NETWORK
MILEPOST: 00K 700.61

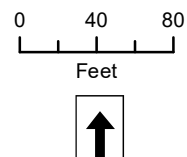


EXHIBIT A

GIS #
17989-001

INTEL #
V65/25

PIN #
12091 0012
12091 0013



1" = 100'

0 25 50 100 150 200 Feet

CSX TRANSPORTATION, INC.
FL-CRESTVIEW-CRESTVIEW BUILDINGS
SITE: FL-091-1094206
OKALOOSA COUNTY - CRESTVIEW, FL
MILEPOST: 00K 700.61

REGION: O ZONE: OFFLINE
SUBDIVISION: FOREIGN NETWORK
DATE: 02/27/2023
REVISED: 02/27/2023
DRAWN BY: o7525

- Engineering Milepost
- ▨ Premises 1.35 ± Acres
- ▭ CSX Ownership / Rights

THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN ON THIS EXHIBIT ARE APPROXIMATE.





How tomorrow moves

CSX Federal ID No. : 54-6000720
 CSX Canadian ID No. : 1022434469

CRESTVIEW CITY OF
 P O BOX 1209
 CRESTVIEW FL 32536-1207

INVOICE

Bill No. 8421646
 Bill Date 03/10/2022
 Due Date 05/01/2022

RECEIVED MAR24 2022 PM1:02

Payment may be made in one of the following ways:
 Mail your check, along with the bottom portion of your bill to the address indicated on the bill.

If you have questions concerning this invoice, please contact
 RealEstateInvoicing@csx.com

If you have questions concerning the terms of the contract, name or address update, to set up payment via ACH or to have future payments automatically withdrawn from your checking account via (EFT) contact CustomerRelations@csx.com.

Send mail correspondence to 500 Water Street, J180,
 Jacksonville, FL 32202.

Description of Charges

Contract No	Contract Date	Location	Description	Billing Period	Rental
LN 048171	05/01/1982	CRESTVIEW FL	REAL ESTATE - LAND ONLY	05/01/2022 - 04/30/2023	\$365.00
ANNUAL FEE FOR A REAL ESTATE - LAND ONLY LOCATED AT 00K 700.00 PARCEL OF LAND CONTAINING 20,500 SQUARE FEET, LOCATED BETWEEN WILSON STREET AND MAIN STREET.					
LN 048171	05/01/1982	CRESTVIEW FL	REAL ESTATE - LAND ONLY	05/01/2022 - 04/30/2023	\$365.00
ANNUAL FEE FOR A REAL ESTATE - LAND ONLY LOCATED AT 00K 701.00 PARCEL OF LAND CONTAINING 42,000 SQUARE FEET, LOCATED BETWEEN SPRING STREET AND WILSON STREET.					
Invoice Total					\$730.00

Remit To:
 CSX Transportation
 P. O. Box 530181
 Atlanta, GA 30353-0181

Detach Here and Return with Payment

Due Date 05/01/2022
 Amount Due \$730.00
 Bill Number 8421646

Past due bills are subject to a \$25.00 administrative and handling fee plus interest at the rate allowable by law. In order to avoid these fees, payment must reach us by the due date. Please allow 7-10 days for postal delivery.



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Michael Criddle, Public Services Director
DATE: 3/22/2023
SUBJECT: Purchase of By-Pass Bridge Pipe

BACKGROUND:

Okaloosa County is constructing the SW Crestview By-Pass, connecting Antioch Road to Hwy 90. Part of that construction project (Phase V) is a 1700' bridge over the railroad and a wetland area. HDR Engineering is designing this bridge. The City is working with HDR and Jacobs Engineering to design pipe hangers and piping to allow the municipal utilities to traverse this bridge. The design and installation of the hangers must be done while the bridge is being built, as a later retrofit is not possible.

DISCUSSION:

To accommodate the expected growth along the SW Crestview By-Pass, the City will install utilities, including water, sewer, and reuse water. To meet the construction schedule for the county and HDR, materials for the bridge piping were required to be purchased and available ahead of the bridge build timeline. The necessary pipes are as follows:

- * 1700' - 16" ductile iron pipe for domestic water and fire protection
- * 1700' - 12" ductile iron pipe for wastewater (sewer)
- * 1700' - 8" ductile iron pipe for reuse water (irrigation purposes)

To ensure the availability of the pipes, the order was placed as soon as the pipes were located and the funding source was identified. Staff requests City Council approval of the purchase after the fact by the emergency purchase sections of the Purchasing Policy.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Opportunity- Promote an environment that encourages economic and educational opportunity

FINANCIAL IMPACT

The total cost for all the ductile iron pipes required for the bridge crossing is \$459,527.00. Funding is currently available in the Capital Improvements Fund Water Division account #332.1633.533.63.00.

RECOMMENDED ACTION

Staff respectfully requests approval of this expenditure.

Attachments

1. Consolidated Pipe Bridge Quote 03-09-23
2. Ferguson Bridge Pipe Quote - Final Quote 03-09-23
3. Quote Comparison Form - Bridge Pipes

C O N S O L I D A T E D P I P E A N D S U P P L Y C O . , I N C .
C U S T O M E R Q U O T E

3100 MCCORMICK STREET
PENSACOLA FL 32514

Quote Nbr: 345772 000
Quote Date: 3/08/2023

Page 1

0018 - PETE DIMARIO
PHONE 850-476-1122
FAX 850-476-1126

Job: BRIDHE CROSSING PIPE

Engineer: CITY OF CRESTVIEW SPEC
Bid Date: 3/08/2023

751928 - CRESTVIEW CITY OF
P O BOX 1209
CRESTVIEW FL 32536

Good Until: 4/30/2023

Qty	Size/Wall/Description	Price	Extended Price
1700.0	8 CL/TC CL350 DI RJ TR FLEX PIPE FOR WATER LINE	46.35 FT	78,795.00
1700.0	12 TR FLEX CL350 401 LINED PIPE FOR SEWER	106.95 FT	181,815.00
1700.0	16 CL/TC CL350 DI RJ TR FLEX PIPE FOR WATER	119.56 FT	203,252.00
	16" PIPE END OF MAY		
	12" PIPE SEPTEMBER		
	8 PIPE SEPTEMBER		
Total:			463,862.00



FEL-PENSACOLA WATERWORKS #335
8813 GROW DRIVE
PENSACOLA, FL 32514

Phone: 850-474-0999
Fax: 850-484-7951

Deliver To:
From: Hunter Goul
Comments:

14:37:31 MAR 09 2023

Page 1 of 1

FERGUSON WATERWORKS #1204

Price Quotation

Phone: 850-474-0999

Fax: 850-484-7951

Bid No: B376301
Bid Date: 03/02/23
Quoted By: HG

Cust Phone: 850-682-6132
Terms: NET 10TH PROX

Customer: CITY OF CRESTVIEW
PO BOX 1209
ACCOUNTS PAYABLE
CRESTVIEW, FL 32536

Ship To: CITY OF CRESTVIEW
PO BOX 1209
ACCOUNTS PAYABLE
CRESTVIEW, FL 32536

Cust PO#: RFQ 3.2

Job Name: CITY OF CRESTVIEW

Item	Description	Quantity	Net Price	UM	Total
AFR350PX	8 CL350 CL DI FLEX RNG PIPE	1700	45.940	FT	78098.00
AFR350PP412	12 CL350 P-401 DI FLEX RNG PIPE	1700	105.800	FT	179860.00
AFR350P16	16 CL350 CL DI FLEX RNG PIPE	1700	118.570	FT	201569.00
Net Total:					\$459527.00
Tax:					\$0.00
Freight:					\$0.00
Total:					\$459527.00

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.
COVID-19 ORDER: ANY REFERENCE TO OR INCORPORATION OF EXECUTIVE ORDER 14042 AND/OR THE EO-IMPLEMENTING FEDERAL CLAUSES (FAR 52.223-99 AND/OR DFARS 252.223-7999) IS EXPRESSLY REJECTED BY SELLER AND SHALL NOT APPLY AS SELLER IS A MATERIALS SUPPLIER AND THEREFORE EXEMPT UNDER THE EXECUTIVE ORDER.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=1204&on=27236>



City of Crestview

Quote Comparison Form

Requisition No. 11720

Date: 3/9/23

Name Carlos Jones

Dept: Public Services

Item/Service Requested:

ByPass Bridge Water & Sewer Utility Pipe

Quote 1

Company Ferguson

Vendor No. _____

Quote \$459,527.00

___mail___telephone___fax___email___other

Contact Hunter Goul

Phone No. (850) 474-0999

Quote 2

Company Consolidated Pipe & Supply

Vendor No. _____

Quote \$463,862.00

___mail___telephone___fax___email___other

Contact Pete Dimario

Phone No. (850) 476-1122

Quote 3

Company Core & Main *Unable to quote

Vendor No. _____

Quote _____

___mail___telephone___fax___email___other

Contact _____

Phone No. _____

I hereby affirm that the above quotes have been sought and conform in every respect with the requirements of the City's Purchasing Manual.



Department Head

332-1633-533-63-00
460/040



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Second reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director, Nicholas Schwendt, Senior Planner
DATE: 3/16/2023
SUBJECT: Ordinance 1919 - James Lee Blvd E Comprehensive Plan Amendment

BACKGROUND:

On January 11, 2023, staff received an application to amend the comprehensive plan and zoning designations for property located at 1299 James Lee Boulevard East.

The subject property is currently located inside the city limits of Crestview with a future land use and zoning designation of Commercial (C) and Commercial High-Intensity District (C-2), respectively.

The application requests the Residential (R) future land use designation for the property.

The Planning and Development Board recommended approval of the request on March 6, 2023 and the first reading was approved by the City Council on March 13, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: Harvest Ministries International
C/O William Franklin
PO Box 688
Crestview, FL 32536
Parcel ID: 16-3N-23-0000-0013-0000
Site Size: 42.82 acres
Current FLU: Commercial (C)
Current Zoning: Commercial High-Intensity District (C-2)
Current Land Use: Church

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Mixed Use (MU) & Commercial (C)	Mixed Use (MU) & Commercial High-Intensity District (C-2)	Vacant
East	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Vacant
South	Okaloosa County Low Density Residential, Mixed Use (MU) &	Okaloosa County Residential-1, Single-Family Medium-Density	Vacant, Residential & Commercial

	Residential (R)	Dwelling District (R-2), Mixed Use (MU) & Commercial Low-Intensity District (C-1)	
West	Mixed Use (MU) & Commercial (C)	Mixed Use (MU) & Commercial High-Intensity District (C-2)	Vacant

The subject property is currently developed for commercial use and a development application has not been submitted. Based on the requested land-use and zoning designations, the property could be developed for residential use.

Staff reviewed the request for a comprehensive plan amendment and finds the following:

- The proposed future land use map designation is compatible with the surrounding area.
- The proposed future land use map designation is consistent with the city's comprehensive plan and land development code.
- The process for adoption of the future land use map amendment follows all requirements of Florida statute sections 163.3184 (3) and (5).
- The proposed amendment does not involve a text change to goals, policies, and objectives of the comprehensive plan. It only proposes a land use change to the future land use map for a site-specific small-scale development.
- The subject property is not located within an area of critical state concern.

Courtesy notices were mailed to property owners within 300 feet of the subject property on February 13, 2023. An advertisement ran in the Crestview News Bulletin on February 23, 2023. Staff did receive written correspondence from the Lakes Largo Homeowner's Association regarding the rezoning component of this request, and it has been included for your reference and consideration.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows.

Foundational – these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability – Achieve long term financial sustainability.

Organizational Capacity, Effectiveness & Efficiency – To efficiently & effectively provide the highest quality of public services.

Quality of Life – these six areas focus on the overall experience when provided by the city.

Community Character – Promote desirable growth with a hometown atmosphere.

Opportunity – Promote an environment that encourages economic and educational opportunity.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

The fees for the comprehensive plan amendment were \$2,500.00. The cost of advertising was \$231.00.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1919 on second reading.

Attachments

1. Exhibit Packet
2. Planning & Zoning Mtg 6 Mar 2023

ORDINANCE: 1919

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL (C) TO RESIDENTIAL (R) ON APPROXIMATELY 42.82 ACRES, MORE OR LESS, IN SECTION 16, TOWNSHIP 3 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2 – FINDINGS OF FACT. The City Council of the City of Crestview finds the following:

- A. This amendment will promote compact, orderly development and discourage urban sprawl; and
- B. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and
- C. A public hearing has been conducted by the City Council after "due public notice"; and
- D. This amendment involves changing the future land use designation from Commercial (C) to Residential (R) on a parcel of land containing 42.82 acres, more or less, lying within the corporate limits of the City; and
- E. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens.

SECTION 3 – PURPOSE. The purpose of this Ordinance is to adopt an amendment to the "City of Crestview Comprehensive Plan: 2020." The amendment is described in Section 4 below.

SECTION 4 – FUTURE LAND USE MAP AMENDMENT. The Future Land Use Map is amended by changing the future land use category of a parcel containing approximately 42.82 acres of land, more or less, from Commercial (C) to Residential (R). For the purposes of this Ordinance and Comprehensive Plan Amendment, the 42.82 acres, more or less, is known as Parcel 16-3N-23-0000-0013-0000 and commonly described as:

A PORTION OF LANDS LYING IN SECTION 16, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, ALSO BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3178, PAGE 3925 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, WITH THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF PURL ADAMS AVENUE, SAID POINT ALSO BEING THE NORTHWEST

CORNER OF FAIR OAKS SUBDIVISION UNIT 1, A MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 95 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF PURL ADAMS AVENUE AND THE NORTHERLY BOUNDARY OF FAIR OAKS SUBDIVISION UNIT 1, EAST, 124.97 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY BOUNDARY AND ALONG THE NORTHERLY BOUNDARY OF FAIR OAKS SUBDIVISION UNIT 1, S 48°38'03" E, 305.89 FEET TO THE NORTHEAST CORNER OF FAIR OAKS SUBDIVISION UNIT 1 AND THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753; THENCE CONTINUE ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, S 48°38'03" E, 31.89 FEET; THENCE S 69°13'21" E, 59.63 FEET; THENCE S 72°49'40" E, 145.16 FEET; THENCE S 81°51'43" E, 125.13 FEET TO THE NORTHEAST CORNER OF SAID LANDS, LYING ON THE WESTERLY RIGHT-OF-WAY BOUNDARY OF VICTORY LANE; THENCE ALONG THE EASTERLY BOUNDARY OF SAID LANDS AND SAID RIGHT-OF-WAY BOUNDARY, S 12°14'37" W, 214.67 FEET TO THE SOUTHWEST CORNER OF VICTORY LANE; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF VICTORY LANE, S 74°50'54" E, 66.09 FEET TO THE SOUTHEAST CORNER OF VICTORY LANE, LYING ON THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2046, PAGE 845; THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF VICTORY LANE, ALONG THE WESTERLY BOUNDARY OF SAID LANDS AND THE EASTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753, S 13°05'07" E, 277.12 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2046, PAGE 845; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, N 77°11'53" E, 250.21 FEET TO A FOUND IRON ROD (NO ID) MARKING THE SOUTHEAST CORNER OF SAID LANDS, LYING ON THE WESTERLY BOUNDARY OF LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 3629, PAGE 592; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LANDS AND THE EASTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753, S 11°13'42" E, 63.73 FEET TO A FOUND IRON ROD AND CAP (NO ID) MARKING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753 AND THE SOUTHWEST CORNER OF LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 3629, PAGE 592 FOR THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING AND ALONG THE SOUTHEASTERLY BOUNDARY OF LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 3629, PAGE 592, N 50°31'32" E, 76.36 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 45°22'18" E, 121.71 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 45°05'41" E, 219.51 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 17°02'00" E, 199.54 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 34°17'24" E, 122.53 FEET TO A FOUND IRON ROD (NO ID) MARKING THE EASTERNMOST CORNER OF SAID LANDS; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LANDS, N 27°56'31" W, 542.55 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE NORTHEAST CORNER OF SAID LANDS AND THE SOUTHEAST CORNER OF LANDS DESCRIBED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 3629, PAGE 592; THENCE CONTINUE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LANDS, N 27°56'31" W, 245.78 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE NORTHEAST CORNER OF SAID LANDS AND LYING ON THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF STATE ROAD #10 (US HIGHWAY #90); THENCE ALONG SAID RIGHT-OF-WAY BOUNDARY, S 75°32'04" E, 81.29 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3158, PAGE 2357; THENCE LEAVING SAID RIGHT-OF-WAY BOUNDARY AND ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS,

S 27°56'31" E, 733.36 FEET TO A FOUND IRON ROD AND CAP (LB#7245) MARKING THE SOUTHERNMOST CORNER OF SAID LANDS; THENCE LEAVING THE SOUTHERLY BOUNDARY OF SAID LANDS, S 69°35'42" E, 546.25 FEET TO A SET IRON ROD AND CAP (LB#7245); THENCE S 81°14'13" E, 605.46 FEET TO A SET IRON ROD AND CAP (LB#7245) LYING ON THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2519, PAGE 3851; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LANDS AND THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3014, PAGE 1407, OFFICIAL RECORDS BOOK 3367, PAGE 3606, OFFICIAL RECORDS BOOK 3652, PAGE 1595, AND OFFICIAL RECORDS BOOK 3652, PAGE 1600, S 02°05'19" W, 1480.72 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3652, PAGE 1600 AND LYING ON THE NORTHEASTERLY RIGHT-OF-WAY BOUNDARY OF THE CSX RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY BOUNDARY, N 61°15'55" W, 2234.47 FEET TO A FOUND IRON ROD AND CAP (LB#5024) LYING ON THE SOUTHERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753; THENCE LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY BOUNDARY AND ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, S 88°57'59" E, 171.91 FEET TO A FOUND IRON ROD AND CAP (LB#5024); THENCE N 83°43'35" E, 174.16 FEET TO A FOUND IRON ROD AND CAP (NO ID); THENCE N 50°30'51" E, 99.04 FEET TO THE POINT OF BEGINNING; CONTAINING 42.82 ACRES, MORE OR LESS.

The Residential (R) Future Land Use Category is hereby imposed on Parcel 16-3N-23-0000-0013-0000. Exhibit A, which is attached hereto and made a part hereof by reference, graphically depicts the revisions to the Future Land Use Map and shows Parcel 16-3N-23-0000-0013-0000 thereon.

SECTION 5 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9 – EFFECTIVE DATE. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

Passed and adopted on second reading by the City Council of Crestview, Florida on the 27th day of March, 2023.

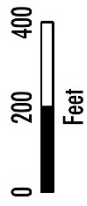
ATTEST:

Maryanne Schrader
City Clerk

Approved by me this 27th day of March, 2023.

J. B. Whitten
Mayor

Adopted Future Land Use



Legend

Subject Parcel

City Limits

City Future Land Use

Commercial (C)

Industrial (IN)

Mixed Use (MU)

Conservation (CON)

Public Lands (PL)

Residential (R)

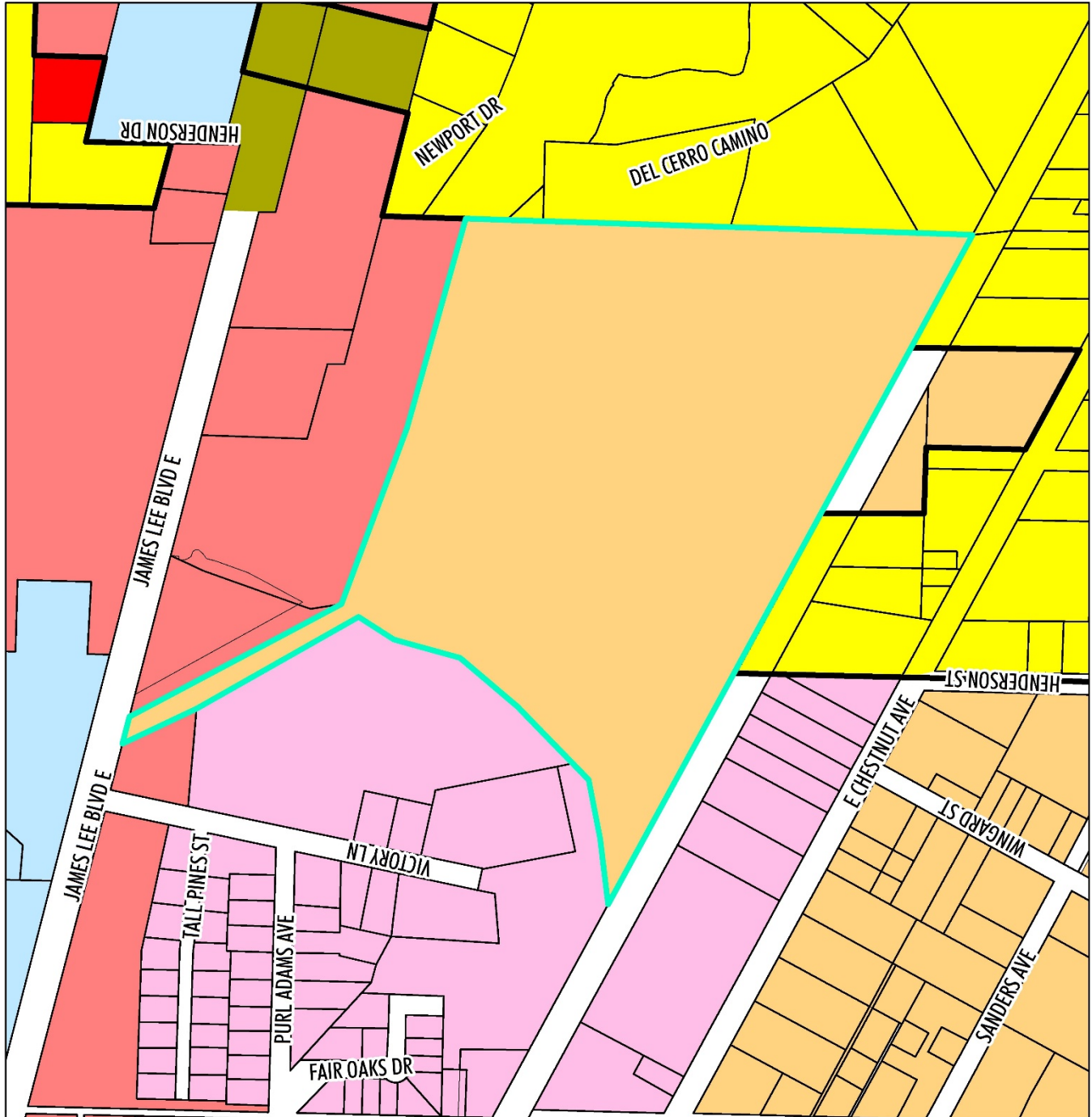
County Future Land Use

Commercial (C)

Low Density Residential (LDR)

Mixed Use (MU)

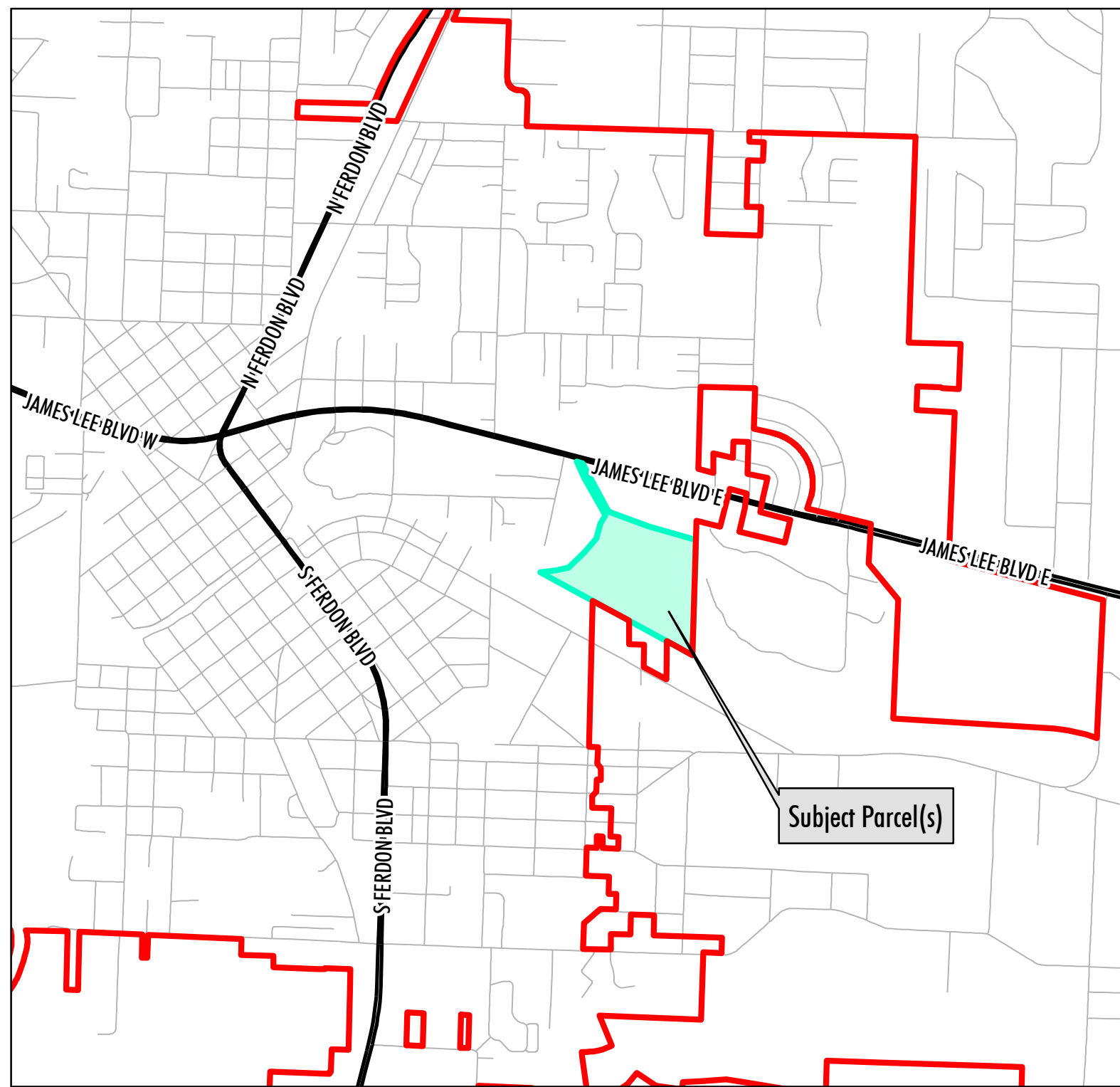
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



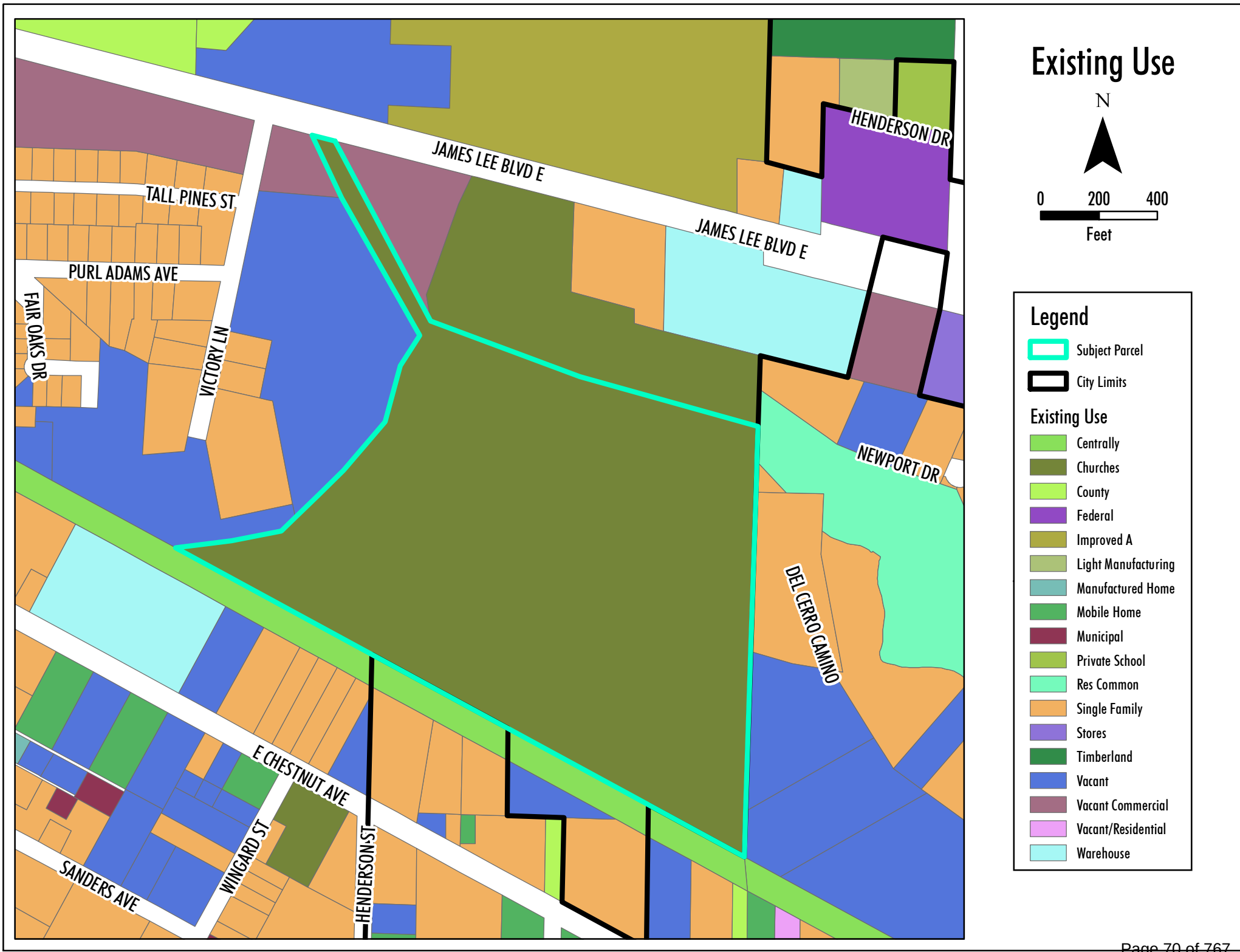
Vicinity Map



Not to Scale



PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Current Future Land Use



0 200 400
Feet

Legend

Subject Parcel

City Limits

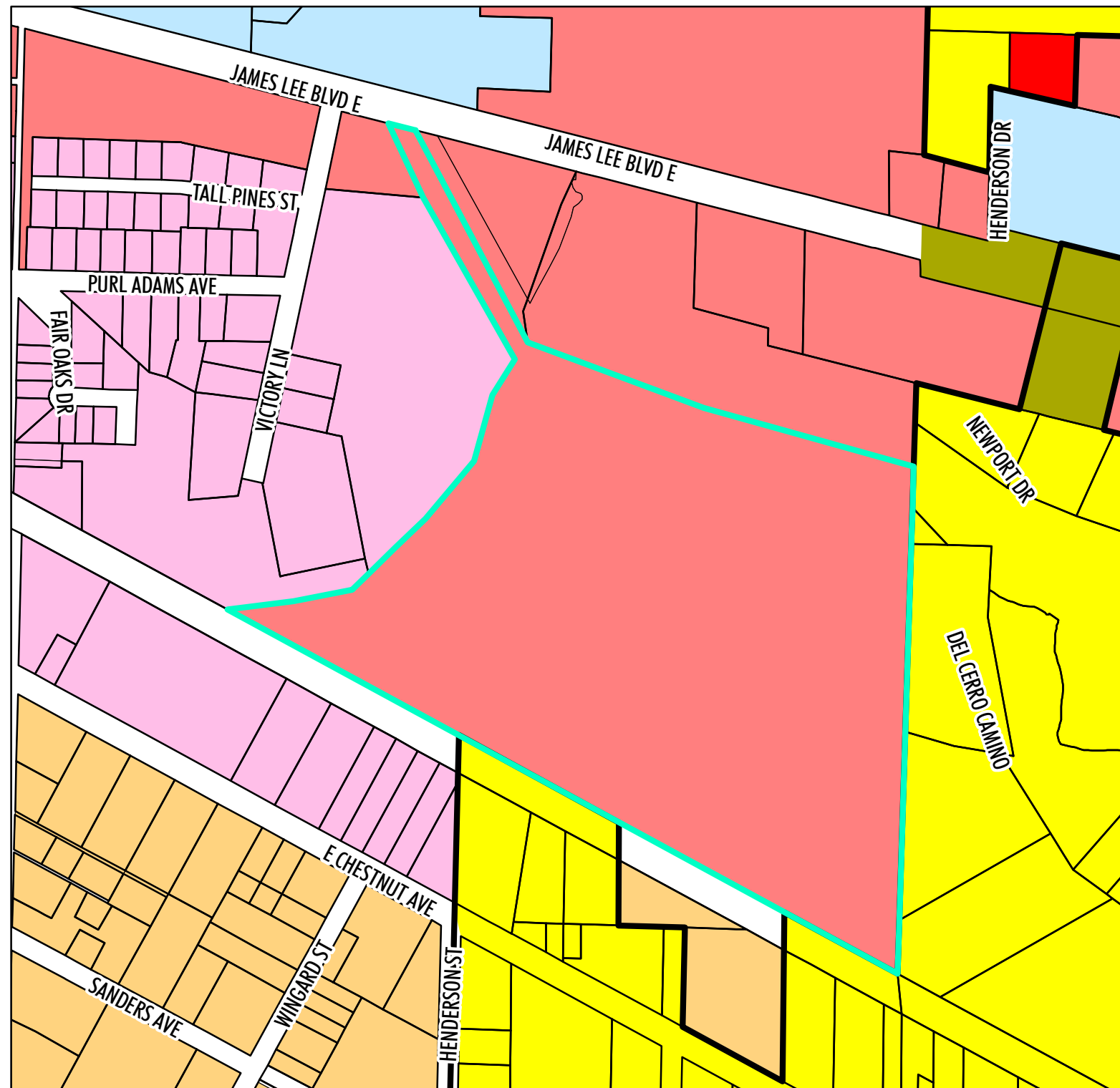
City Future Land Use

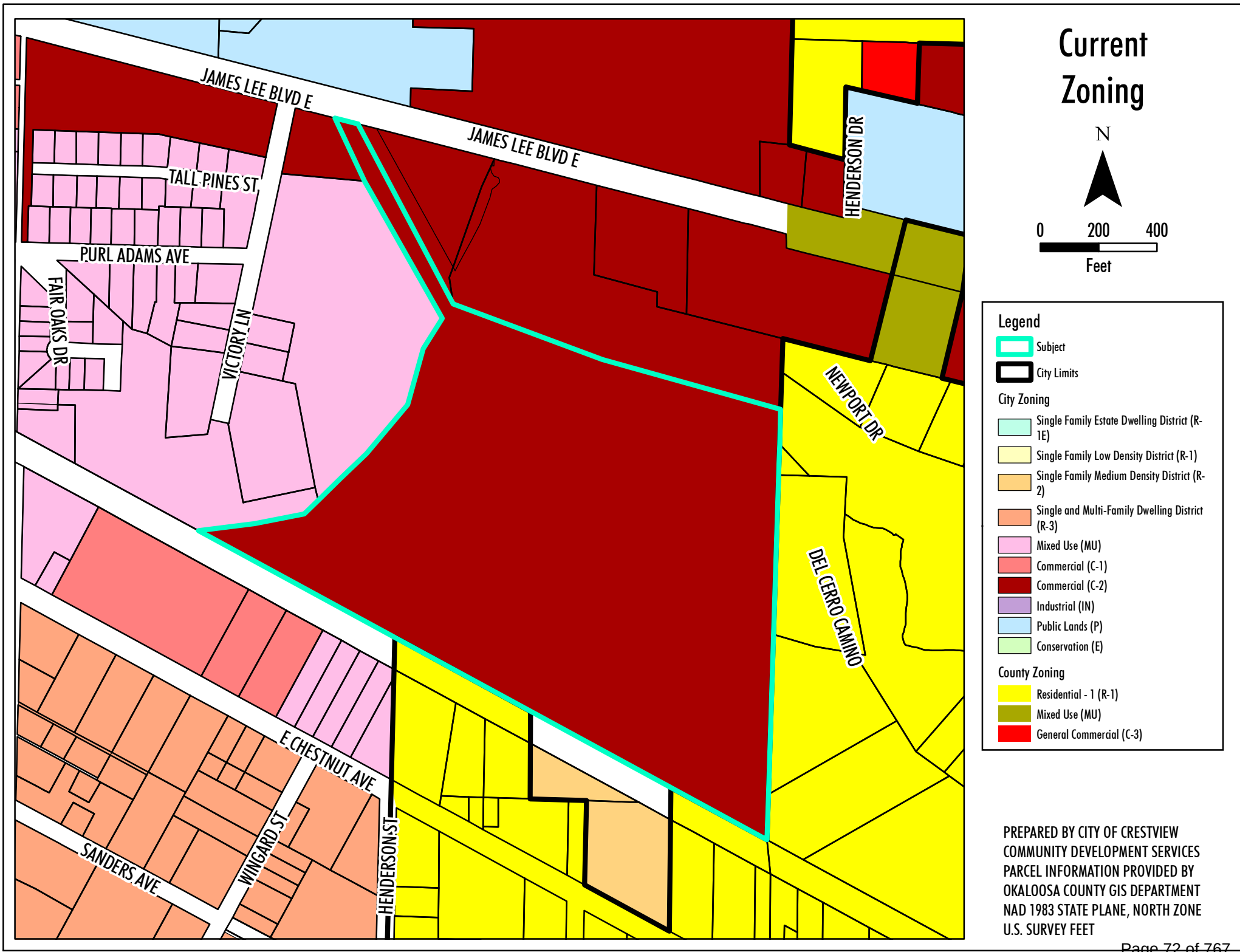
- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

- Commercial (C)
- Low Density Residential (LDR)
- Mixed Use (MU)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET





PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
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OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Proposed Future Land Use



0 200 400
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

 Public Lands (PL)

 Residential (R)

County Future Land Use

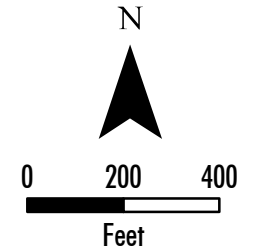
 Commercial (C)

 Low Density Residential (LDR)

 Mixed Use (MU)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Proposed Zoning



Legend

Subject Parcel

City Limits

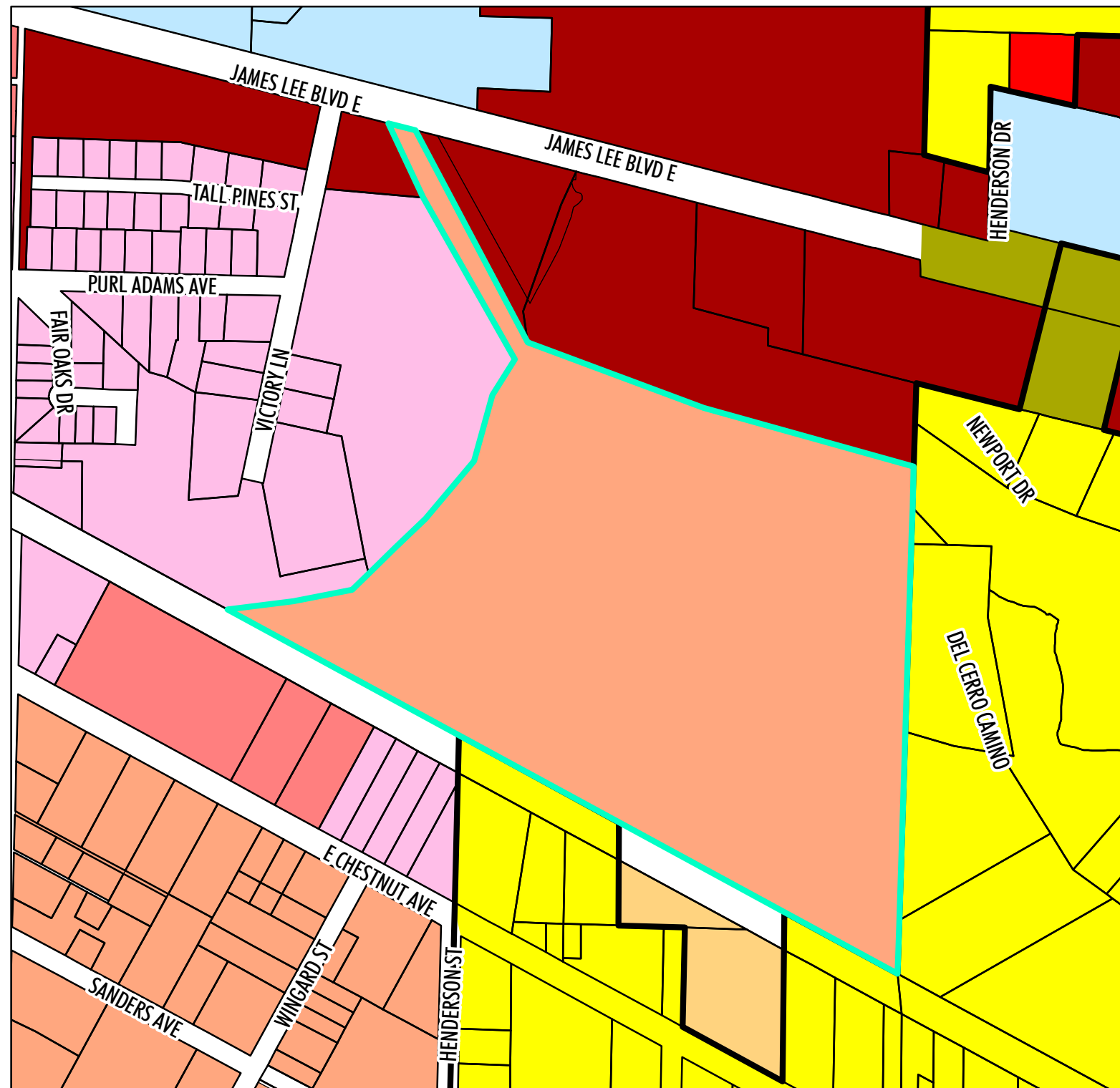
City Zoning

- Single Family Estate Dwelling District (R-1E)
- Single Family Low Density District (R-1)
- Single Family Medium Density District (R-2)
- Single and Multi-Family Dwelling District (R-3)
- Mixed Use (MU)
- Commercial (C-1)
- Commercial (C-2)
- Industrial (IN)
- Public Lands (P)
- Conservation (E)

County Zoning

- Residential - 1 (R-1)
- Mixed Use (MU)
- General Commercial (C-3)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Lakes Largo Homeowners Association (#N98000004785)

1 March 2023

5 Del Cerro Camino
Crestview, FL 32539

To: Community Development Services Planning and Zoning Division

From: Lakes Largo HOA (Parcel # 16-3N-23-0000-0032-003K)

Reference: Notice of Voluntary Annexation/Zoning Change Request (Parcel #16-3N-23-0000-0013-0000)

The Lakes Largo Homeowners Association owns approximately 29 acres of private Lakes and Damn area lying within the DEL CERRO VISTA S/D and adjacent to the Harvest Ministries parcel. The lakes are spring fed, originating upstream from the Harvest Ministries parcel and flowing down directly into our lake and Mill Creek which eventually deposits into the Shoal River. Multiple private residential properties border the lake located on Del Cerro Camino, Ponce De Leon Rd and Newport Dr in the Del Cerro Vista neighborhood in District 1, Okaloosa County. Many of the properties are 1 acre or larger in size and are designated Property Use Code RES COMMON (000900).

As concerned citizens, property owners, and caretakers of this fragile ecosystem already overburdened by unwanted and uncontrolled water runoff from surrounding areas we request the Planning and Development Board consider and address the following concerns prior to approval:

- Place priority on preservation and protection of the surrounding environment, and maintaining quality of life for nearby neighborhoods

-
- Zoning Density too high/not commensurate with surrounding residential areas
 - Detrimental effects from potential construction activity to include impacts from contamination, watershed runoff, environmental concerns and pollution
 - Flooding resulting from over/improper development, failure to control and maintain increased water runoff resulting from development
 - Inadequate ingress/egress to Hwy 90 contributing to traffic congestion/safety concerns

We strongly recommend the City Council address the above concerns, study potential impacts to the environment, significantly reduce the Zoning Density, conduct risk mitigation providing assurance that any/all approved development will provide adequate retention ponds and system of stormwater runoff that does include, contribute to or adversely impact an already overburdened stormwater condition in our community.

Sincerely,

Mark Lynch
Sec/Treasurer Lakes Largo HOA



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Second reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director, Nicholas Schwendt, Senior Planner
DATE: 3/16/2023
SUBJECT: Ordinance 1920 - James Lee Blvd E Rezoning

BACKGROUND:

On January 11, 2023, staff received an application to amend the comprehensive plan and zoning designations for property located at 1299 James Lee Boulevard East.

The subject property is currently located inside the city limits of Crestview with a future land use and zoning designation of Commercial (C) and Commercial High-Intensity District (C-2), respectively.

The application requests the Single and Multi-Family Density Dwelling District (R-3) zoning designation for the property.

The Planning and Development Board recommended approval of the request on March 6, 202 and the first reading was approved by the City Council on March 13, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: Harvest Ministries International
C/O William Franklin
PO Box 688
Crestview, FL 32536
Parcel ID: 16-3N-23-0000-0013-0000
Site Size: 42.82 acres
Current FLU: Commercial (C)
Current Zoning: Commercial High-Intensity District (C-2)
Current Land Use: Church

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Mixed Use (MU) & Commercial (C)	Mixed Use (MU) & Commercial High-Intensity District (C-2)	Vacant
East	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Vacant

South	Okaloosa County Low Density Residential, Mixed Use (MU) & Residential (R)	Okaloosa County Residential-1, Single-Family Medium-Density Dwelling District (R-2), Mixed Use (MU) & Commercial Low-Intensity District (C-1)	Vacant, Residential & Commercial
West	Mixed Use (MU) & Commercial (C)	Mixed Use (MU) & Commercial High-Intensity District (C-2)	Vacant

The subject property is currently developed for commercial use and a development application has not been submitted. Based on the requested land-use and zoning designations, the property could be developed for residential use.

Staff reviewed the request for rezoning and finds the following:

- The proposed zoning is consistent with the proposed future land use designation.
- The uses within the requested zoning district are compatible with uses in the adjacent zoning districts.
- The requested use is not substantially more or less intense than allowable development on adjacent parcels.

Courtesy notices were mailed to property owners within 300 feet of the subject property on February 13, 2023. An advertisement ran in the Crestview News Bulletin on February 23, 2023. Staff did receive written correspondence from the Lakes Largo Homeowner's Association regarding this rezoning, and it has been included for your reference and consideration.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows.

Foundational – these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability – Achieve long term financial sustainability.

Organizational Capacity, Effectiveness & Efficiency – To efficiently & effectively provide the highest quality of public services.

Quality of Life – these six areas focus on the overall experience when provided by the city.

Community Character – Promote desirable growth with a hometown atmosphere.

Opportunity – Promote an environment that encourages economic and educational opportunity.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

The fees for the rezoning were \$750.00. There is no additional cost of advertising as the rezoning request was included in the advertisement for the comprehensive plan amendment.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1920 on second reading.

Attachments

1. Exhibit Packet
2. Planning & Zoning Mtg 6 Mar 2023

ORDINANCE: 1920

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 42.82 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 16, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE COMMERCIAL HIGH-INTENSITY DISTRICT (C-2) ZONING DISTRICT TO THE SINGLE AND MULTI-FAMILY DENSITY DWELLING DISTRICT (R-3) ZONING DISTRICT; PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2 – PROPERTY REZONED. The following described 42.82 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 42.82 acres, more or less, being formerly zoned Commercial High-Intensity District (C-2) with the Residential (R) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1919, is hereby rezoned to Single and Multi-Family Density Dwelling District (R-3) to wit:

PIN # 16-3N-23-0000-0013-0000

A PORTION OF LANDS LYING IN SECTION 16, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, ALSO BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3178, PAGE 3925 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, WITH THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF PURL ADAMS AVENUE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF FAIR OAKS SUBDIVISION UNIT 1, A MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 95 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF PURL ADAMS AVENUE AND THE NORTHERLY BOUNDARY OF FAIR OAKS SUBDIVISION UNIT 1, EAST, 124.97 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY BOUNDARY AND ALONG THE NORTHERLY BOUNDARY OF FAIR OAKS SUBDIVISION UNIT 1, S 48°38'03" E, 305.89 FEET TO THE NORTHEAST CORNER OF FAIR OAKS SUBDIVISION UNIT 1 AND THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753; THENCE CONTINUE ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, S 48°38'03" E, 31.89 FEET; THENCE S 69°13'21" E, 59.63 FEET; THENCE S 72°49'40" E, 145.16 FEET; THENCE S 81°51'43" E, 125.13 FEET TO THE NORTHEAST CORNER OF SAID LANDS, LYING ON THE WESTERLY RIGHT-OF-WAY BOUNDARY OF VICTORY LANE; THENCE ALONG THE EASTERLY BOUNDARY OF SAID LANDS AND SAID RIGHT-OF-WAY

BOUNDARY, S 12°14'37" W, 214.67 FEET TO THE SOUTHWEST CORNER OF VICTORY LANE; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF VICTORY LANE, S 74°50'54" E, 66.09 FEET TO THE SOUTHEAST CORNER OF VICTORY LANE, LYING ON THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2046, PAGE 845; THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF VICTORY LANE, ALONG THE WESTERLY BOUNDARY OF SAID LANDS AND THE EASTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753, S 13°05'07" E, 277.12 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2046, PAGE 845; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, N 77°11'53" E, 250.21 FEET TO A FOUND IRON ROD (NO ID) MARKING THE SOUTHEAST CORNER OF SAID LANDS, LYING ON THE WESTERLY BOUNDARY OF LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 3629, PAGE 592; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LANDS AND THE EASTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753, S 11°13'42" E, 63.73 FEET TO A FOUND IRON ROD AND CAP (NO ID) MARKING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753 AND THE SOUTHWEST CORNER OF LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 3629, PAGE 592 FOR THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING AND ALONG THE SOUTHEASTERLY BOUNDARY OF LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 3629, PAGE 592, N 50°31'32" E, 76.36 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 45°22'18" E, 121.71 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 45°05'41" E, 219.51 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 17°02'00" E, 199.54 FEET TO A FOUND IRON ROD AND CAP (LB#7245); THENCE N 34°17'24" E, 122.53 FEET TO A FOUND IRON ROD (NO ID) MARKING THE EASTERNMOST CORNER OF SAID LANDS; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LANDS, N 27°56'31" W, 542.55 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE NORTHEAST CORNER OF SAID LANDS AND THE SOUTHEAST CORNER OF LANDS DESCRIBED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 3629, PAGE 592; THENCE CONTINUE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LANDS, N 27°56'31" W, 245.78 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE NORTHEAST CORNER OF SAID LANDS AND LYING ON THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF STATE ROAD #10 (US HIGHWAY #90); THENCE ALONG SAID RIGHT-OF-WAY BOUNDARY, S 75°32'04" E, 81.29 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3158, PAGE 2357; THENCE LEAVING SAID RIGHT-OF-WAY BOUNDARY AND ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS, S 27°56'31" E, 733.36 FEET TO A FOUND IRON ROD AND CAP (LB#7245) MARKING THE SOUTHERNMOST CORNER OF SAID LANDS; THENCE LEAVING THE SOUTHERLY BOUNDARY OF SAID LANDS, S 69°35'42" E, 546.25 FEET TO A SET IRON ROD AND CAP (LB#7245); THENCE S 81°14'13" E, 605.46 FEET TO A SET IRON ROD AND CAP (LB#7245) LYING ON THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2519, PAGE 3851; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LANDS AND THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3014, PAGE 1407, OFFICIAL RECORDS BOOK 3367, PAGE 3606, OFFICIAL RECORDS BOOK 3652, PAGE 1595, AND OFFICIAL RECORDS BOOK 3652, PAGE 1600, S 02°05'19" W, 1480.72 FEET TO A FOUND CONCRETE MONUMENT (NO ID) MARKING THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3652, PAGE 1600 AND LYING ON THE NORTHEASTERLY RIGHT-OF-WAY BOUNDARY OF THE CSX RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY BOUNDARY, N 61°15'55" W, 2234.47 FEET TO A FOUND IRON ROD AND CAP (LB#5024)

LYING ON THE SOUTHERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 3753; THENCE LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY BOUNDARY AND ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, S 88°57'59" E, 171.91 FEET TO A FOUND IRON ROD AND CAP (LB#5024); THENCE N 83°43'35" E, 174.16 FEET TO A FOUND IRON ROD AND CAP (NO ID); THENCE N 50°30'51" E, 99.04 FEET TO THE POINT OF BEGINNING; CONTAINING 42.82 ACRES, MORE OR LESS.

SECTION 3 – MAP UPDATE. The Crestview Zoning Map, current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance, which is attached hereto.

SECTION 4 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 7 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8 – EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment is adopted by Ordinance # 1919 and becomes legally effective.

Passed and adopted on second reading by the City Council of Crestview, Florida on the 27th day of March, 2023.

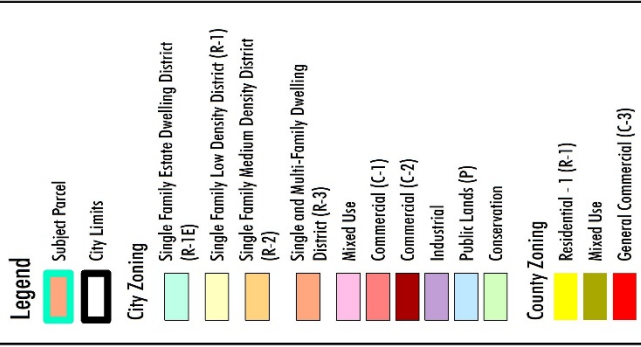
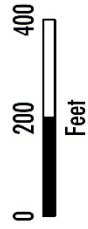
ATTEST:

Maryanne Schrader
City Clerk

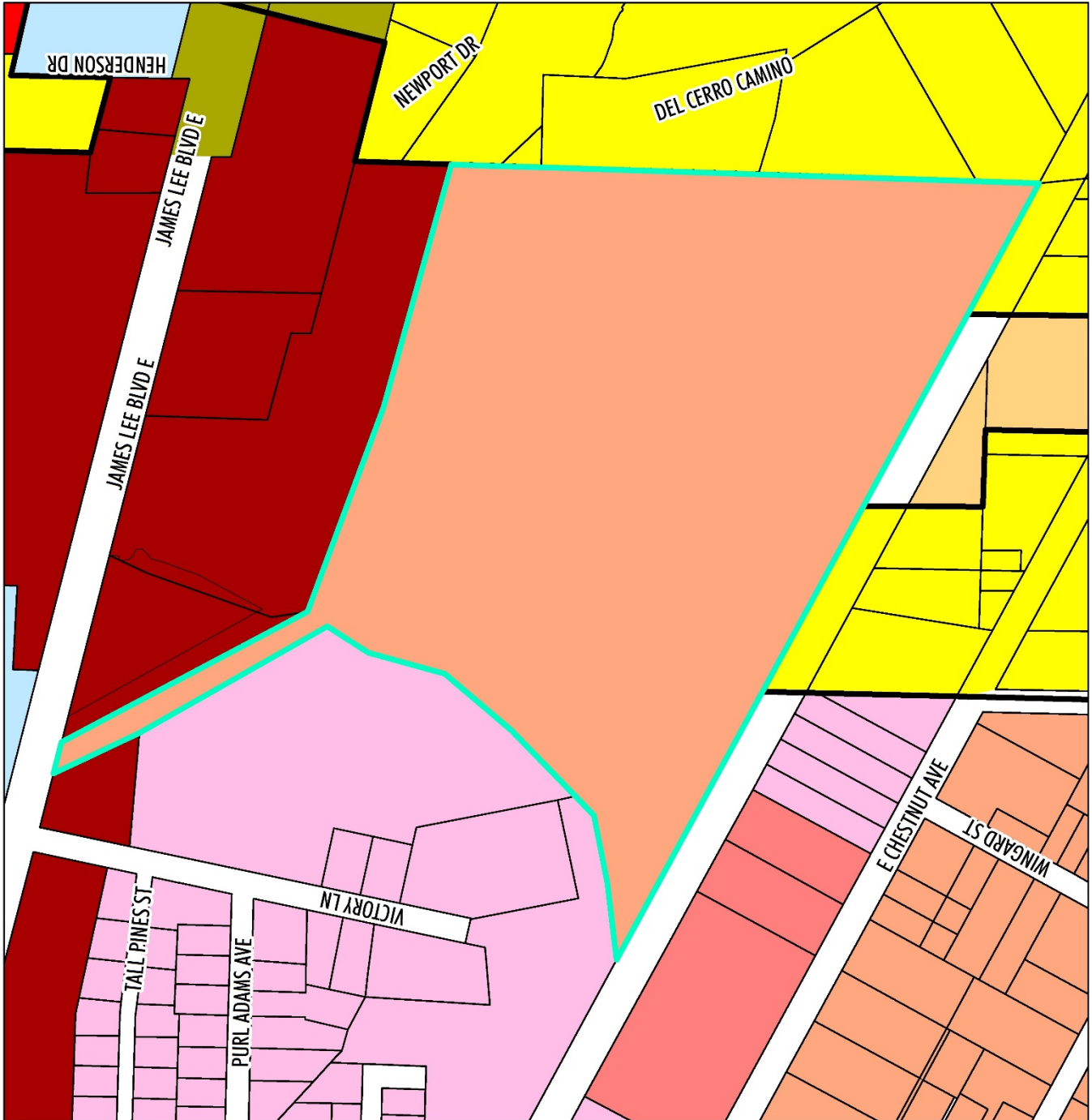
Approved by me this 27th day of March, 2023.

J. B. Whitten
Mayor

Adopted Zoning



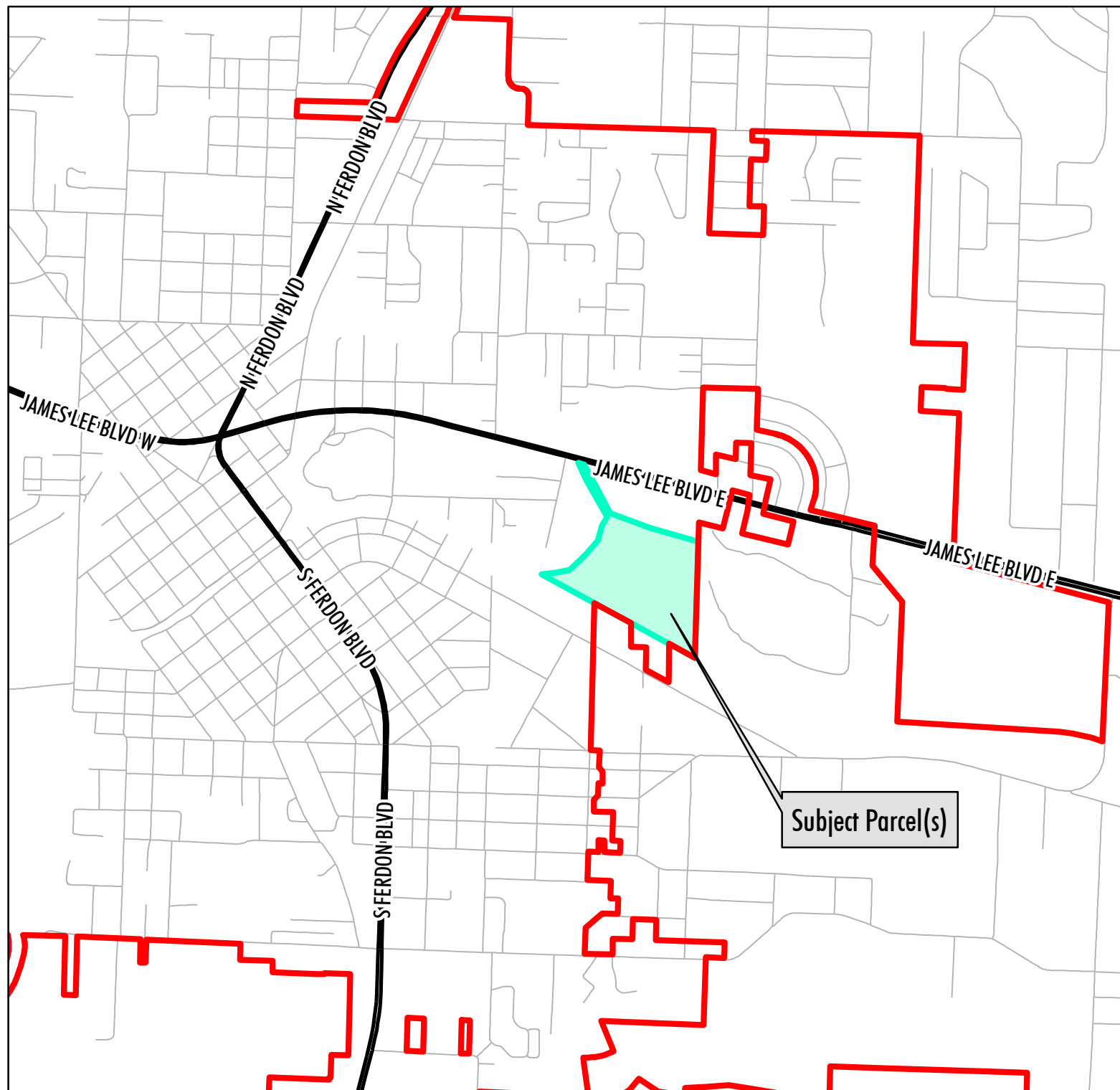
PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



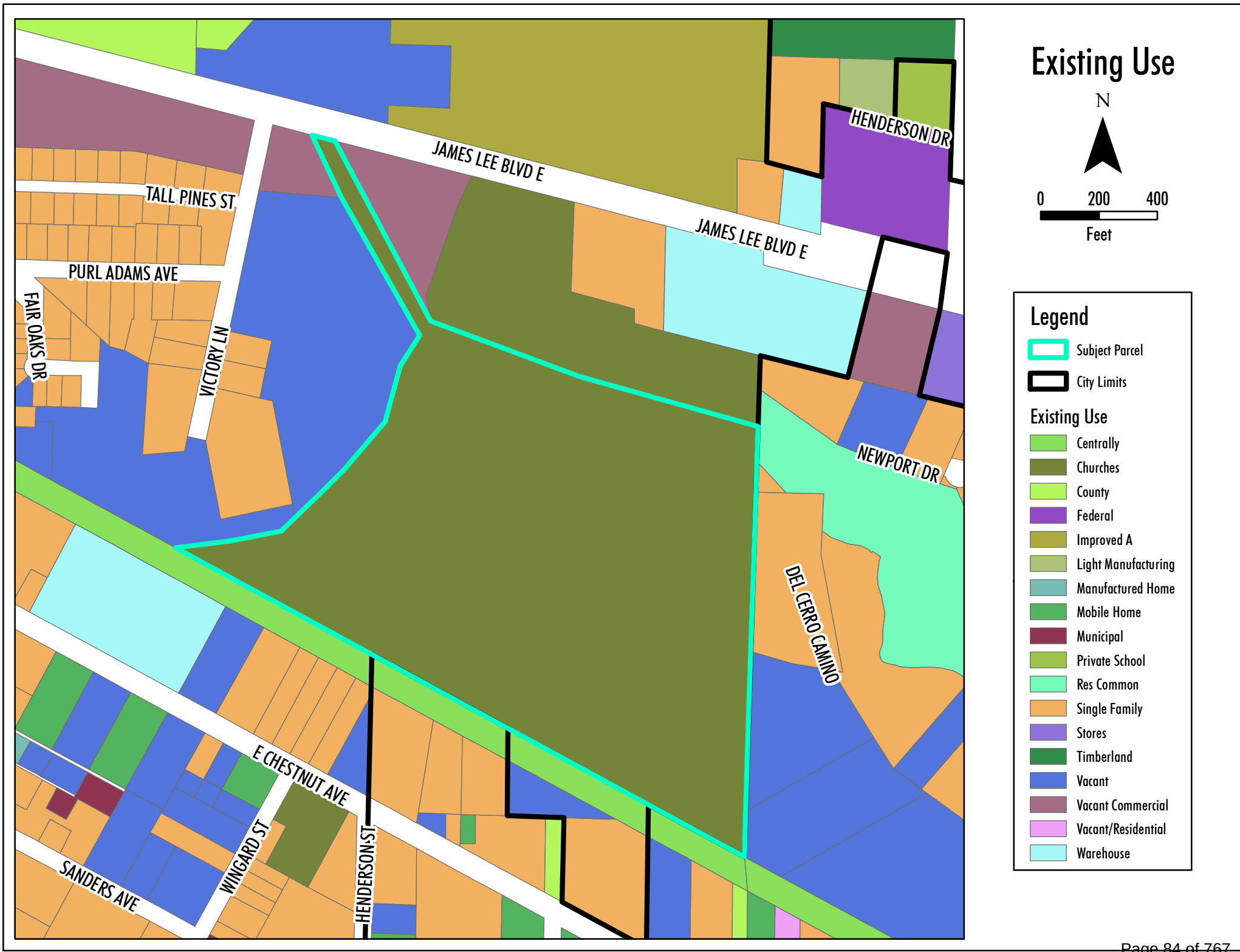
Vicinity Map



Not to Scale



PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Current Future Land Use



0 200 400
Feet

Legend

Subject Parcel

City Limits

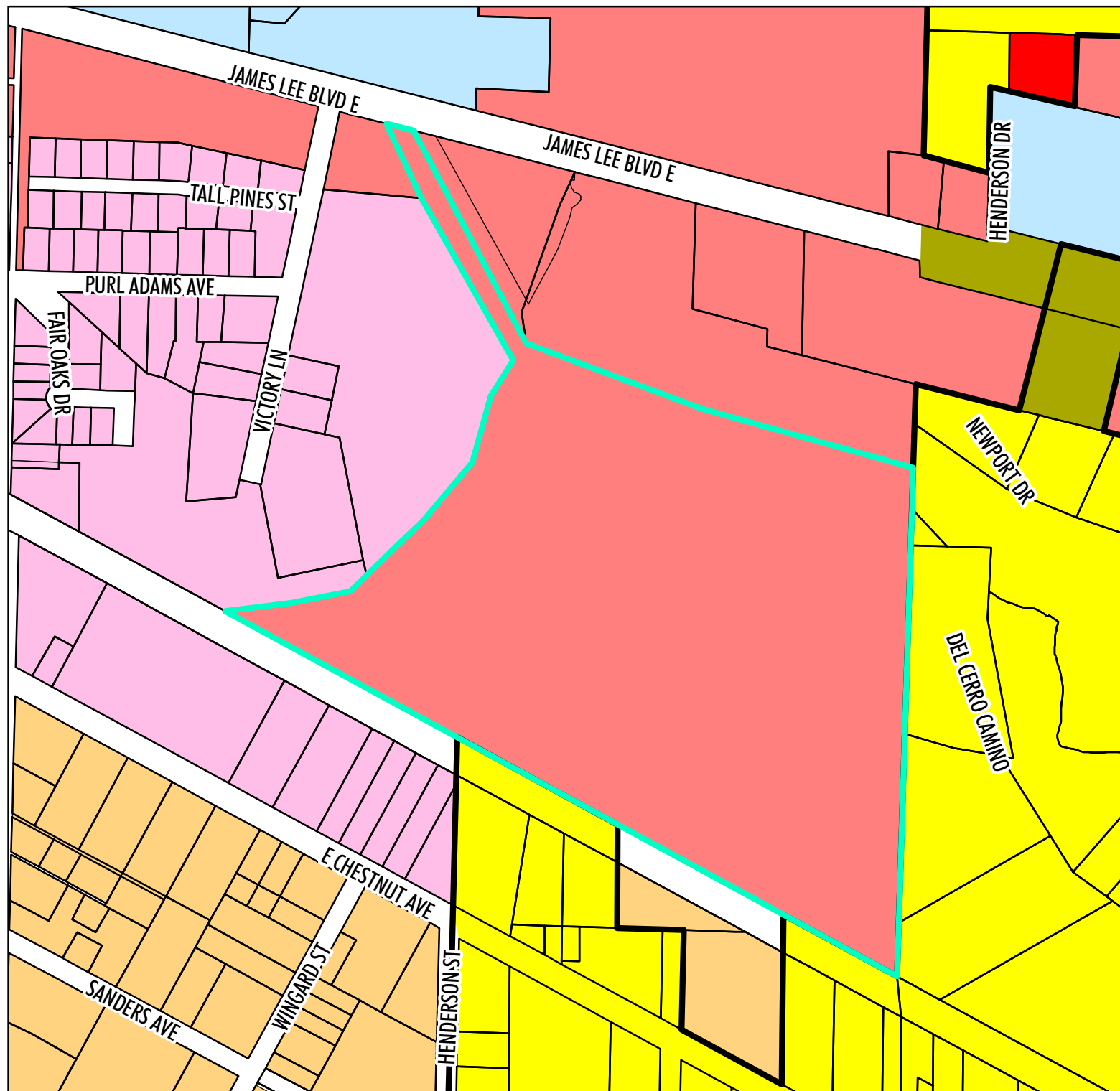
City Future Land Use

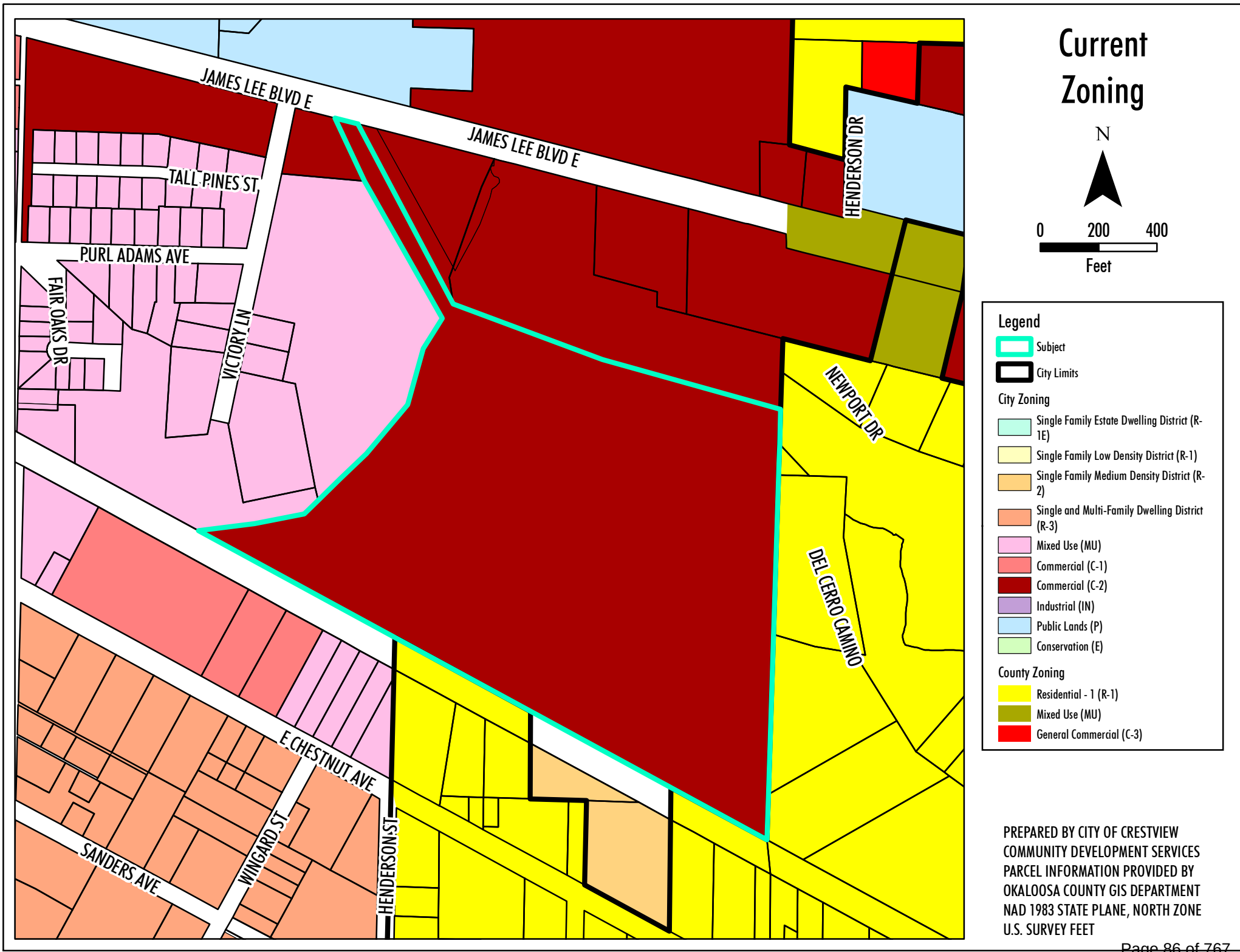
- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

- Commercial (C)
- Low Density Residential (LDR)
- Mixed Use (MU)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET





Proposed Future Land Use



0 200 400
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

 Public Lands (PL)

 Residential (R)

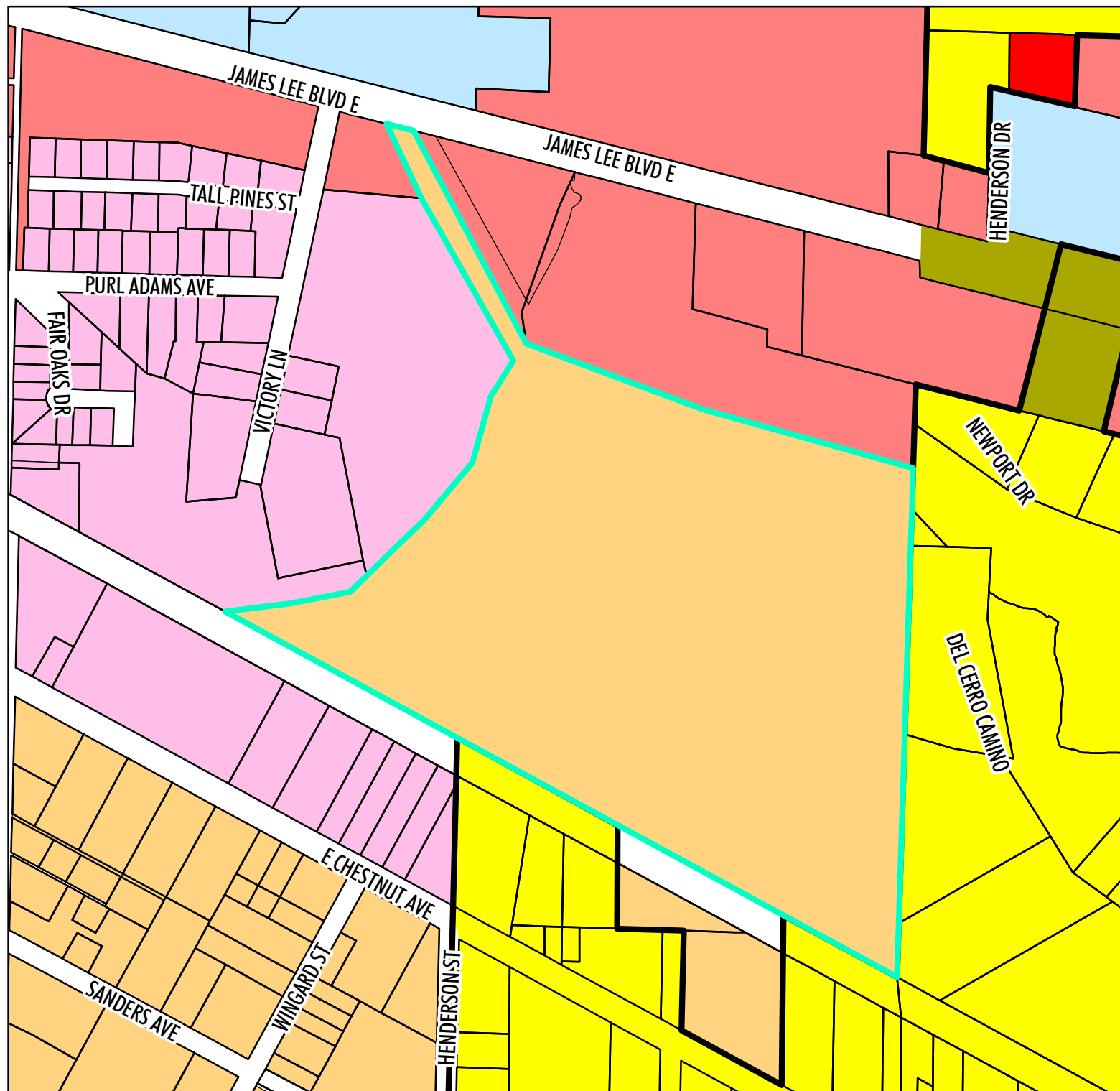
County Future Land Use

 Commercial (C)

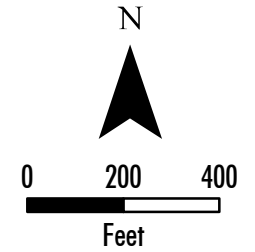
 Low Density Residential (LDR)

 Mixed Use (MU)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Proposed Zoning



Legend

Subject Parcel

City Limits

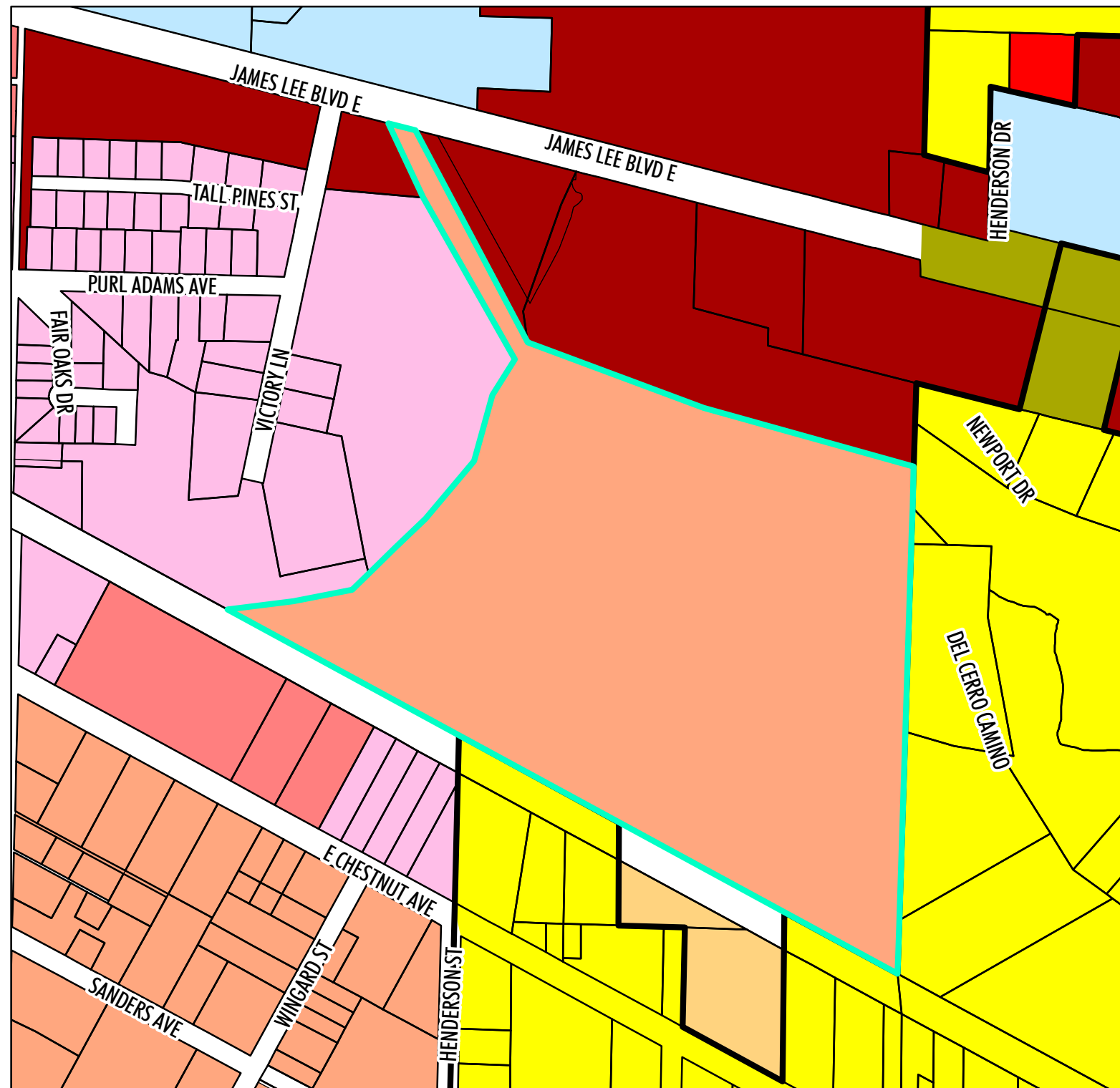
City Zoning

- Single Family Estate Dwelling District (R-1E)
- Single Family Low Density District (R-1)
- Single Family Medium Density District (R-2)
- Single and Multi-Family Dwelling District (R-3)
- Mixed Use (MU)
- Commercial (C-1)
- Commercial (C-2)
- Industrial (IN)
- Public Lands (P)
- Conservation (E)

County Zoning

- Residential - 1 (R-1)
- Mixed Use (MU)
- General Commercial (C-3)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Lakes Largo Homeowners Association (#N98000004785)

1 March 2023

5 Del Cerro Camino
Crestview, FL 32539

To: Community Development Services Planning and Zoning Division

From: Lakes Largo HOA (Parcel # 16-3N-23-0000-0032-003K)

Reference: Notice of Voluntary Annexation/Zoning Change Request (Parcel #16-3N-23-0000-0013-0000)

The Lakes Largo Homeowners Association owns approximately 29 acres of private Lakes and Damn area lying within the DEL CERRO VISTA S/D and adjacent to the Harvest Ministries parcel. The lakes are spring fed, originating upstream from the Harvest Ministries parcel and flowing down directly into our lake and Mill Creek which eventually deposits into the Shoal River. Multiple private residential properties border the lake located on Del Cerro Camino, Ponce De Leon Rd and Newport Dr in the Del Cerro Vista neighborhood in District 1, Okaloosa County. Many of the properties are 1 acre or larger in size and are designated Property Use Code RES COMMON (000900).

As concerned citizens, property owners, and caretakers of this fragile ecosystem already overburdened by unwanted and uncontrolled water runoff from surrounding areas we request the Planning and Development Board consider and address the following concerns prior to approval:

- Place priority on preservation and protection of the surrounding environment, and maintaining quality of life for nearby neighborhoods

-
- Zoning Density too high/not commensurate with surrounding residential areas
 - Detrimental effects from potential construction activity to include impacts from contamination, watershed runoff, environmental concerns and pollution
 - Flooding resulting from over/improper development, failure to control and maintain increased water runoff resulting from development
 - Inadequate ingress/egress to Hwy 90 contributing to traffic congestion/safety concerns

We strongly recommend the City Council address the above concerns, study potential impacts to the environment, significantly reduce the Zoning Density, conduct risk mitigation providing assurance that any/all approved development will provide adequate retention ponds and system of stormwater runoff that does include, contribute to or adversely impact an already overburdened stormwater condition in our community.

Sincerely,

Mark Lynch
Sec/Treasurer Lakes Largo HOA



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Second reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader, City Clerk, Natasha Peacock, Deputy City Clerk
DATE: 3/22/2023
SUBJECT: Ordinance 1921 - Designating the Official Seal of the City of Crestview

BACKGROUND:

In researching the City Charter and Code of Ordinances, I was unable to locate any documentation or legislation officially designating the Official Seal for the City of Crestview or safeguarding its use.

DISCUSSION:

The purpose of this Ordinance is to designate an official municipal seal to be affixed on all official actions or documents of the City and to identify and authenticate documents. City Attorney Jonathan Holloway has reviewed the ordinance.

City Manager Tim Bolduc initially asked me to research whether we had a service mark for our city logo. I have since applied for a service mark for the city logo and am awaiting a response from the Florida Department of State. The ordinance designating the city seal is just the next step in the process. This step underlines our goals and objectives that reinforces our Community Culture in developing our identity.

Ordinance 1921 was approved by City Council on March 13th and will be published no later than March 16, 2023 for consideration of adoption on March 27, 2023 in compliance with Fla. Stat. 166.041(3)(a).

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

Staff respectfully requests a motion to adopt Ordinance 1921 on Second Reading.

Attachments

1. Ordinance 1921 - City Seal Designation

ORDINANCE: 1921

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW, FLORIDA DESIGNATING THE OFFICIAL SEAL OF THE CITY OF CRESTVIEW; PROVIDING FOR PENALTIES FOR UNAUTHORIZED USE; STANDARDS FOR PUBLIC USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in accordance with Florida Statutes, section 165.043, which provides that a municipality may by Ordinance designate an official municipal seal to be affixed on all official actions or documents of the City and to identify and authenticate documents; and,

WHEREAS, the current corporate municipal seal has been in use for decades and the City Council wishes to designate its corporate seal as an official municipal corporate seal pursuant to section 165.043, which provides for adoption of the municipal seal by Ordinance; and,

WHEREAS, Florida Statute, Section 165.043 further provides that a seal so adopted shall be entitled to the protections afforded by that statute, including that the unauthorized use of the seal constitutes a misdemeanor of the second degree; and,

WHEREAS, the City Council of the City of Crestview finds that the seal of the City is an important representation of the unique characteristics of the City of Crestview, and that the seal should be protected as a matter of intellectual property to the fullest extent allowed by law, such that the general public may rely upon the display or representation of the municipal corporate seal as the official corporate municipal seal of the City; and,

WHEREAS, the City Council of the City of Crestview finds that regulating and prohibiting the unauthorized use of the City's designated seal serves an important municipal purpose.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF CRESTVIEW, FLORIDA:

Section 1. Official Corporate Municipal Seal: The following specimen seal of the City of CRESTVIEW is hereby adopted and designated as the official corporate seal of the City of Crestview, Florida:

Section 2. Affixation of Seal: Wherever it shall be necessary for an official seal of the City of Crestview, Florida to be affixed to contracts, deeds, or other documents, the City Clerk shall affix the official seal to such contract, deed, or other document.

Section 3. Custodian of the City Seal: The City Clerk shall be the custodian of the City of Crestview corporate municipal seal and shall be authorized to affix the seal when required. Upon written notice by the City Clerk, the Deputy City Clerk or other designee is authorized by law to affix the city seal.

Section 4. Severability: Should the provisions of this Ordinance be declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall remain notwithstanding the invalidity of any part.

Section 5. Effective Date: This Ordinance shall be effective upon final adoption.

Passed and adopted by the City Council of Crestview, Florida on the ____ day of _____ 2023.

Approved this ____ day of _____ 2023.

J. B. Whitten, Mayor

ATTEST:

Maryanne Schrader, City Clerk

**CITY OF CRESTVIEW
ORDINANCE 1921**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF CRESTVIEW,
FLORIDA DESIGNATING THE OFFICIAL SEAL OF THE CITY; PROVIDING
FOR PENALTIES FOR UNAUTHORIZED USE; STANDARDS FOR PUBLIC USE;
PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF
ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, in accordance with Florida Statutes, section 165.043, which provides that a municipality may by Ordinance designate an official municipal seal to be affixed on all official actions or documents of the City and to identify and authenticate documents; and,

WHEREAS, the current corporate municipal seal has been in use for decades and the City Council wishes to designate its corporate seal as an official municipal corporate seal pursuant to section 165.043, which provides for adoption of the municipal seal by Ordinance; and,

WHEREAS, Florida Statute, Section 165.043 further provides that a seal so adopted shall be entitled to the protections afforded by that statute, including that the unauthorized use of the seal constitutes a misdemeanor of the second degree; and,

WHEREAS, the City Council of the City of Crestview finds that the seal of the City is an important representation of the unique characteristics of the City of Crestview, and that the seal should be protected as a matter of intellectual property to the fullest extent allowed by law, such that the general public may rely upon the display or representation of the municipal corporate seal as the official corporate municipal seal of the City; and,

WHEREAS, the City Council of the City of Crestview finds that regulating and prohibiting the unauthorized use of the City's designated seal serves an important municipal purpose.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF CRESTVIEW, FLORIDA:

Section 1. Official Corporate Municipal Seal: The following specimen seal of the City of CRESTVIEW is hereby adopted and designated as the official corporate seal of the City of Crestview, Florida:



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Section 4. Severability: Should the provisions of this Ordinance be declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall remain notwithstanding the invalidity of any part.

Section 5. Effective Date: This Ordinance shall be effective upon final adoption.

Passed and adopted by the City Council of Crestview, Florida on the 27th day of March 2023.

Approved this 27th day of March 2023.

J. B. Whitten, Mayor

ATTEST:

Maryanne Schrader, City Clerk



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor
DATE: 3/16/2023
SUBJECT: Appointment of Mayor Pro-Tempore

BACKGROUND:

Per the Charter, the City Council shall select from among its members a Mayor Pro-Tempore. The Mayor Pro-Tempore shall serve in the absence or disability of the mayor, preside over the meetings of the City Council and perform all the duties and exercise all authority of the mayor. The Mayor Pro-Tempore shall retain all voting privileges of an elected member of the City Council.

DISCUSSION:

Appointment of a Council member to serve as the Mayor Pro-Tempore for one year.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

N/A

RECOMMENDED ACTION

A motion to appoint a Mayor Pro-Tempore to serve for one year beginning April 1, 2023.

Attachments

None

Code Compliance Comparison Maps

2019
Foreclosure: 4
Closed: 534
Total Case: 538

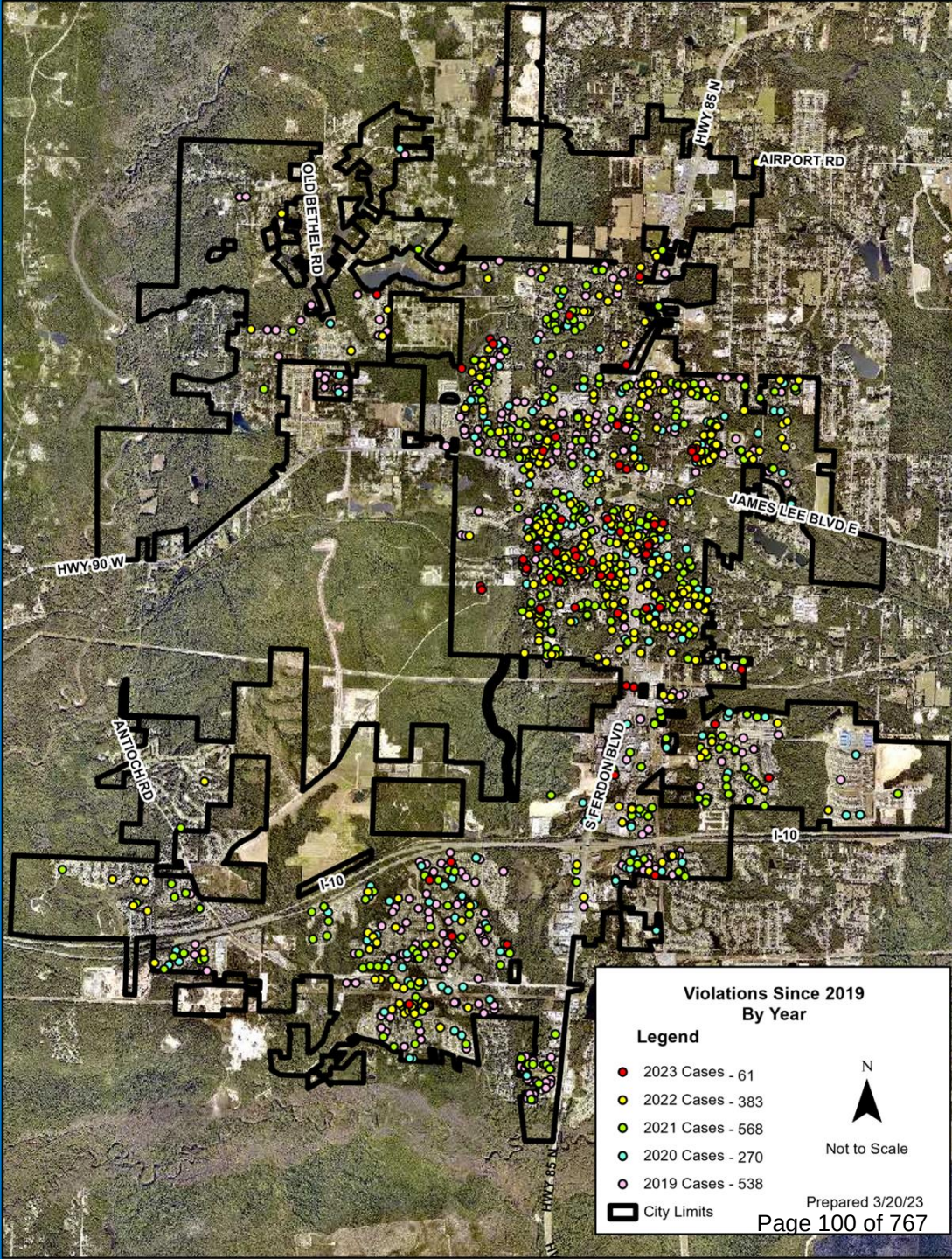
2020
Recorded Order: 6
Foreclosure: 6
Closed: 258
Total Case: 270

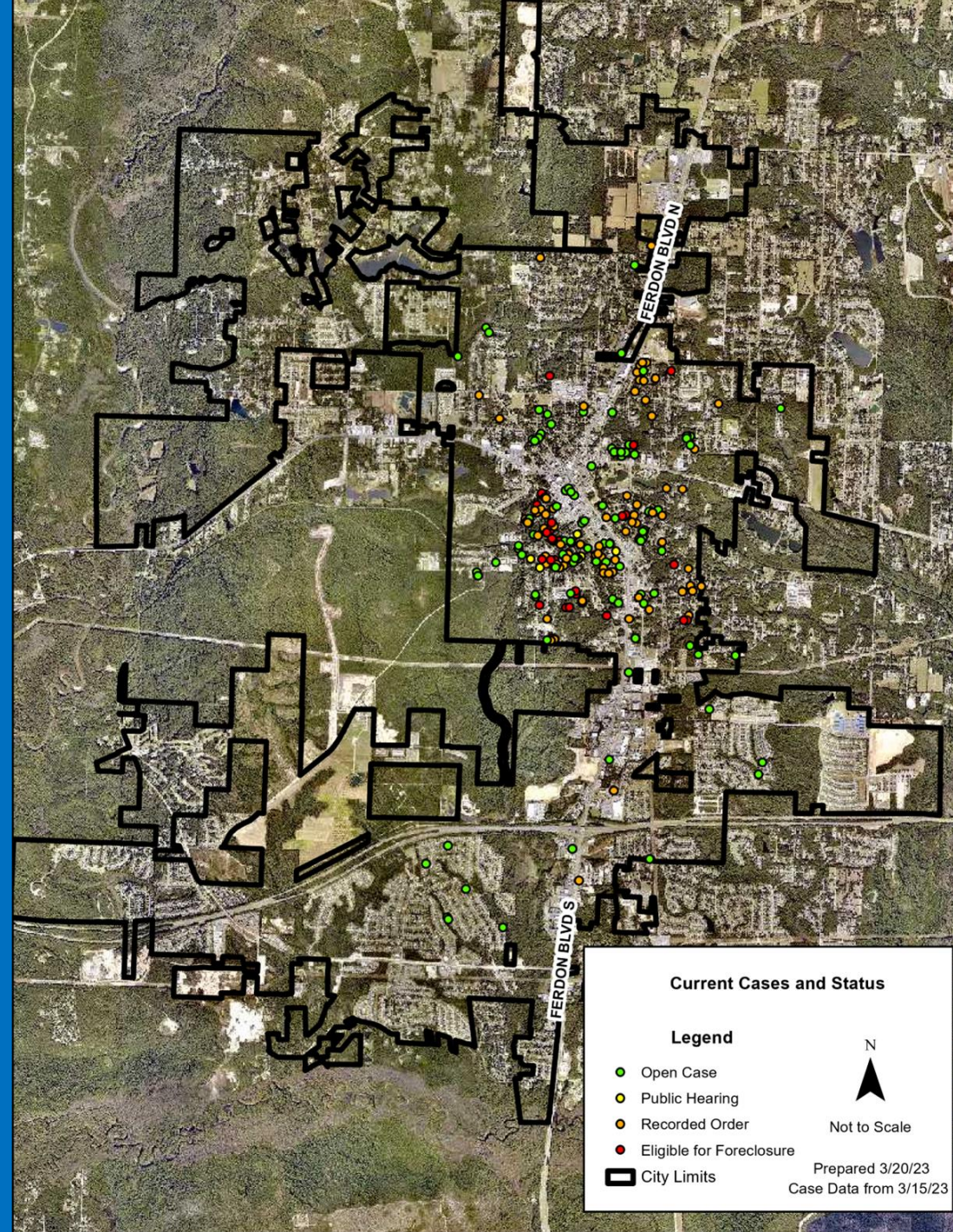
2021
Recorded Order: 27
Foreclosure: 24
Closed: 507
Total Compliance: 7
Total Case: 568

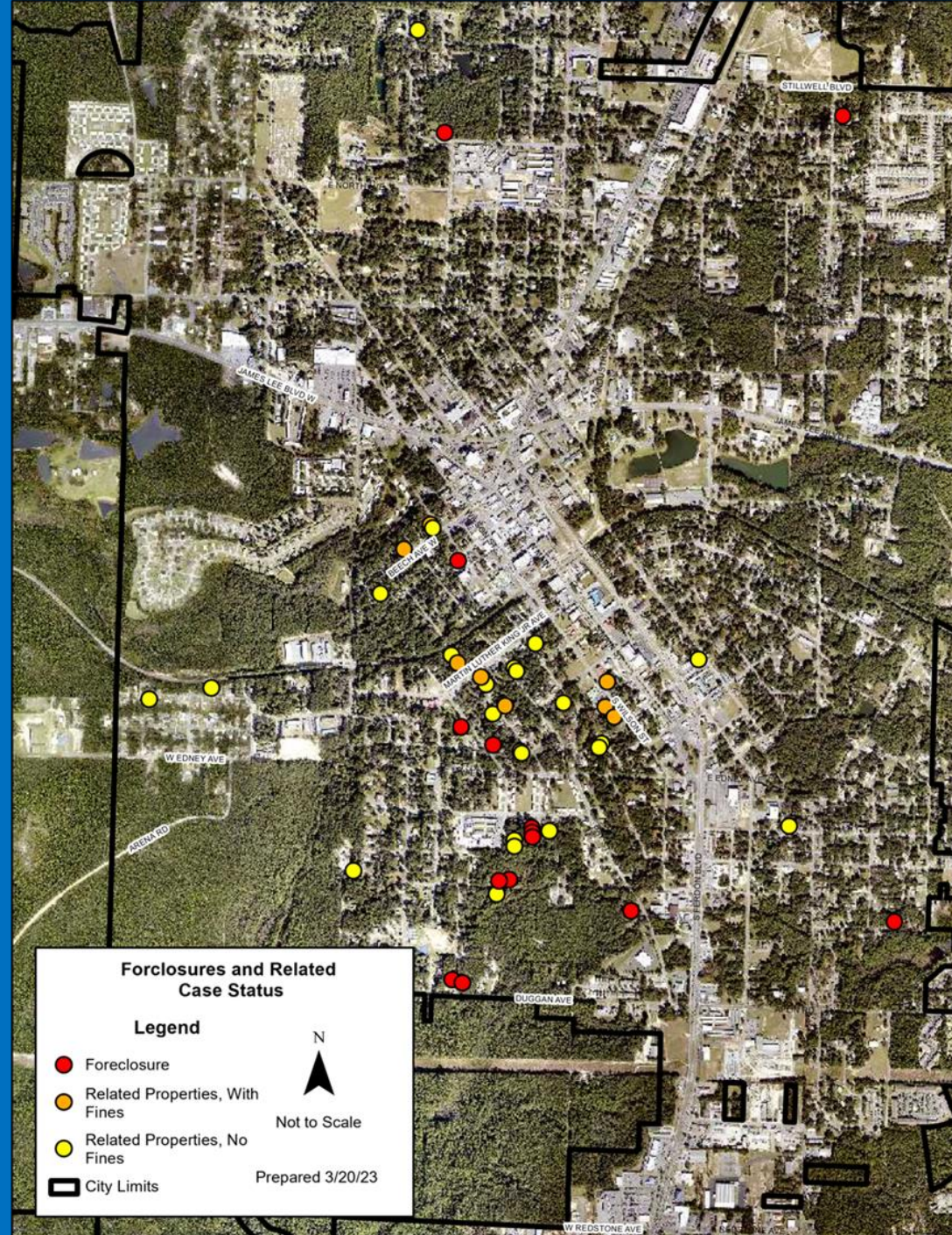
2022
Active: 49
Closed: 281
Public Hearing: 4
Recorded Order: 47
Total Compliance: 2
Total Case: 383

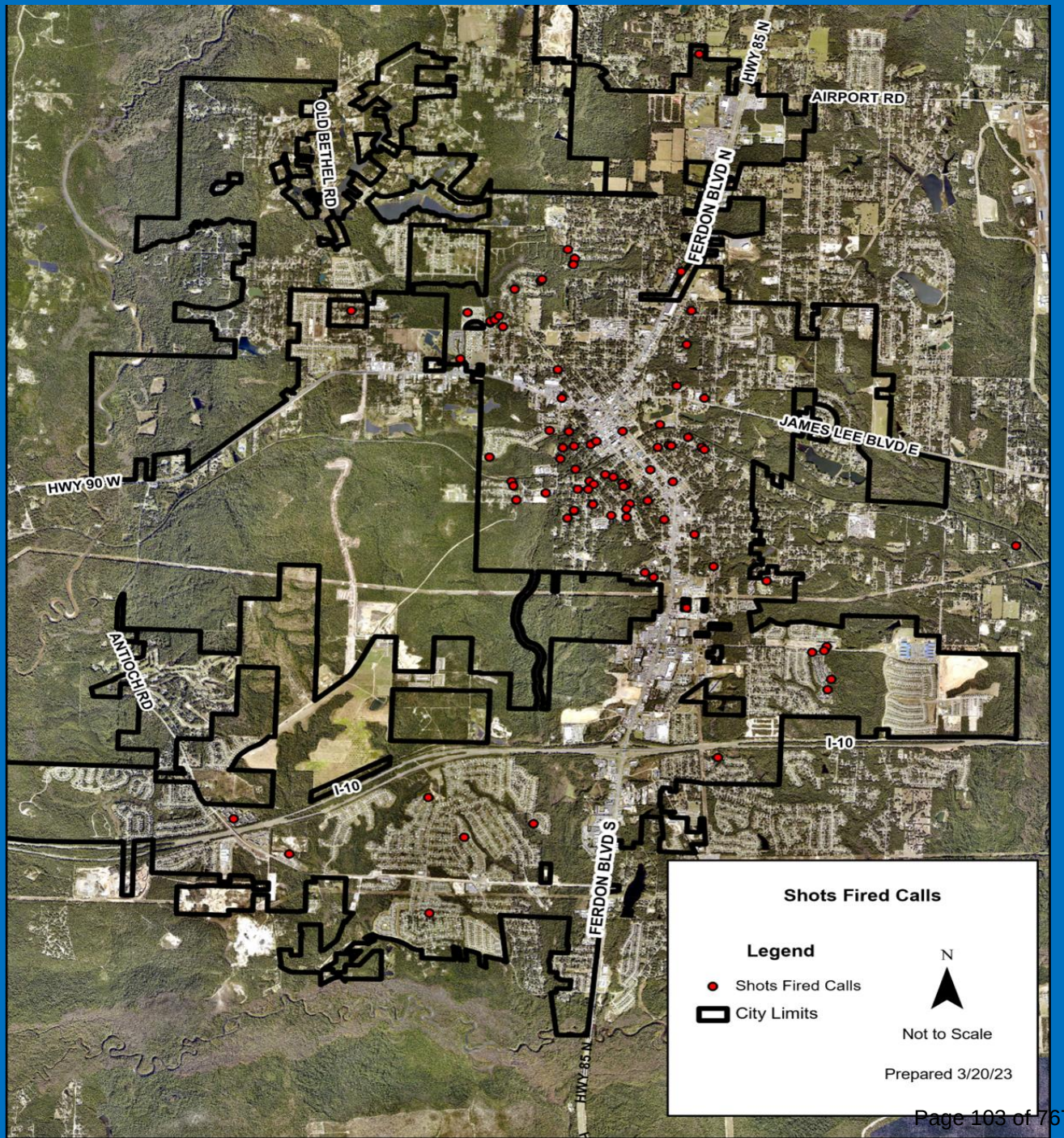
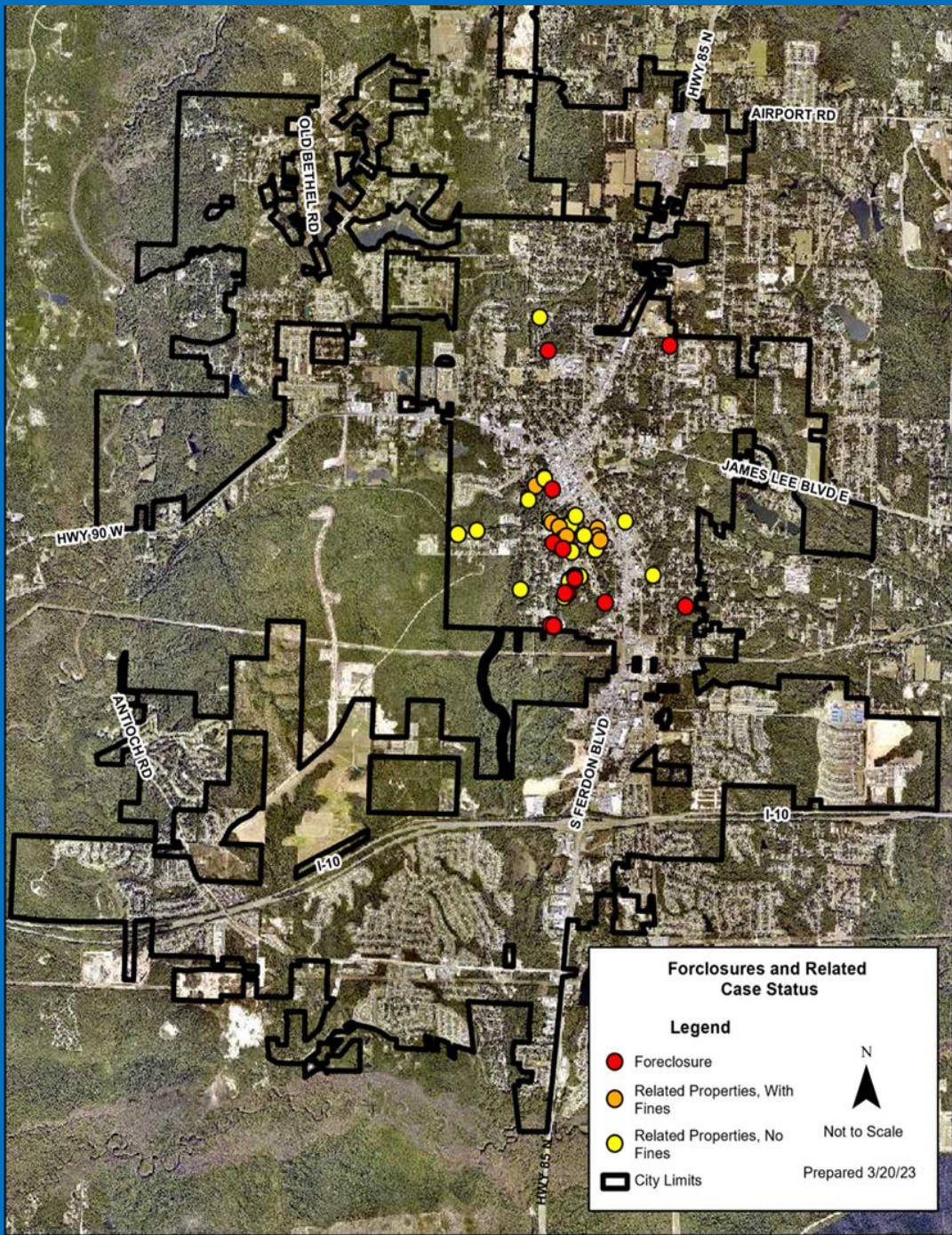
2023
Active: 52
Public Hearing: 1
Closed: 8
Total Case: 61

Case Status Codes:
Foreclosure: Fines exceed property value
Recorded Order: Case has been to public hearing, order has been recorded.
Active: Has not been to Public Hearing
Closed: Voluntary Compliance
Public Hearing: Case has been scheduled for public hearing
Total Compliance; Has been to Public Hearing. Fees have been paid; property is compliant.









Owner of Record: Carlyle Stevens 743 State Hwy 35 Laurel Hill, FL 32567
Origination Date: 08/24/2021 Origination Code: Proactive

Violations: Chapter 38 Section 18 (d) Demolition, (k) Overgrown Vegetation

Corrective Action Required: a. Obtain a building permit to demolish the unsafe structure and remove all demo debris from the property.

b. Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.

c. Remove the overgrowth from the property.

Notice Sent: 08/30/2021 Signed: 09/01/2021 Compliance Date: 09/10/2021

Inspected: 09/17/2021 Results: In Violation

Notice Sent: 09/17/2021 Signed: Returned to Sender Compliance Date: 10/4/2021

Inspected: 10/5/2021 Results: In Violation

Public Hearing Notice Sent: 10/11/2021 Signed: Not Received

Hearing Date: 11/16/2021

Property remains in violation.

Order Recorded: 11/18/2021 **Re-recorded with wet stamp 12/13/2022**

Hearing fee: \$250 Due by 12/17/2021

Daily fine: \$250 Start: 12/17/2021

Fines: \$105,250 **as of February 13, 2023 (not including interest)**

Property Value: \$6,974

Related Properties:

Case 23-41 An unpermitted shed exists at this property currently. Property owner is aware that a permit is required, is also aware that Case # 21-553 has been submitted for foreclosure.

EXHIBIT 2
CASE # 21-1553
455 BLAKELY AVE
TUESDAY, NOVEMBER 16, 2021

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/25/21

DATE

455 BLAKELY

ADDRESS-LOCATION OF VIOLATION

20-822

- ☐ (a) FOUNDATION
- ☒ (b) WOOD SUPPORTS
- ☐ (c) METAL SUPPORTS
- ☐ (d) SKIRTING
- ☐ (e) EXTERIOR WALLS
- ☒ (f) WINDOWS
- ☐ (g) SHUTTERS
- ☒ (h) EXTERIOR DOORS
- ☒ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS
- ☐ (j) EXTERIOR SURFACE TREATMENT
- ☐ (k) STRUCTURAL SUPPORTS
- ☐ (l) PORCHES AND BALCONIES

- ☐ (m) STAIRS
- ☒ (n) ROOFS
- ☐ (o) GUTTERS AND DOWNSPOUTS
- ☒ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS
- ☒ (q) OVERHANG EXTENSIONS
- ☐ (r) INSECT SCREENS
- ☐ (s) ACCESSORY STRUCTURES
- ☐ (t) SWIMMING POOLS
- ☒ (u) RODENT HARBORAGE
- ☒ (v) EXTERIOR LIGHTING
- ☐ (w) FENCES AND WALLS
- ☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S): meets the criteria for demolition.

Unsafe structure. Recommend removal of structure from property.

It appears it has concrete block wall if it were to be repaired, permits required and structural evaluation and drawings required prior to permit issuance.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

5/25/21

DATE

EXHIBIT # 2

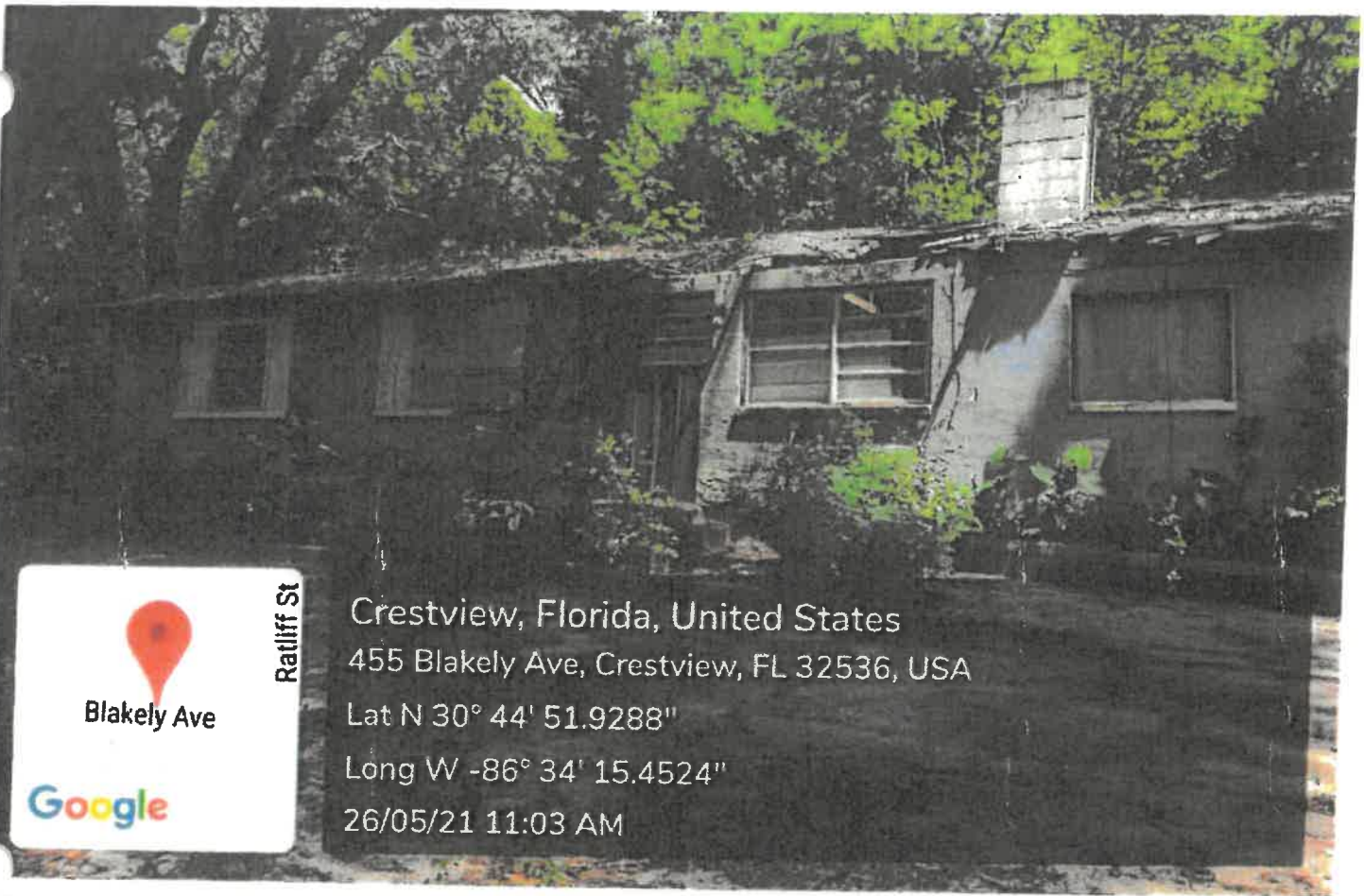
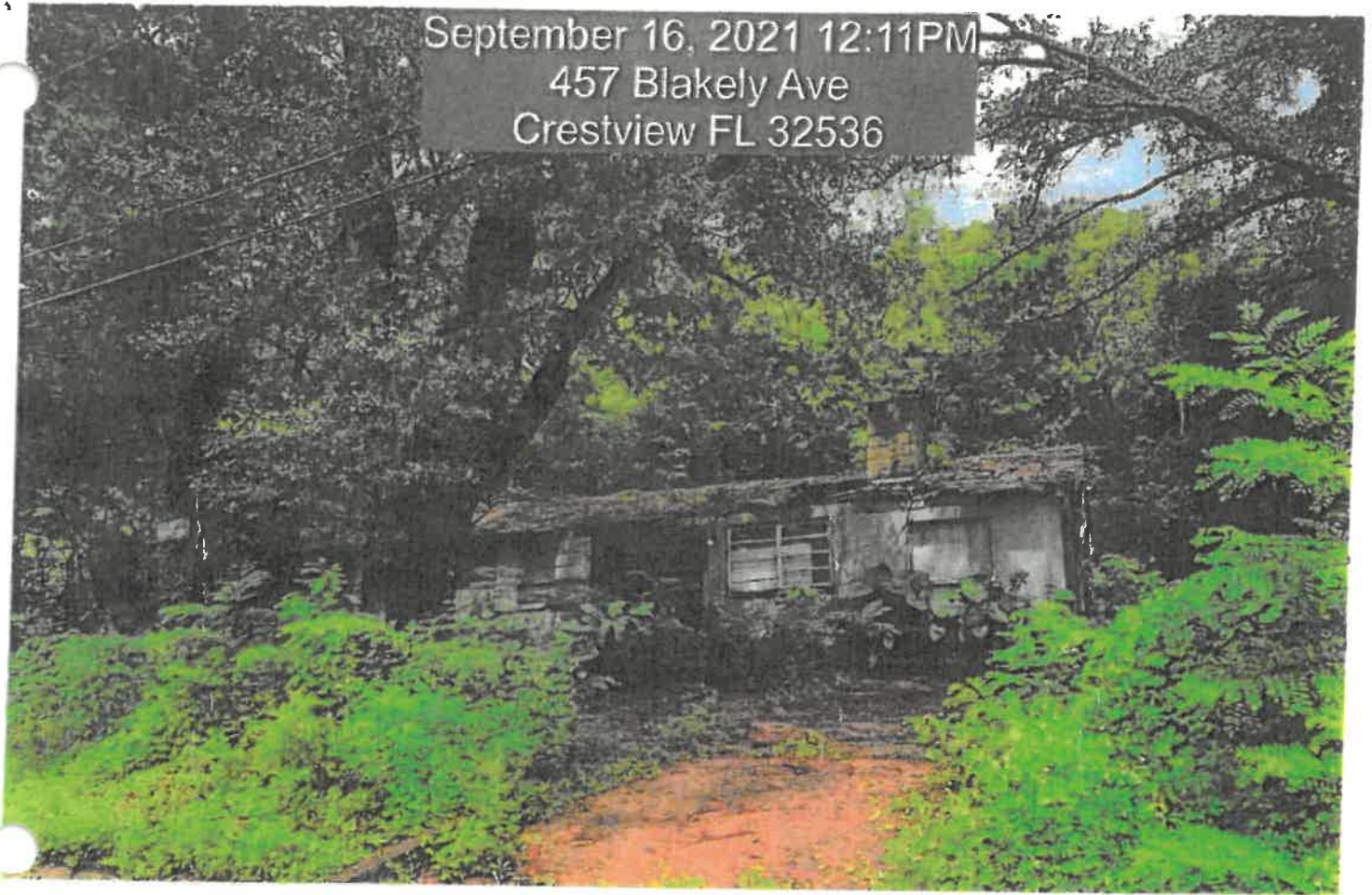


EXHIBIT # 2

September 16, 2021 12:11PM
457 Blakely Ave
Crestview FL 32536



November 04, 2021 09:05AM
457 Blakely Ave
Okaloosa County

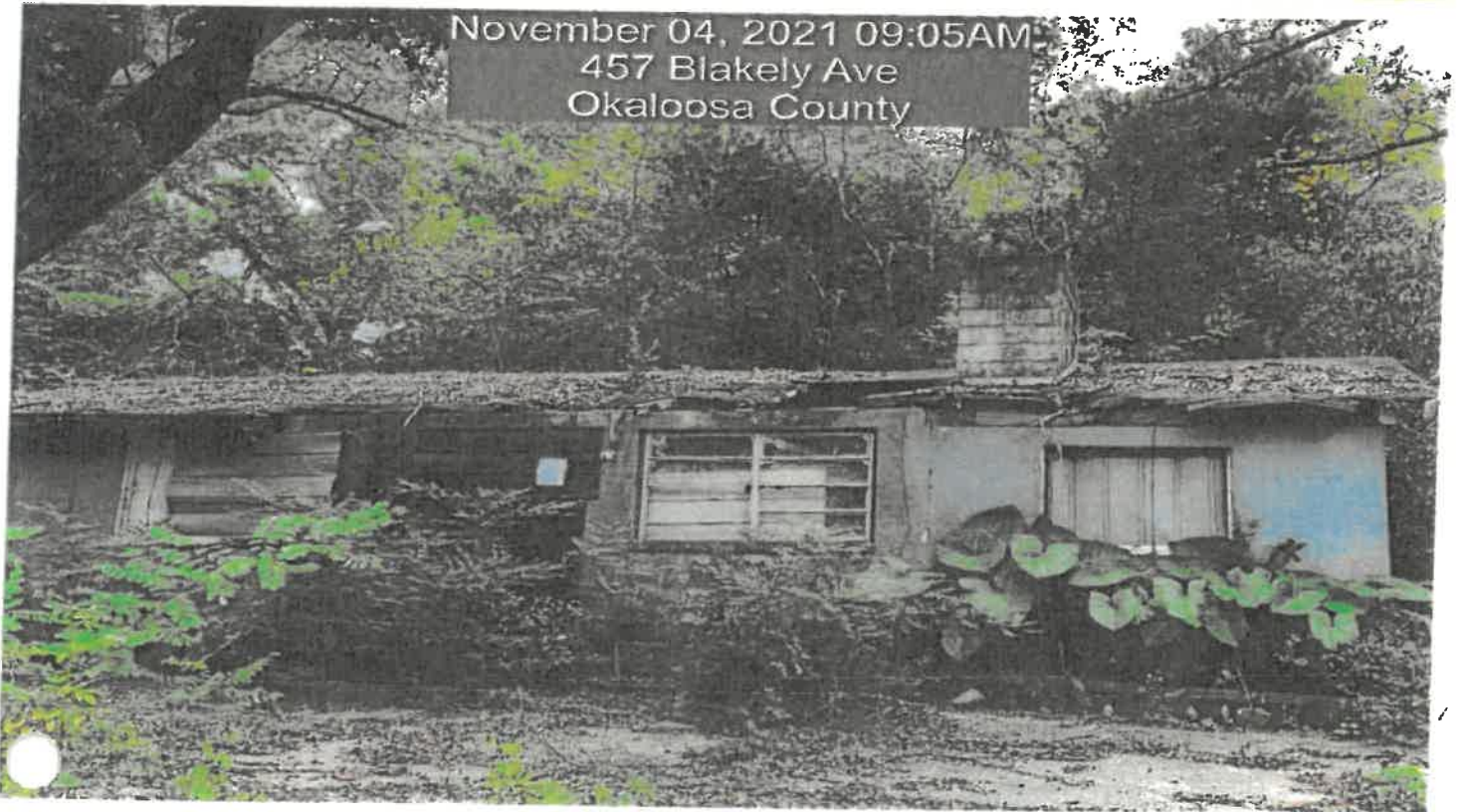


EXHIBIT # 2

November 04, 2021 09:05AM

457 Blakely Ave
Okaloosa County

**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION**
198 Wilson Street North
Crestview, FL 32536
(904) 683-0896

**NOTICE OF PUBLIC HEARING**

DATE: 10/11/2021

Carlyle Stevens
1411 State Hwy 14
Lauderhill, FL 33311

RE: CASE# 21-1553

Dear Property Owner:

You are hereby formally notified that on November 16, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 455 Blakely Avenue, Crestview, FL 32536 more particularly described as:

FIN# 20-JN-23-2390-0011-0120 LEGAL DESCRIPTION: SULLIVANS ADD BLK OF
LOTS 11 & 12 BLK 11

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

Exact Notice of Violation

November 04, 2021 09:52AM
198 N Wilson St
Crestview FL 32536



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION**
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: 10/11/2021

Carlyle Stevens
743 State Hwy 35
Laurel Hill, FL 32567

RE: CASE# 21-1553

Dear Property Owner:

You are hereby formally notified that on November 16, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 455 Blakely Avenue, Crestview, FL 32536 more particularly described as:

PIN# 20-3N-23-2390-0011-0120 LEGAL DESCRIPTION: SULLIVANS ADD BLK 2 OF
LOTS 11 & 12 BLK 11

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

Best Notice of Violation

EXHIBIT # 2

November 16, 2021 09:02AM
457 Blakely Ave
Crestview FL 32536

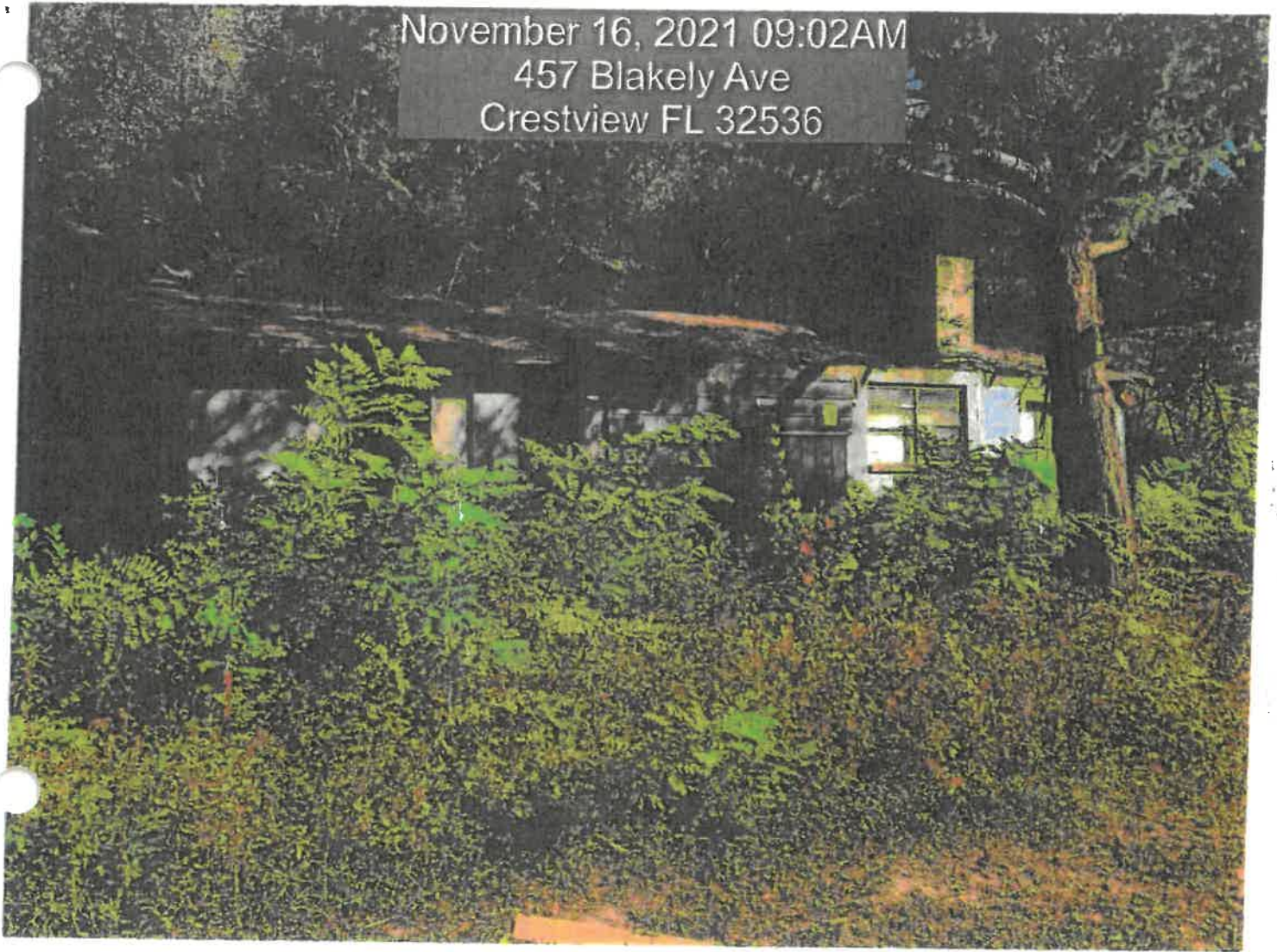


EXHIBIT # 2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: August 30, 2021
Case #: 21-1553

CARLYLE STEVENS
743 STATE HWY 35
LAUREL HILL, FL 32567

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 455 BLAKELY AVE
Tax Identification Number: 20-3N-23-2390-0011-0120
Legal: SULLIVANS ADD E1/2 OF LOTS 11, & 12 BLK 11,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by September 10, 2021 this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Senida Oglesby
Code Compliance Officer

EXHIBIT # 2

CASE NUMBER 21-00001553
PROPERTY ADDRESS 455 BLAKELY AVE

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 8/24/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting

EXHIBIT # 2

VIOLATION DETAIL

PAGE 2

CASE NUMBER 21-00001553
PROPERTY ADDRESS 455 BLAKELY AVE

CORRECTIVE ACTION REQUIRED :
Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 8/24/21
LOCATION:

ORDINANCE DESCRIPTION :
Nuisance Conditions - 38 - 18 (k) Grass, weeds, and
uncultivated vegetation: All grasses or weeds, and
uncultivated vegetation, shall not exceed twelve (12) inches
in height on improved property, including the area between
the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by removing the vegetation, or
weeds from the property.

EXHIBIT # 2

7009 2250 0003 6504 1851

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only: No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.53
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.33
Sent To <u>Stevens</u>	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
21-1553	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY												
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X _____ ☐ Agent ☐ Addressee B. Received by (Printed Name) _____ C. Date of Delivery <u>9/1/21</u> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No <u>COVID 19</u>												
1. Article Addressed to: <u>Carlyle Stevens</u> <u>743 State HWY 35</u> <u>Laurel Hill, FL 32567</u>	3. Service Type <table border="0"> <tr> <td>☐ Adult Signature</td> <td>☐ Priority Mail Express®</td> </tr> <tr> <td>☐ Adult Signature Restricted Delivery</td> <td>☐ Registered Mail™</td> </tr> <tr> <td>☐ Certified Mail®</td> <td>☐ Registered Mail Restricted Delivery</td> </tr> <tr> <td>☐ Certified Mail Restricted Delivery</td> <td>☐ Signature Confirmation™</td> </tr> <tr> <td>☐ Collect on Delivery</td> <td>☐ Signature Confirmation Restricted Delivery</td> </tr> <tr> <td>☐ Collect on Delivery Restricted Delivery</td> <td></td> </tr> </table>	☐ Adult Signature	☐ Priority Mail Express®	☐ Adult Signature Restricted Delivery	☐ Registered Mail™	☐ Certified Mail®	☐ Registered Mail Restricted Delivery	☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™	☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery	☐ Collect on Delivery Restricted Delivery	
☐ Adult Signature	☐ Priority Mail Express®												
☐ Adult Signature Restricted Delivery	☐ Registered Mail™												
☐ Certified Mail®	☐ Registered Mail Restricted Delivery												
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™												
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery												
☐ Collect on Delivery Restricted Delivery													
2. Article Number (Transfer from service label) <u>7009 2250 0003 6504 1851</u>	9590 9402 6373 0303 1246 73												
PS Form 3811, July 2020 PSN 7530-02-000-9053													

EXHIBIT # 2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: September 17, 2021

Case #: 21-00001553

CARLYLE STEVENS
743 STATE HWY 35
LAUREL HILL, FL 32567

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 455 BLAKELY AVE

Tax Identification Number: 20-3N-23-2390-0011-0120

Legal: SULLIVANS ADD E1/2 OF LOTS 11, & 12 BLK 11,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by October 04, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,


Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 2

CASE NUMBER 21-00001553
PROPERTY ADDRESS 455 BLAKELY AVE

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 8/24/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting

EXHIBIT # 2

CASE NUMBER 21-00001553
PROPERTY ADDRESS 455 BLAKELY AVE

CORRECTIVE ACTION REQUIRED :
Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 8/24/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and
uncultivated vegetation: All grasses or weeds, and
uncultivated vegetation, shall not exceed twelve (12) inches
in height on improved property, including the area between
the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or
weeds from the property.

EXHIBIT # 2



City of Crestview
 City Hall
 198 North Wilson Street
 Crestview, FL 32536

EG99 EETb 0000 005E TT02

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

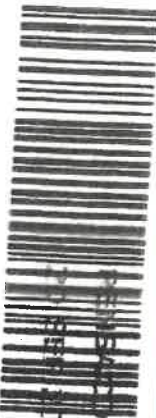
OFFICIAL USE

Postage	\$ 1.58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.83

Postmark Date: **SEP 20 2021**

Item: **CARLYLE STEVENS** **SEP 15 2021**
 Street, Apt. No., or PO Box No.: **743 STATE HWY 35**
 City, State, ZIP+4®: **LAUREL HILL, FL 32517**

CERTIFIED MAIL



7012 3500 0000 9133 8663

NEOPOST
 09/17/2021
 US POSTAGE
 \$004.28
 ZIP 32536
 041M11297338

CARLYLE STEVENS

743 STATE HWY 35

LAUREL H

NIXIE

322 DE 1

0010/20/21

RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

BC: 32536343698

*2638-01109-20-37

32536343698 UNC

EXHIBIT # 2



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE:10/11//2021

**Carlyle Stevens
743 State Hwy 35
Laurel Hill, FL 32567**

RE: CASE# 21-1553

Dear Property Owner:

You are hereby formally notified that on November 16, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 455 Blakely Avenue, Crestview, FL 32536 more particularly described as:

**PIN# 20-3N-23-2390-0011-0120 LEGAL DESCRIPTION: SULLIVANS ADD E1/2 OF
LOTS 11 & 12 BLK 11**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

Encl: Notice of Violation

EXHIBIT # 2

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 18 (d) Demolition of Structure

Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective Action Required: Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.

Code of Ordinance Violated: Chapter 38 Section 18 (k) Vegetation – Weeds

Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

Corrective Action Required: Remove all vegetation and weeds in excess of twelve (12) inches from the property.

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70092250000365041943

Remove X

The delivery status of your item has not been updated as of October 16, 2021, 2:17 am. We apologize that it may arrive later than expected.

Awaiting Delivery Scan

October 16, 2021 at 2:17 am

Feedback

7009 2250 0000 3650 41943

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	.58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	4.33
Sent To: <u>Carlyle Stevens</u> Street, Apt. No.: <u>743 HWY 85 32567</u> or PO Box No.: <u>21553</u> City, State, ZIP+4: <u>21553</u>	

Postmark: CRESTVIEW, FL 32536
OCT 12 2021

Less ^

EXHIBIT # 2

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

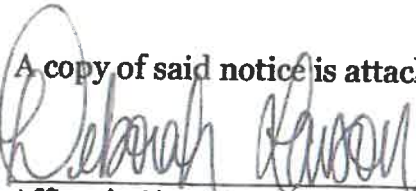
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21-1553

I, Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 4th the day of November 2021, I personally posted said Notice of Hearing at: 455 Blakely Avenue, Crestview, Florida, 32536 in the County of Okaloosa.

A copy of said notice is attached hereto.

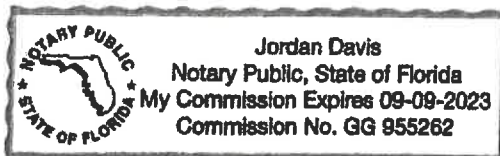

Affiant's Signature

11/4/2021
Date

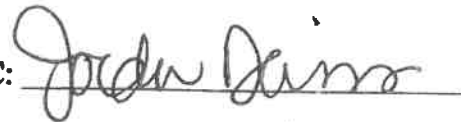
Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 4th the day of November 2021.

(SEAL)



NOTARY PUBLIC:



MY COMMISSION EXPIRES:

9/9/23

EXHIBIT # 2

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/25/21

DATE

455 BLAKELY

ADDRESS-LOCATION OF VIOLATION

20-822

- ☐ (a) FOUNDATION
- ☒ (b) WOOD SUPPORTS
- ☐ (c) METAL SUPPORTS
- ☐ (d) SKIRTING
- ☐ (e) EXTERIOR WALLS
- ☒ (f) WINDOWS
- ☐ (g) SHUTTERS
- ☐ (h) EXTERIOR DOORS
- ☒ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS
- ☐ (j) EXTERIOR SURFACE TREATMENT
- ☐ (k) STRUCTURAL SUPPORTS
- ☐ (l) PORCHES AND BALCONIES

- ☐ (m) STAIRS
- ☒ (n) ROOFS
- ☐ (o) GUTTERS AND DOWNSPOUTS
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- ☐ (s) ACCESSORY STRUCTURES
- ☐ (t) SWIMMING POOLS
- ☒ (u) RODENT HARBORAGE
- ☒ (v) EXTERIOR LIGHTING
- ☐ (w) FENCES AND WALLS
- ☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S): meets the criteria for demolition.

Unsafe structure, Recommend removal of structure from property.

It appears it has concrete block wall if it were to be repaired, permits required and structural evaluation and drawings required prior to permit issuance.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

EXHIBIT # 2A

DATE



EXHIBIT # 2A

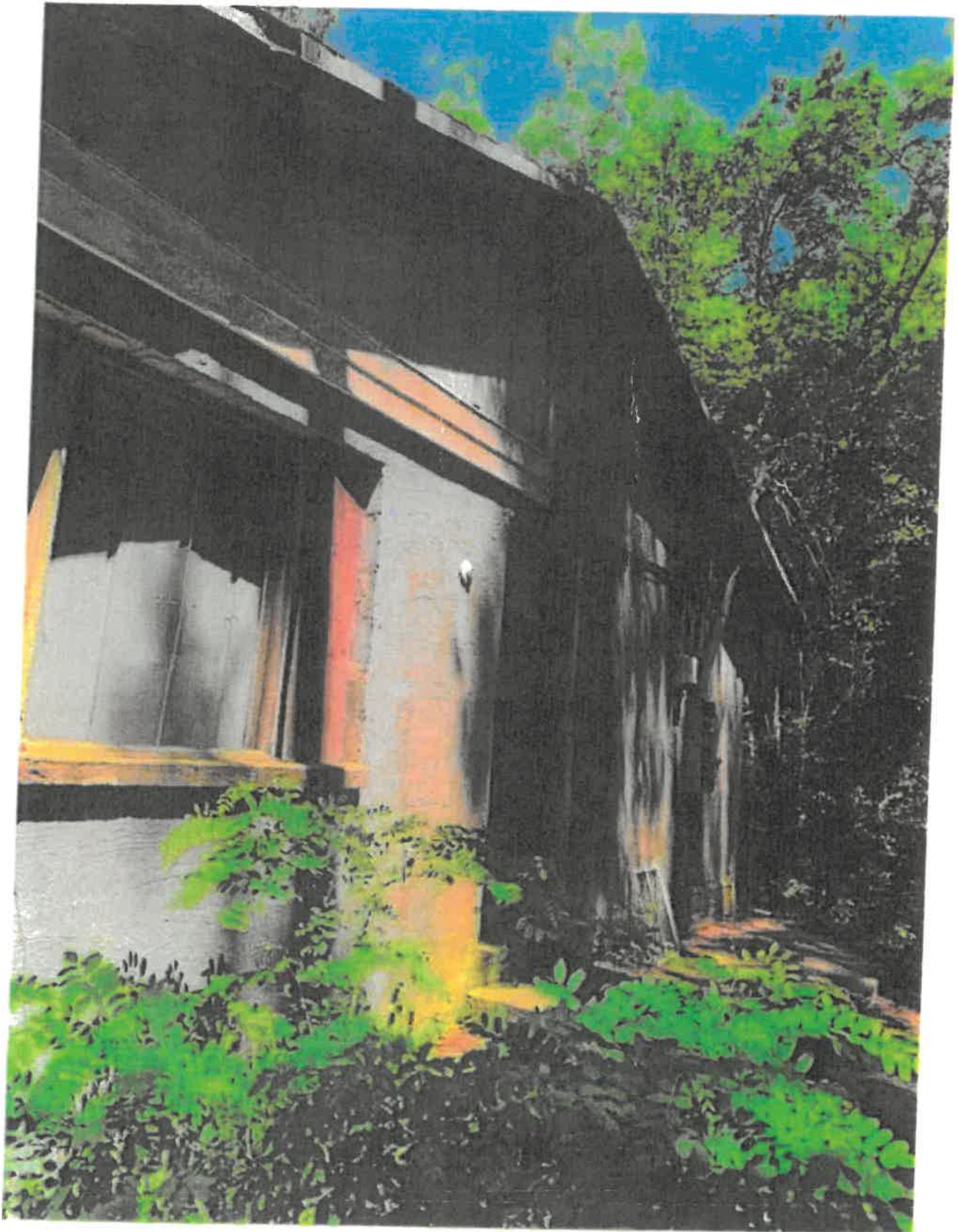


EXHIBIT # 2A



EXHIBIT # 2A



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
*198 Wilson Street North
Crestview, FL 32536*



City of Crestview, Florida,

Petitioner,

vs.

Carlyle Stevens
743 State Hwy 35
Laurel Hill, FL 32567

Respondents.

Inst. #3506551 Blk: 3588 Pg: 485
Page 1 of 3 Recorded: 11/18/2021 10:44 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK sdoscher
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1553

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on November 16, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Carlyle Stevens, whose last known mailing address is 743 State Hwy 35, Laurel Hill, FL 32567, is the owner of the property located at, 455 Blakely Avenue, Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0011-0120, and more particularly described as: SULLIVANS ADD E1/2 OF LOTS 11 & 12 BLK 11
2. The conditions on the property consist of an unsafe structure and excessive overgrowth. The violation(s) were first observed on May 25, 2021. A Notice of Violation was mailed by certified mail August 30, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Section 18,(d) & (k), of the City of Crestview's Code of Ordinances and requested correction of the violation by September 1, 2021. Re inspection of the property on September 17, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18,(d) & (k), of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before December 17, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before December 17, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain a building permit to demolish the unsafe structure and remove all demo debris from the property, or,

- b. Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.
 - c. Remove the overgrowth from the property.
10. If the violation(s) are not corrected by December 17, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 16th, Day of November, 2021.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2021.11.17 16:03:39
-06'00'

**Special Magistrate
City of Crestview, Florida**

**CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW**

BY: *Deborah Kavan*
DATE: 11/18/2021

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



City of Crestview, Florida,

Petitioner,

vs.

Carlyle Stevens
743 State Hwy 35
Laurel Hill, FL 32567

Respondents.

Inst. #3506551 Blk. 3588 Pg: 485
Page 1 of 3 Recorded: 11/18/2021 10:44 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK sdsoscher
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1553

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on November 16, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Carlyle Stevens, whose last known mailing address is 743 State Hwy 35, Laurel Hill, FL 32567, is the owner of the property located at, 455 Blakely Avenue, Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0011-0120, and more particularly described as: SULLIVANS ADD E1/2 OF LOTS 11 & 12 BLK 11
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3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18,(d) & (k), of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

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10. If the violation(s) are not corrected by December 17, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 16th, Day of November, 2021.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2021.11.17 16:03:39
-06'00'

**Special Magistrate
City of Crestview, Florida**

CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW
BY: 
DATE: 11/18/2021 

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NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Carlyle Stevens
743 State Hwy 35
Laurel Hill, FL 32567

Inst. #3595750 Bk: 3654 Pg: 3406
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1553

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

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FINDINGS OF FACT:

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CONCLUSIONS OF LAW:

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Done and Ordered on the 16th Day of November 2021.

Samuel B. Taylor

Digitally signed by Samuel B.
Taylor
Date: 2022.12.06 11:11:55 -06'00'

**Special Magistrate
City of Crestview, Florida**

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk

DATE: 12-13-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Deborah Lawson

From: Deborah Lawson
Sent: Monday, February 6, 2023 3:39 PM
To: bocal105@aol.com
Cc: Madeline Tatom
Subject: 594 Benjamin St
Attachments: Case 21-1515 FOF Order Recorded_Robbins.pdf

Good afternoon,

I'm reaching out to you regarding the property located at 594 Benjamin Street in Crestview, FL. This property is currently in violation of City codes and ordinances. A code compliance case was started in August of 2021, and the first notice of violation was sent in November of 2021. Another notice of violation was mailed again in November of 2021, and the public hearing notice was mailed in December of 2021. A public hearing was conducted January 18, 2022. At the public hearing, the special magistrate found the property to be in violation of city code and ordinances and ordered a daily fine of \$250, in addition to the \$250 hearing fee. A copy of the recorded order pertaining to this property has been attached. At this time, the fines on the property exceed the value of the property.

Our office has a mitigation procedure in place, which we would be happy to discuss with you. Please contact our office at your earliest convenience, so we may provide the mitigation information to you. The main line for Code Compliance is (850)683-0896.

Thank you,



Deborah Lawson
Code Compliance Officer
City of Crestview
850.306.3702 office
850.612.9714 cell

Owner of Record: Priscilla Robbins P.O. Box 307 Mary Esther, FL 32569

Origination Date: 08/13/2021 Origination Code: Citizen Complaint

Violations: Chapter 38 Section 18 (d) Demolition of Structure, (k) Overgrown Vegetation

Corrective Action Required: a. Remove all vegetation exceeding twelve inches.

b. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property, or,

c. Obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents, and pay associated fees.

Notice Sent: 11/2/2021 Signed: Returned to Sender Compliance Date: 11/15/2021

Inspected: 11/16/2021 Results: In Violation

Notice Sent: 11/17/2021 Signed: Returned to Sender Compliance Date: 12/1/2021

Inspected: 12/1/2021 Results: In Violation

Public Hearing Notice Sent: 12/2/2021 Signed: Returned to Sender

Hearing Date: 1/18/2022

Property remains in violation.

Order Recorded: January 19, 2022 Re-recorded with wet stamp December 13, 2022

Hearing fee: \$250 Due by February 18, 2022

Daily fine: \$250 Start: February 18, 2022

Fines: \$88,500 as of February 9, 2023 (not including interest)

Property Value: \$7,294

Related Properties:

20-3N-23-2390-0006-0060 Vacant Lot on S Lincoln No Case History

20-3N-23-2390-0006-0070 Vacant Lot on S Lincoln No Case History

20-3N-23-2390-0014-013A Vacant Lot on Blakely No Case History

21-1515
594 Benjamin
January 18, 2022
Exhibit 3

BUILDING OFFICIAL STRUCTURAL DETERMINATION

DATE

21-1515

594 Benjamin

ADDRESS/LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

Unsafe structure

CORRECTIVE ACTION(S) REQUIRED

Structure needs to be removed from property

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

☒ (a) FOUNDATION

☒ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☒ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☐ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☐ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☒ (w) FENCES AND WALLS

COMMENTS:

Structure needs to be removed from property. By definition in the Florida Building Code this structure meets the requirements of "Substantial Damage." It is an unsafe structure from all aspects.

SIGNATURE OF BUILDING OFFICIAL

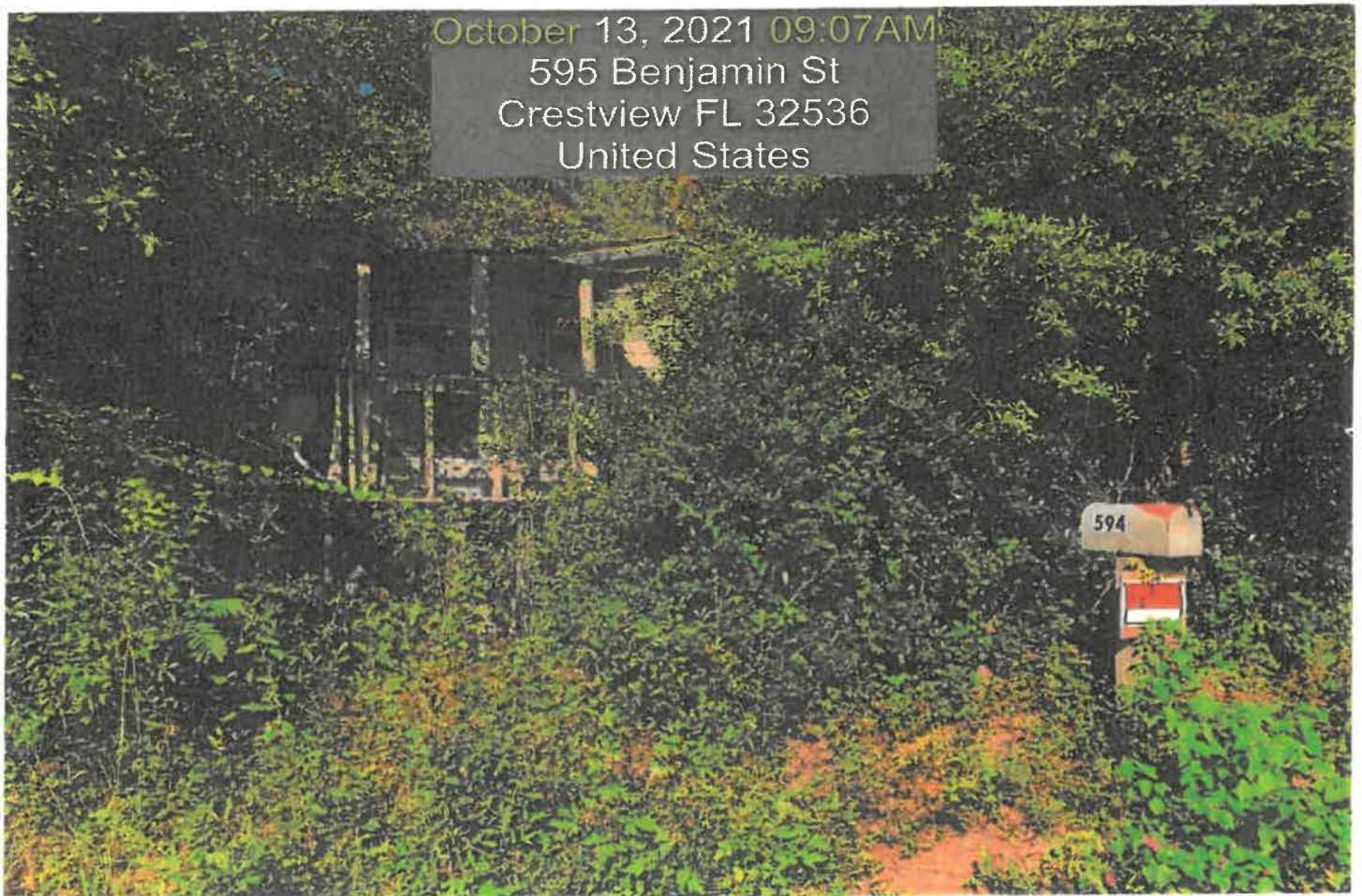
PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 3

Case # 21-1515

594 Benjamin

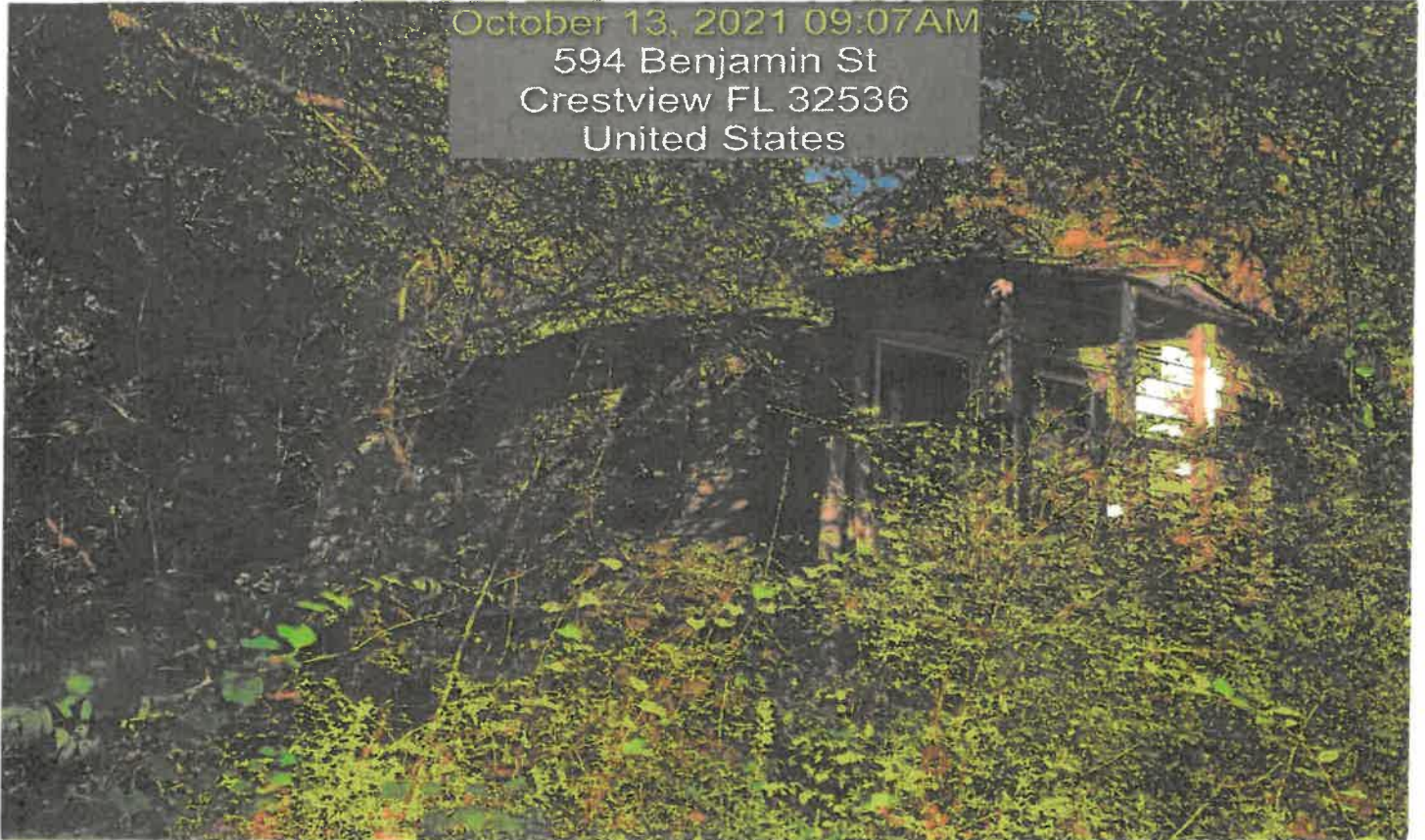


Case # 21-1515

594 Benjamin

October 13, 2021 09:07AM

594 Benjamin St
Crestview FL 32536
United States



November 16, 2021 08:57AM

595 Benjamin St
Crestview FL 32536



Case # 21-1515

594 Benjamin

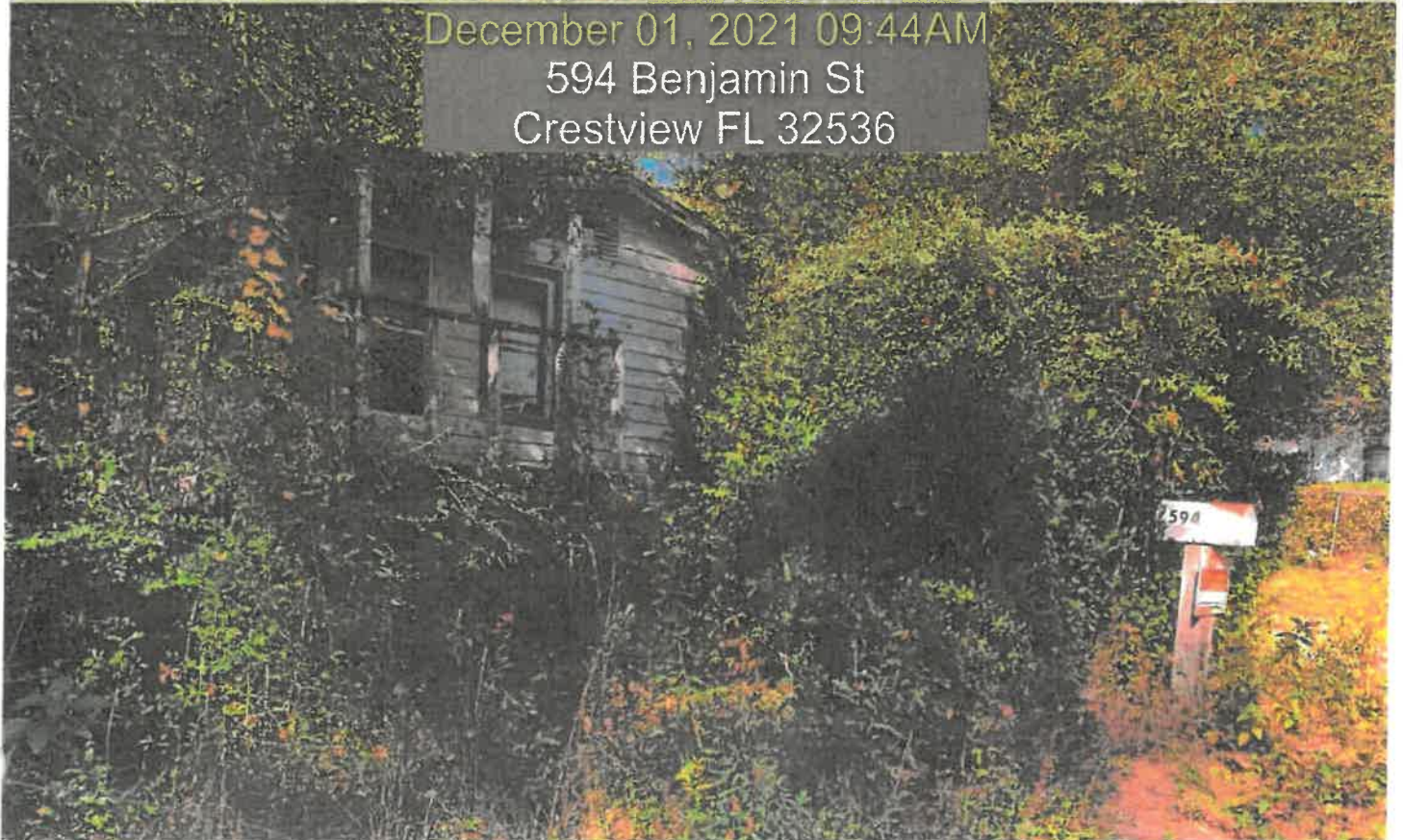
November 16, 2021 08:58AM

594 Benjamin St
Crestview FL 32536



December 01, 2021 09:44AM

594 Benjamin St
Crestview FL 32536



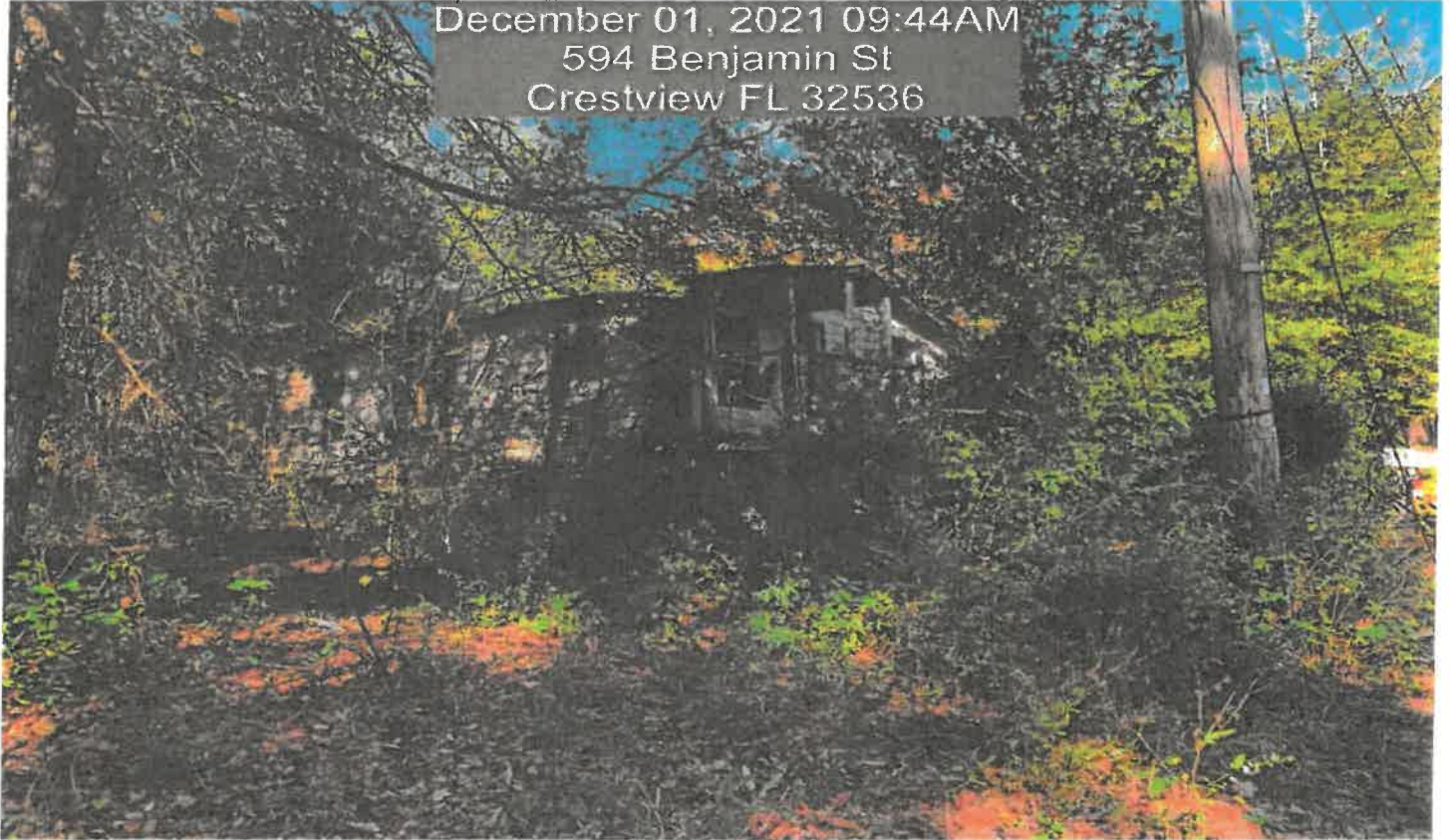
Case # 21-1515

594 Benjamin

December 01, 2021 09:44AM

594 Benjamin St

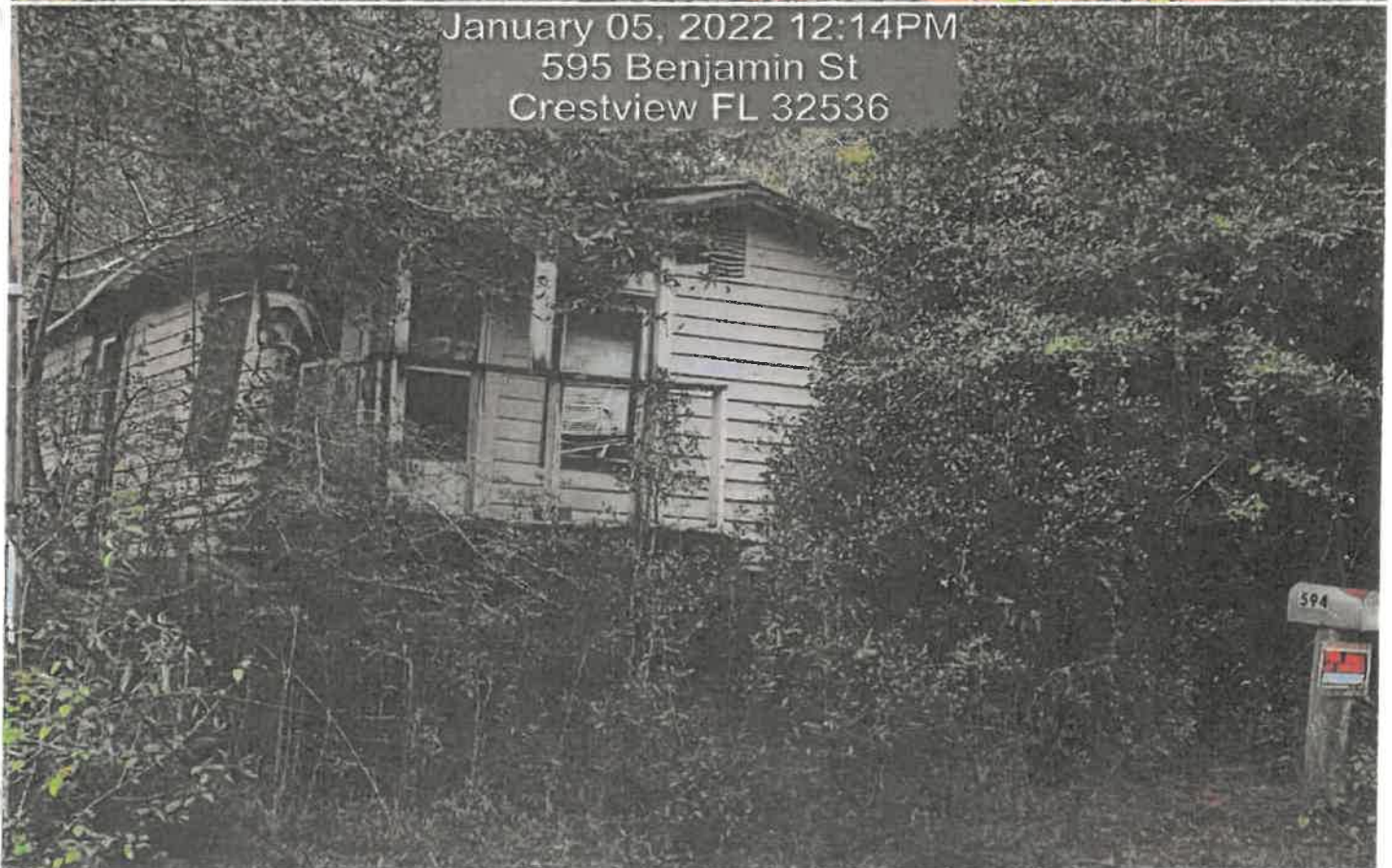
Crestview FL 32536



January 05, 2022 12:14PM

595 Benjamin St

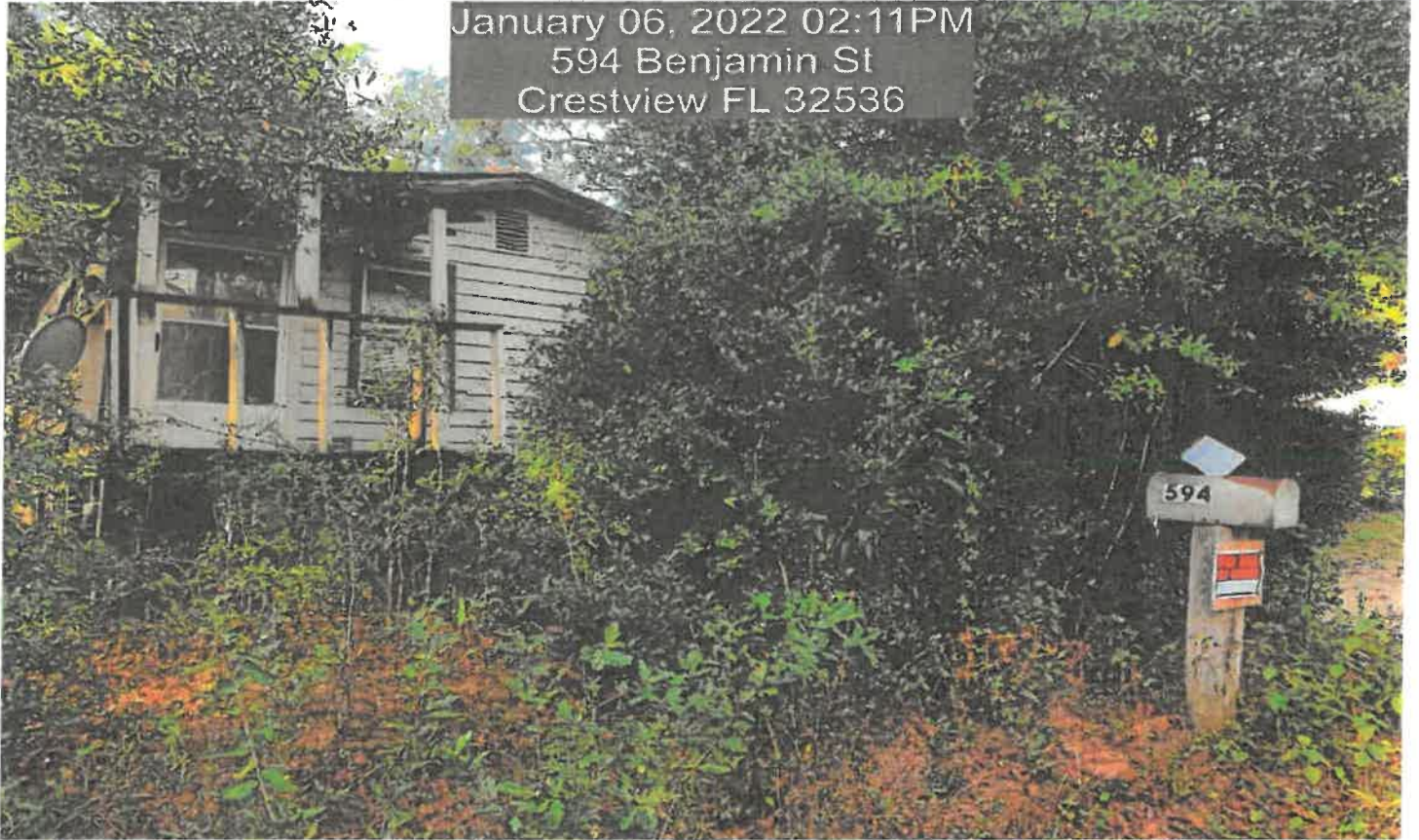
Crestview FL 32536



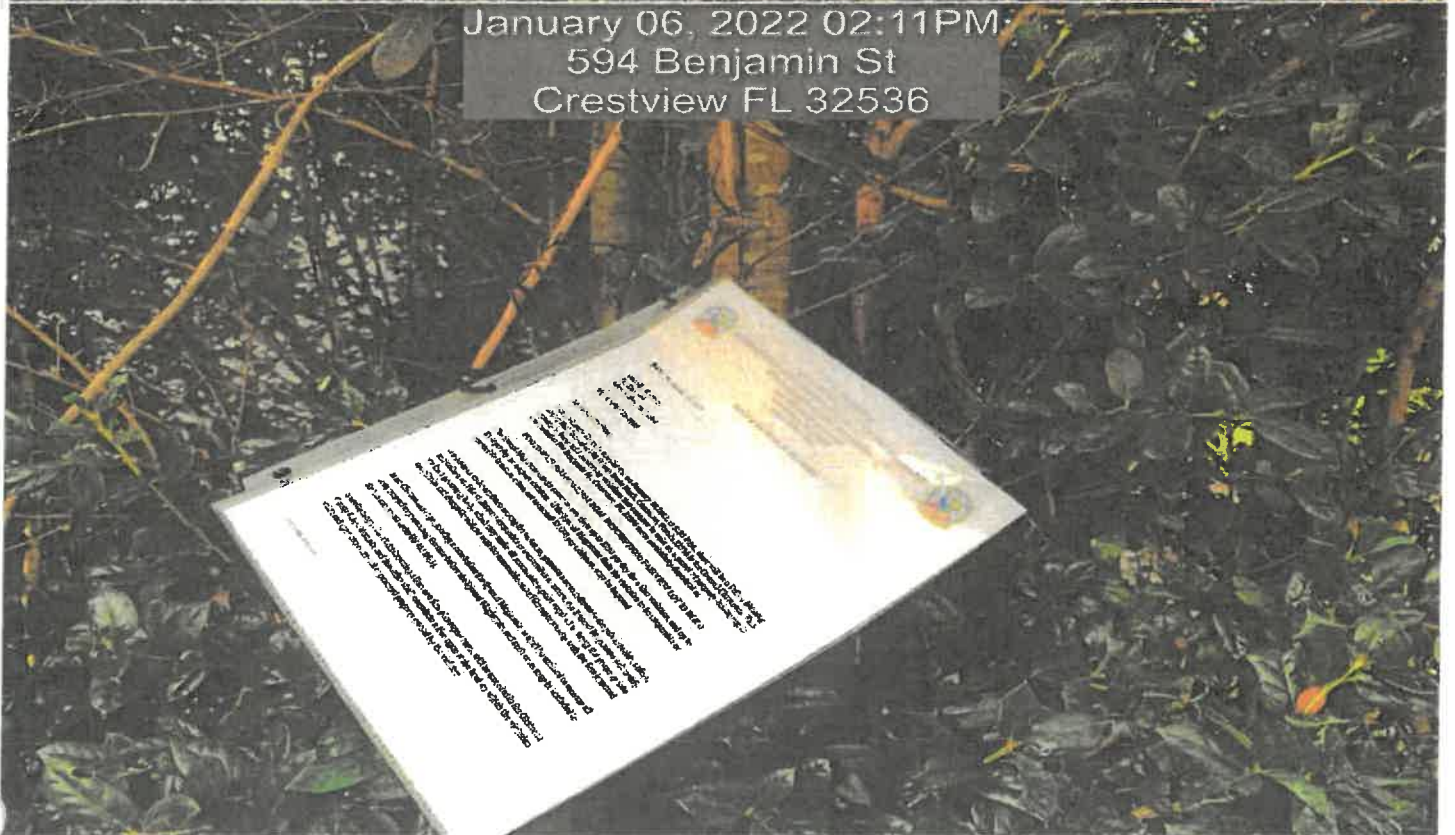
Case # 21-1515

594 Benjamin

January 06, 2022 02:11PM
594 Benjamin St
Crestview FL 32536



January 06, 2022 02:11PM
594 Benjamin St
Crestview FL 32536



Case # 21-1515

594 Benjamin

January 06, 2022 02:35PM
198 N Wilson St
Crestview FL 32536

**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 689-0896**

NOTICE OF PUBLIC HEARING

DATE: November 16, 2021

**Priscilla Robbins
PO Box 307
Mary Esther, FL 32569
RE: CASE# 21-1515**

Dear Property Owner:

You are hereby formally notified that on January 18, 2022, at 9:00 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 594 Benjamin St., Crestview, FL 32536 more particularly described as:

PTW# 20-3N-23-0830-0004-0230 LEGAL DESCRIPTION: FAIRVIEW LOT 23 BLK 4

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreparable in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreparable in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Citrus County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Best Notice of Violation

Community Redevelopment Agency Board. Meets quarterly on the second Monday of the month at 5:00 p.m. Meetings: January 10, April 11, July 11, and October 10, 2022.

January 18, 2022 10:15AM
594 Benjamin St
Crestview FL 32536

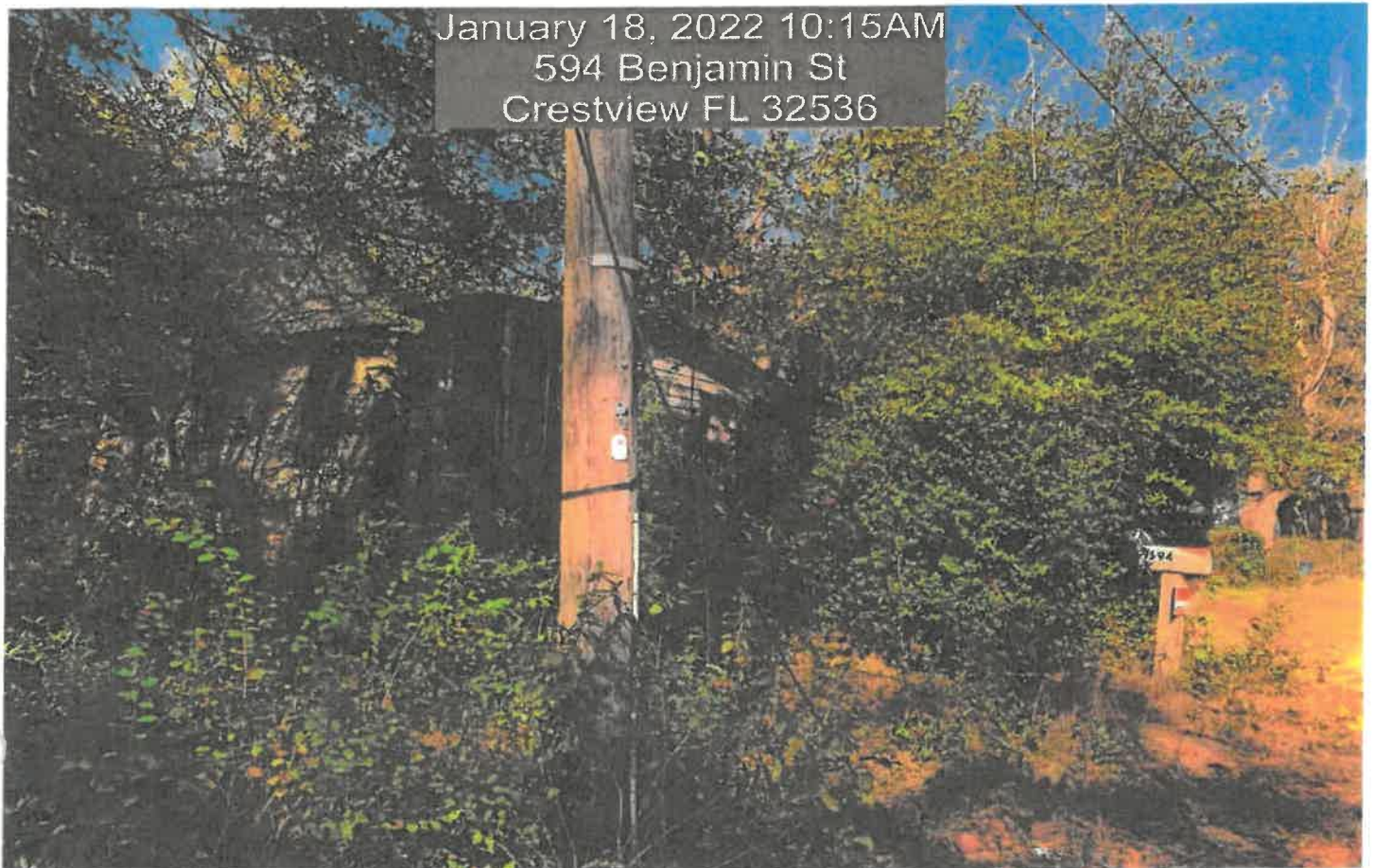


EXHIBIT # **3**



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

*P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896*

Date: November 2, 2021
Case #: 21-00001515

PRISCILLA ROBBINS
PO BOX 307
MARY ESTHER
MARY ESTHER, FL 32569

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

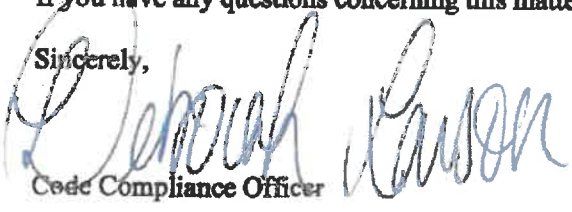
Location of Violation: 594 BENJAMIN ST
Tax Identification Number: 20-3N-23-0830-0004-0230
Legal: FAIRVIEW LOT 23 BLK 4, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by November 15, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,


Code Compliance Officer

CASE NUMBER 21-00001515
PROPERTY ADDRESS 594 BENJAMIN ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting

CASE NUMBER 21-00001515
PROPERTY ADDRESS 594 BENJAMIN ST

CORRECTIVE ACTION REQUIRED :
Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :
Nuisance Conditions - 38 - 18 (k) Grass, weeds, and
uncultivated vegetation: All grasses or weeds, and
uncultivated vegetation, shall not exceed twelve (12) inches
in height on improved property, including the area between
the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by removing the vegetation, or
weeds from the property.

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Total Postage & Fees	\$ 4.33

PRISCILLA ROBBINS #21-1615
P.O. Box 307
MARY ESTHER, FL 32569

PS Form 3800, July 2011



City of Crestview
City Hall
198 North Wilson Street
Crestview, FL 32536

32569-0307
32569-0307

Priscilla Robbins
P.O. Box 307
Mary Esther, FL
32569

NIXIE 322 DE 1 0011/22/21

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CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: November 17, 2021
Case #: 21-00001515

PRISCILLA ROBBINS
PO BOX 307
MARY ESTHER
MARY ESTHER, FL 32569

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

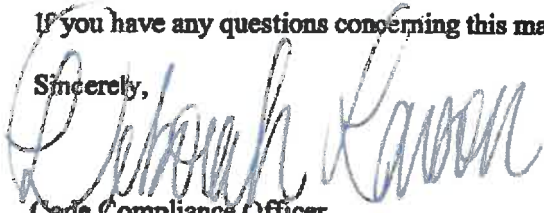
Location of Violation: 594 BENJAMIN ST
Tax Identification Number: 20-3N-23-0830-0004-0230
Legal: FAIRVIEW LOT 23 BLK 4, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by December 01, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,


Code Compliance Officer

VIOLATION DETAIL

PAGE 1

CASE NUMBER 21-00001515
PROPERTY ADDRESS 594 BENJAMIN ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting

VIOLATION DETAIL

PAGE 2

CASE NUMBER 21-00001515
PROPERTY ADDRESS 594 BENJAMIN ST

CORRECTIVE ACTION REQUIRED :

Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k)	QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS	DATE: 11/02/21
LOCATION:	

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.



City of Crestview
City Hall
 198 North Wilson Street
 Crestview, FL 32536

CERTIFIED MAIL



PRISCILLA ROBBINS
 P.O. Box 307
 Mary Esther, FL 32569

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Total Postage & Fees	\$ 4.33

Postmark Here
 NOV 17 2021
 421-1515
 NEW, FL 32536

PRISCILLA ROBBINS
 Street & Apt. No.,
 or PO Box No. P.O. BOX 307
 MARY ESTHER, FL 32569

0489 95TH 0000 064E 4T02

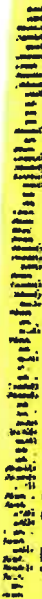
32569-0304
 32536-3436

Priscilla Robbins
 P.O. Box 307
 Mary Esther,
 32569

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BC: 32536343698 *2638-00709-27-23





**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: November 16, 2021

**Priscilla Robbins
PO Box 307
Mary Esther, FL 32569**

RE: CASE# 21-1515

Dear Property Owner:

You are hereby formally notified that on **January 18, 2022, at 5:30 P.M.**, there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at **594 Benjamin St., Crestview, FL 32536** more particularly described as:

PIN# 20-3N-23-0830-0004-0230 LEGAL DESCRIPTION: FAIRVIEW LOT 23 BLK 4

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 18 (k)

Grass, weeds, and uncultivated vegetation: All grasses, or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement and the lot line.

Corrective Action Required: Remove the vegetation or weeds in excess of twelve (12) inches from the property

Code of Ordinance Violated: Chapter 38 Section 18 (d)

Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective Action Required: Obtain a demolition permit and demolish the structure. Remove all demolition debris.



City of Crestview
 City Hall
 198 North Wilson Street
 Crestview, FL 32536

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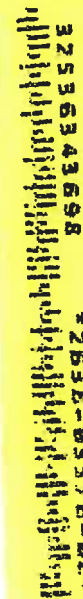


PRISCILLA ROBBINS #21-1516
 Street & Apt. No.,
 or PO Box No. P.O. BOX 307
 CITY CRESTVIEW, FL 32536
 PS Form 3800, July 2014 See Back for Restrictions

TS12 95TH 0000 064E 4T02

UNC
 32536343698

BC: 32536343698 *2535-03575-02-35



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Priscilla Robbins
 PO Box 307
 Mary Esther FL 32569

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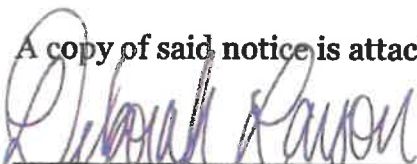
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21-1515

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 6th day of January 2022, I personally posted said Notice of Hearing at: 594 Benjamin Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

1/6/2022
Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 6th day of January 2022.



(SEAL)
OFFICIAL NOTARY SEAL
Christi L. Sheals
Commission No. GG326168
My Commission Expires
April 21, 2023

NOTARY PUBLIC:

Christi L. Sheals

MY COMMISSION EXPIRES:

April 21, 2023

BUILDING OFFICIAL STRUCTURAL DETERMINATION

DATE

21-1515

594 Benjamin

ADDRESS-LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☒ (a) FOUNDATION
- ☒ (b) WOOD SUPPORTS
- ☐ (c) METAL SUPPORTS
- ☐ (d) SKIRTING
- ☒ (e) EXTERIOR WALLS
- ☒ (f) WINDOWS
- ☐ (g) SHUTTERS
- ☒ (h) EXTERIOR DOORS
- ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS
- ☒ (j) EXTERIOR SURFACE TREATMENT
- ☒ (k) STRUCTURAL SUPPORTS
- ☒ (l) PORCHES AND BALCONIES

- ☒ (m) STAIRS
- ☒ (n) ROOFS
- ☐ (o) GUTTERS AND DOWNSPOUTS
- ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS
- ☒ (q) OVERHANG EXTENSIONS
- ☐ (r) INSECT SCREENS
- ☐ (s) ACCESSORY STRUCTURES
- ☐ (t) SWIMMING POOLS
- ☐ (u) RODENT HARBORAGE
- ☒ (v) EXTERIOR LIGHTING
- ☒ (w) FENCES AND WALLS

COMMENTS:

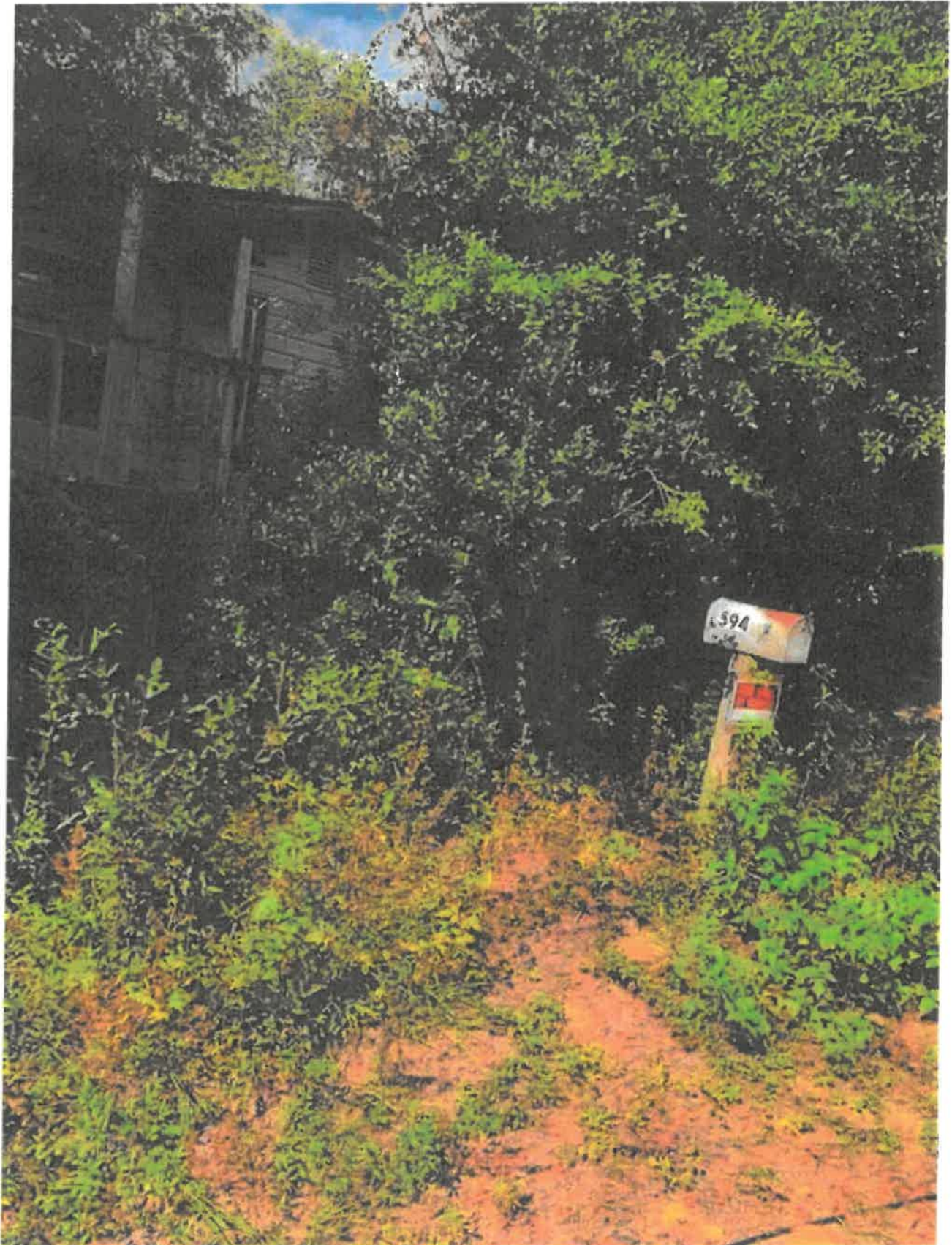
Structure needs to be removed from property. By definition in the Florida Building Code this structure meets the requirements of "Substantial Damage." It is an unsafe structure from all aspects.

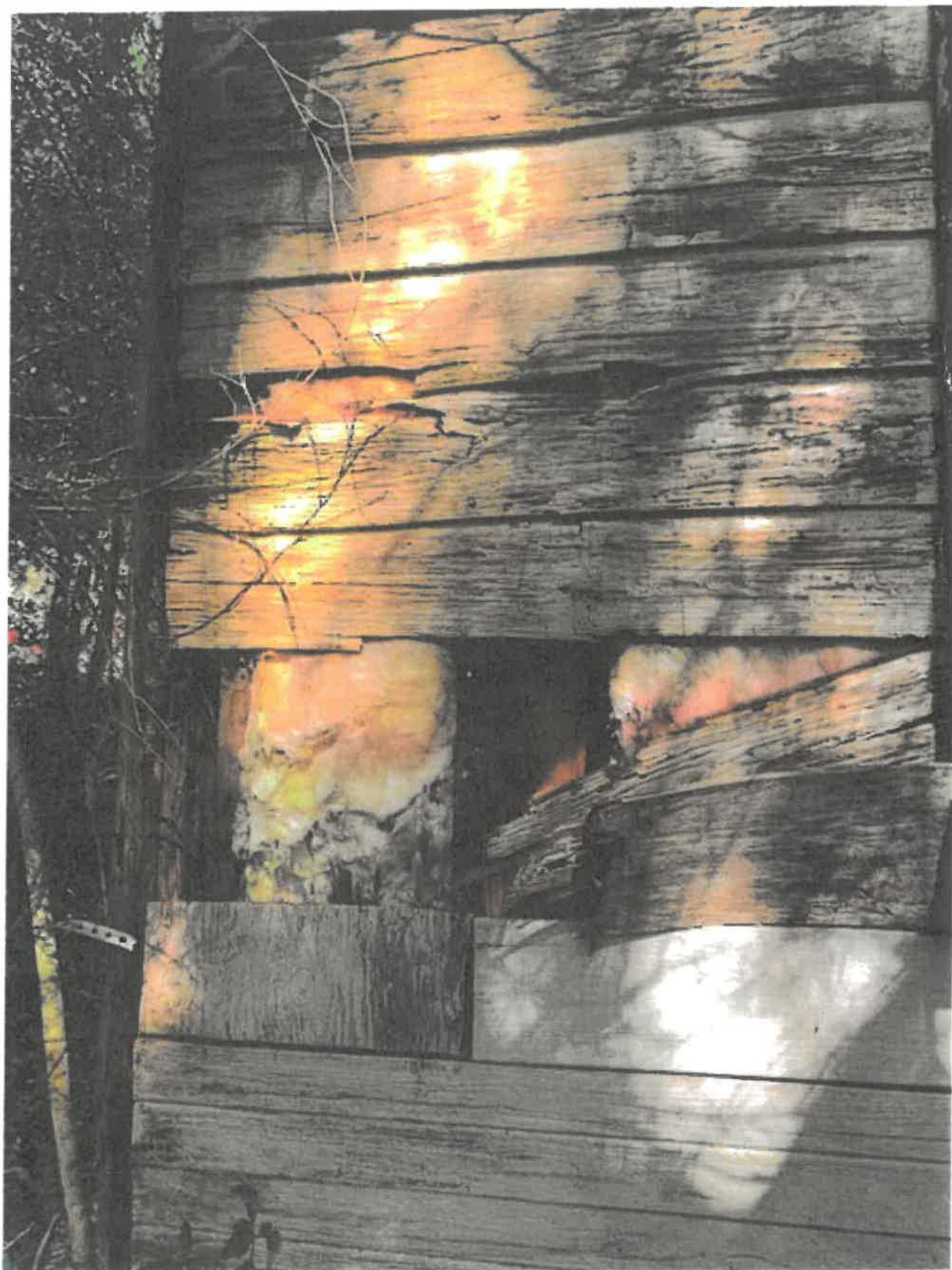
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

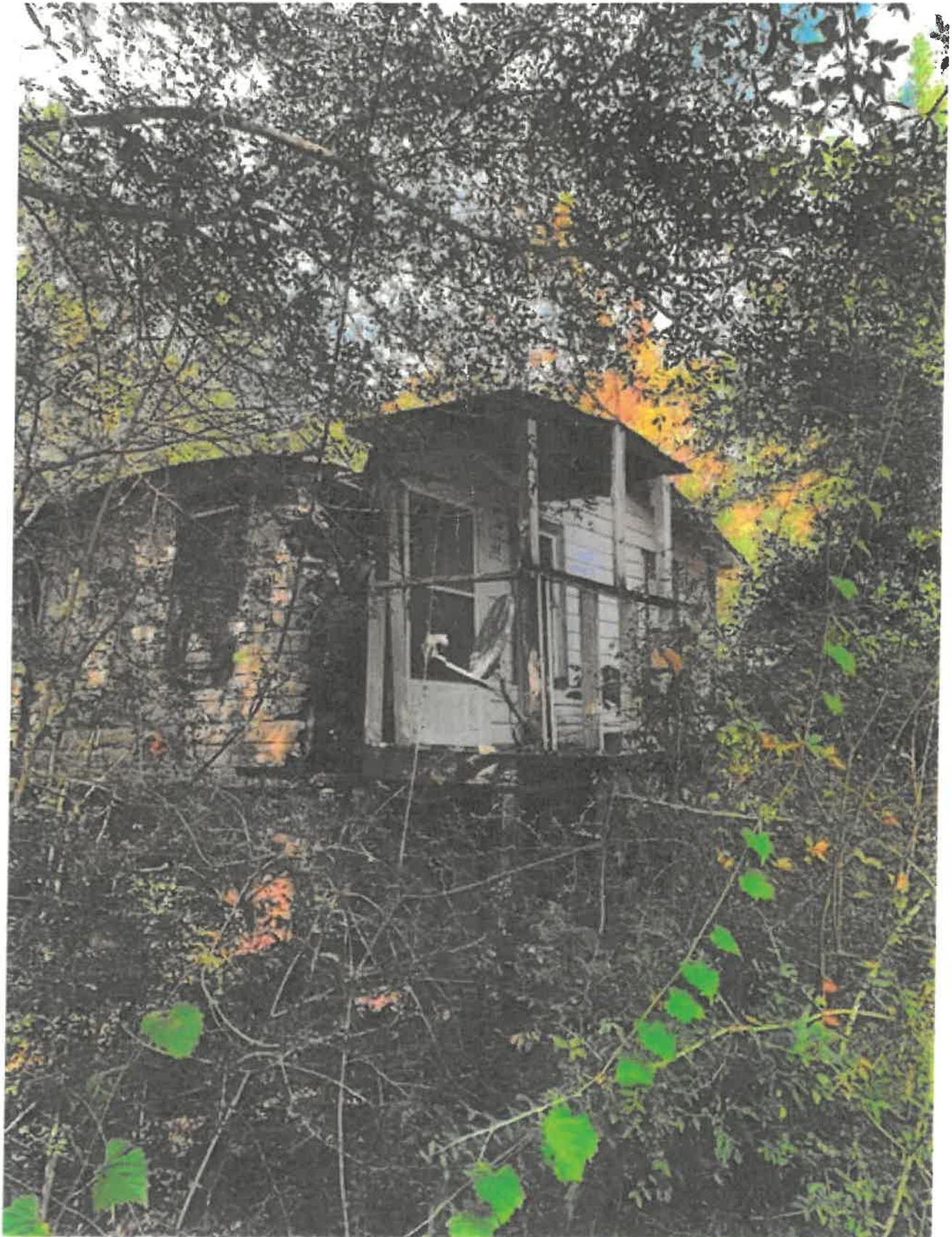
EXHIBIT # 314













**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



City of Crestview, Florida,

Petitioner,

vs.

Priscilla Robbins
P.O. Box 307
Mary Esther, FL 32569
Respondents.

Inst. #3520854 Bk: 3599 Pg: 3146
Page 1 of 3 Recorded: 1/19/2022 3:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK Jleibold
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1515

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on January 18, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Priscilla Robbins, whose last known mailing address is P.O. Box 307 Mary Esther, FL 32569, is the owner of the property located at 594 Benjamin Street, Crestview, FL 32536, AKA PIN# 20-3N-23-0830-0004-0230, and more particularly described as: FAIRVIEW LOT 23 BLK 4.
2. The conditions on the property consist of an unsafe structure and overgrown vegetation. The violation(s) were first observed on August 13, 2021. A Notice of Violation was mailed by certified mail November 2, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. (d), (k) of the City of Crestview's Code of Ordinances and requested correction of the violation by November 16, 2021. Re inspection of the property on November 16, 2021, confirmed that violation(s) continue to exist on the property.
3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18 (d), (k) of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before February 18, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before February 18, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove all vegetation exceeding twelve inches.
 - b. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property, or,
 - c. Obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.
10. If the violation(s) are not corrected by February 18, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents'

responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.

11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th of January 2022.

Samuel B. Taylor
Digitally signed by
Samuel B. Taylor
Date: 2022.01.19
13:31:05 -06'00'

Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW
BY: 
DATE: 1/19/2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Priscilla Robbins
P.O. Box 307
Mary Esther, FL 32569
Respondents.

Inst. #3595749 Bk: 3654 Pg: 3403
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1515

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on January 18, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Priscilla Robbins, whose last known mailing address is P.O. Box 307 Mary Esther, FL 32569, is the owner of the property located at 594 Benjamin Street, Crestview, FL 32536, AKA PIN# 20-3N-23-0830-0004-0230, and more particularly described as: FAIRVIEW LOT 23 BLK 4.
2. The conditions on the property consist of an unsafe structure and overgrown vegetation. The violation(s) were first observed on August 13, 2021. A Notice of Violation was mailed by certified mail November 2, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. (d), (k) of the City of Crestview's Code of Ordinances and requested correction of the violation by November 16, 2021. Re inspection of the property on November 16, 2021, confirmed that violation(s) continue to exist on the property.
3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18 (d), (k) of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before February 18, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before February 18, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove all vegetation exceeding twelve inches.
 - b. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property, or,
 - c. Obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.
10. If the violation(s) are not corrected by February 18, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents'

responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.

11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th of January 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.12.06 11:11:14
-06'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: W. Suzanne Schneider, MMC
City Clerk
DATE: 12-13-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Owner of Record: Leonard Lee 320 Forrest Parkway Crestview, FL 32539

Origination Date: 05/18/2021 Origination Code: Proactive

Violations: Chapter 38 Section 18 (b) – Trash/debris, Section 48 (a), (b) – Property exterior, Section 65 (b)- Wood Supports, (f)- Windows, (k)- Structural supports, (n)- Roofs, (p)- Chimneys, flues, and vent attachments, (q)- Overhang extensions, (u)- Rodent Harborage, (w)- Fences and Walls, Section 66 – Accessory Structures, Section 70 (a.2)- Structures in a state of disrepair, (b)- Abandoned equipment/furniture, (c)- Building exteriors. Chapter 70 Section 70-27 (7)- Refuse not acceptable for collection.

Corrective Action Required: a.) Remove all trash, debris, and solid waste from the property.

b.) Obtain structurally engineered plans in order to obtain a building permit and repair the wood supports, windows, structural supports, roof, flue, overhangs, and walls. Or obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.

Notice Sent: 07/20/2021 Signed: 07/21/2021 Compliance Date: 07/27/2021

Inspected: 08/04/2021 Results: In Violation

Notice Sent: 08/06/2021 Signed: 08/07/2021 Compliance Date: 08/19/2021

Inspected: 09/13/2021 Results: In Violation

Public Hearing Notice Sent: 09/14/2021 Signed: 09/15/2021

Hearing Date: 10/19/2021

Property remains in violation.

Order Recorded: 10/28/2021 **Re-recorded with wet stamp 11/18/2021**

Hearing fee: \$250 Due by 11/19/2021

Daily fine: \$250 Start: 11/19/2021

Fines: \$121,500 **as of March 20, 2023 (not including interest)**

Property Value: \$18,052

Related Properties:

Vacant Lot Cobb St 17-3N-23-2490-0130-0050 Leonard Lee

Case# 22-1146 In Compliance 8/30/2022

Case # 22-52 Hearing Date: February 15, 2022 Fines: \$83,250

Violations: Trash/Debris

490 MLK Ave 17-3N-23-2490-0077-0100 Heirs of Leonard C Lee

Case # 19-814 Hearing Date: November 17, 2020 Fines: \$166,000

Violation: Criteria to Demolish

EXHIBIT 5
CASE # 21- 1038
132 S BOOKER ST
TUESDAY, OCTOBER 19, 2021

BUILDING OFFICIAL DETERMINATION

6/7/21

MONTH/DAY/YEAR

1325 Booker St

ADDRESS/LOCATION OF VIOLATION

Unsafe structure. Possible structural issues and unsafe electrical.

NATURE OF VIOLATION(S) OBSERVED

Repair by deadline set by C.E., or if not repaired I recommend demolition. No side access granted. Structural engineer evaluation may be required.

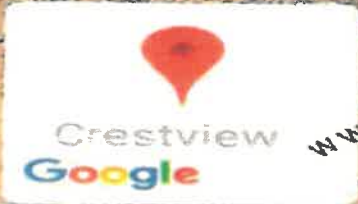
CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☒ FOUNDATION: possible floor system issues if owner did not let me inside
- ☒ WOOD SUPPORTS: same as above
- ☐ SKIRTING:
- ☒ EXTERIOR WALLS: Siding missing, has not been maintained
- ☒ WINDOWS: windows boarded up, several egress windows blocked off
- ☐ SHUTTERS:
- ☐ EXTERIOR DOORS:
- ☐ EXTERIOR DOOR FRAMES AND STOREFRONTS:
- ☒ EXTERIOR SURFACE TREATMENT: rotten siding, different materials not maintained
- ☒ STRUCTURAL SUPPORTS: possible roof structural issues no access granted inside to look at ceiling etc.
- ☐ PORCHES AND BALCONIES:
- ☐ STAIRS:
- ☒ ROOFS: roof not maintained, roof leaks
- ☐ GUTTERS AND DOWNSPOUTS:
- ☒ CHIMNEYS, FLUES, AND VENT ATTACHMENTS: Flue pipe for gas vent needs to be checked
- ☒ OVERHANG EXTENSIONS: overhangs not maintained, rot all around
- ☐ INSECT SCREENS:
- ☒ ACCESSORY STRUCTURES: not maintained and junk piled all around them
- ☐ SWIMMING POOLS:
- ☒ RODENT HARBORAGE: All trash piled up promotes rodent harborage
- ☒ EXTERIOR LIGHTING: unsafe electrical all around structure
- ☐ FENCES AND WALLS:


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

EXHIBIT # 5



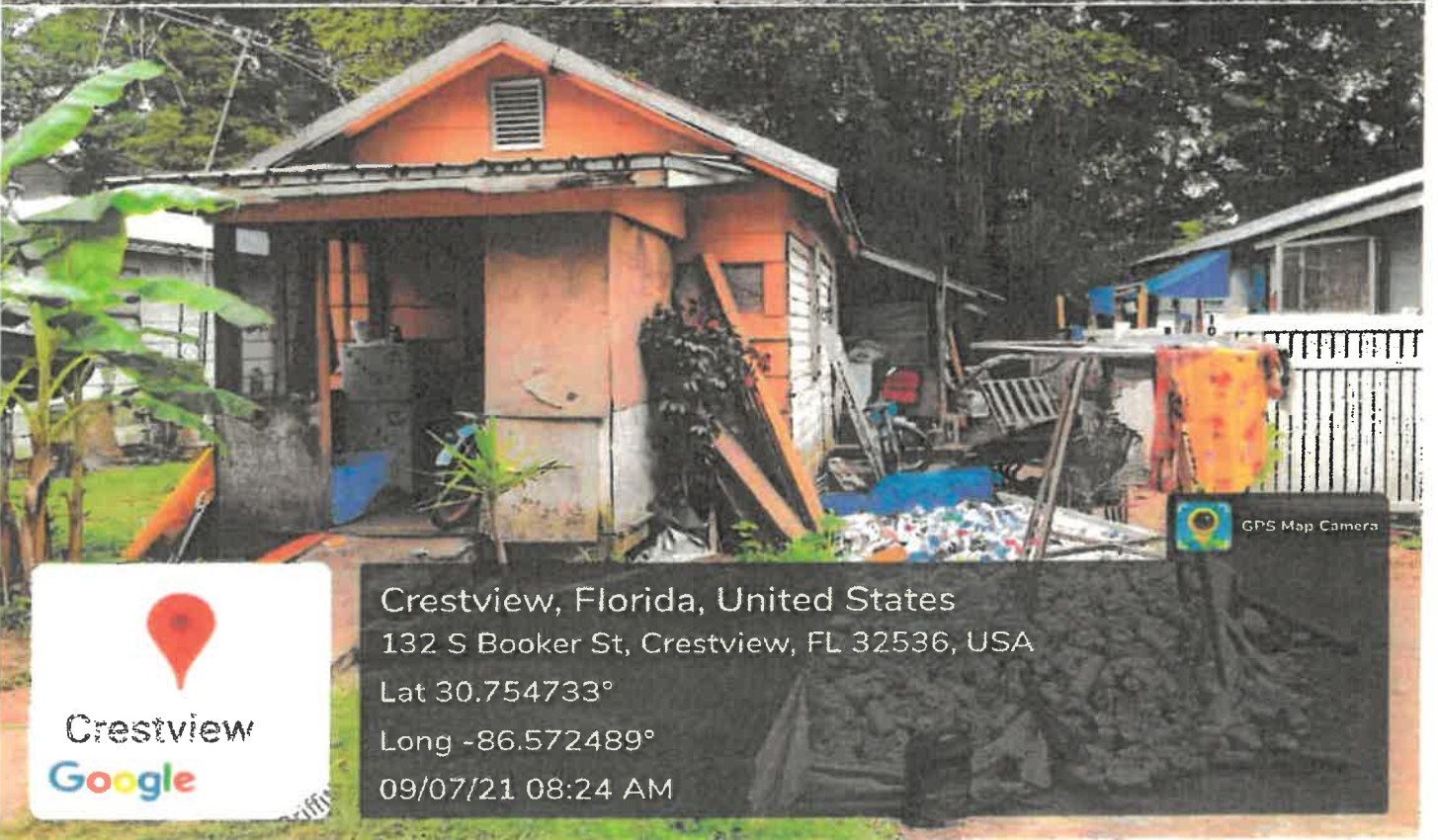
Crestview, Florida, United States
132 N Booker St, Crestview, FL 32536, USA
Lat N 30° 45' 17.1324"
Long W -86° 34' 21.4104"
18/05/21 01:20 PM



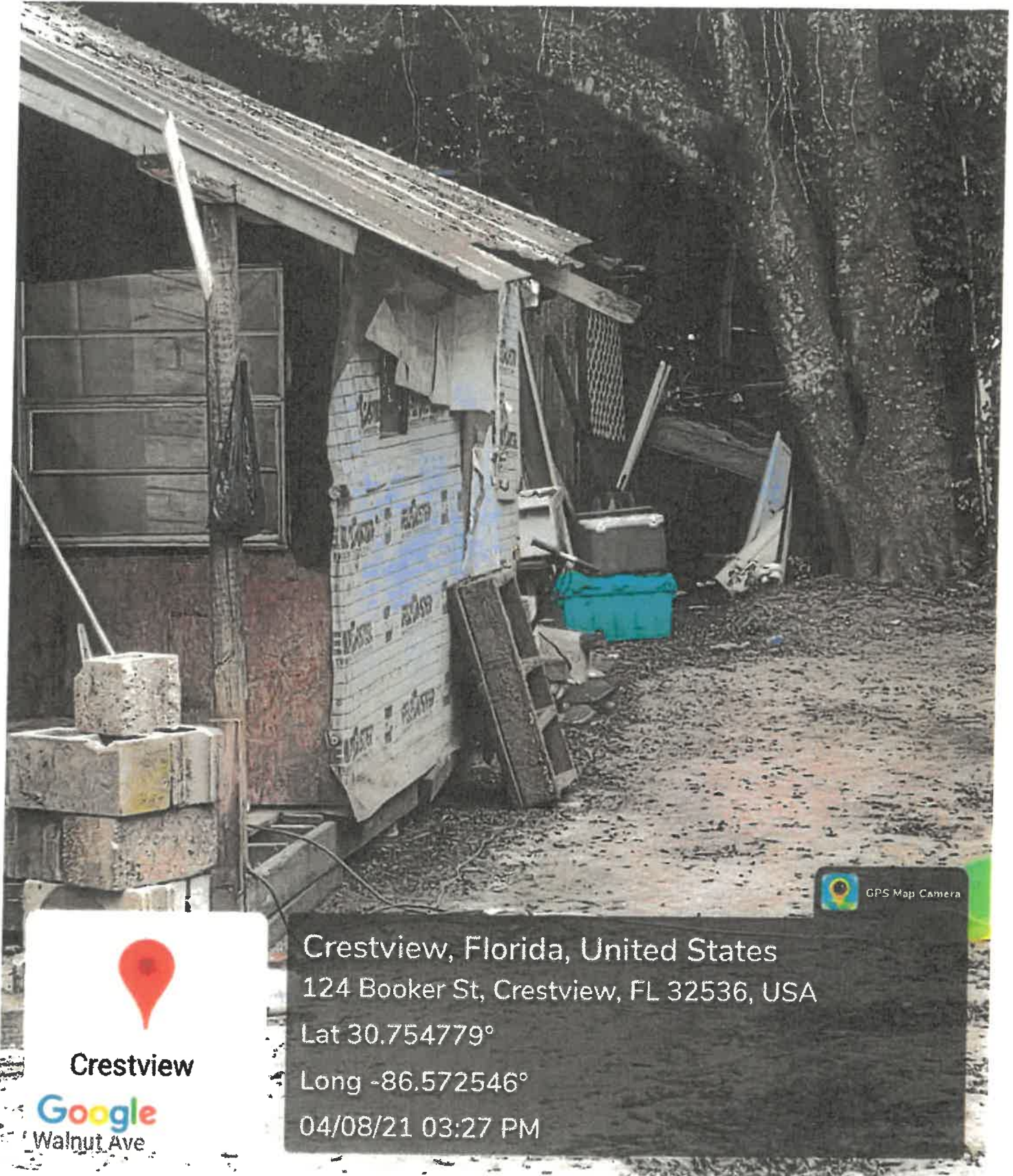
Crestview, Florida, United States
124 N Booker St, Crestview, FL 32536, USA
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Long W -86° 34' 21.684"
18/05/21 01:28 PM

EXHIBIT # 5







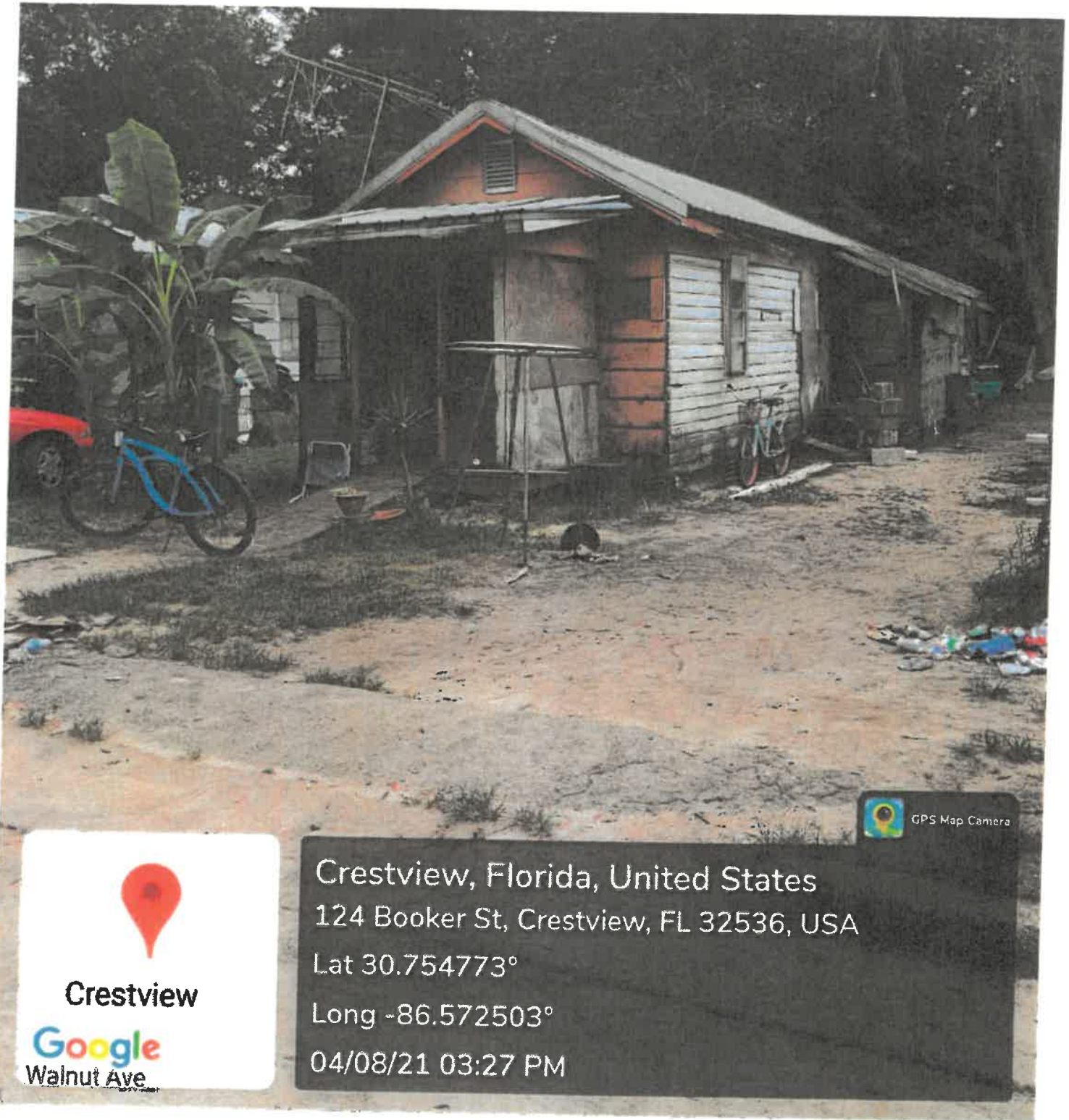


Crestview

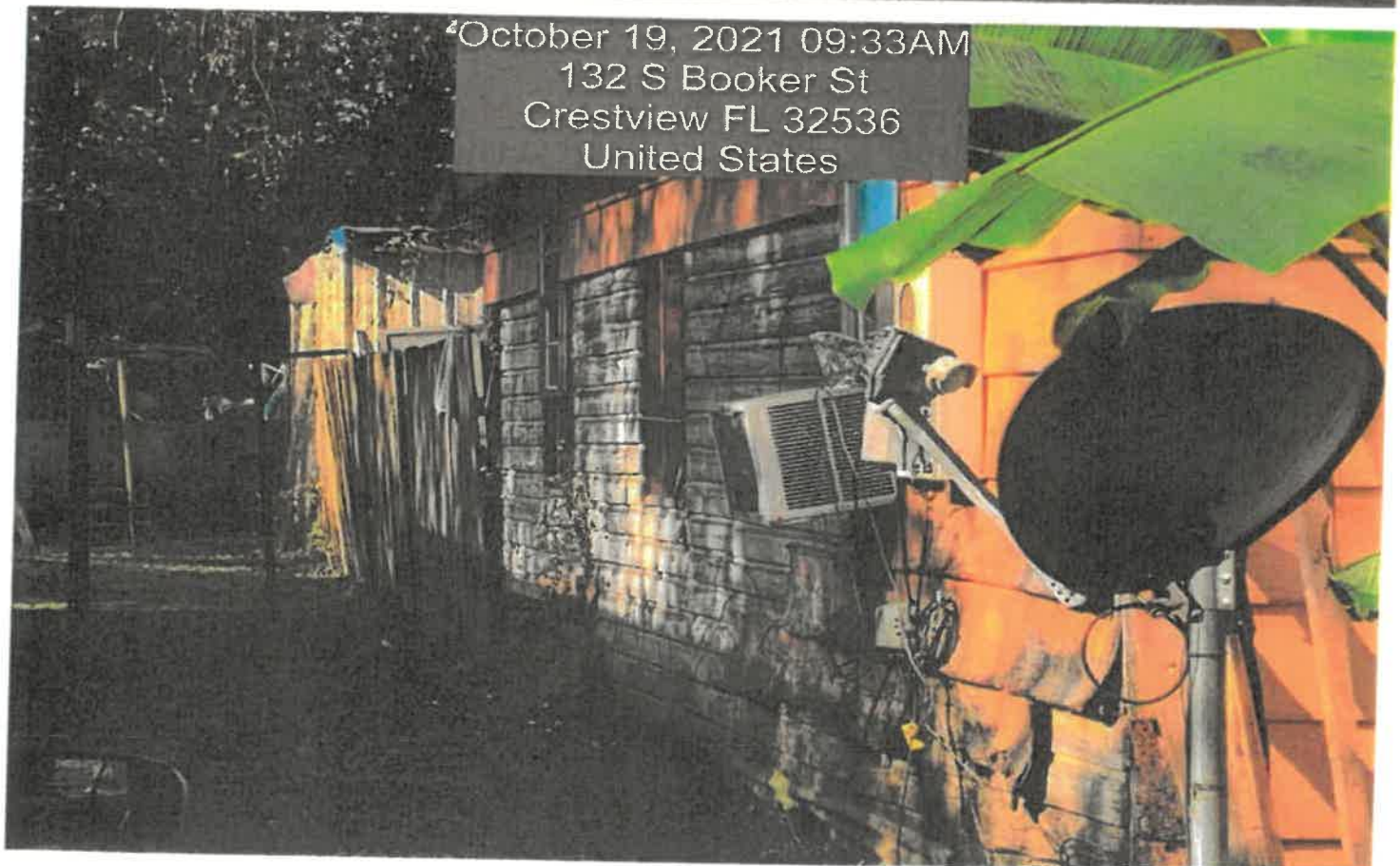
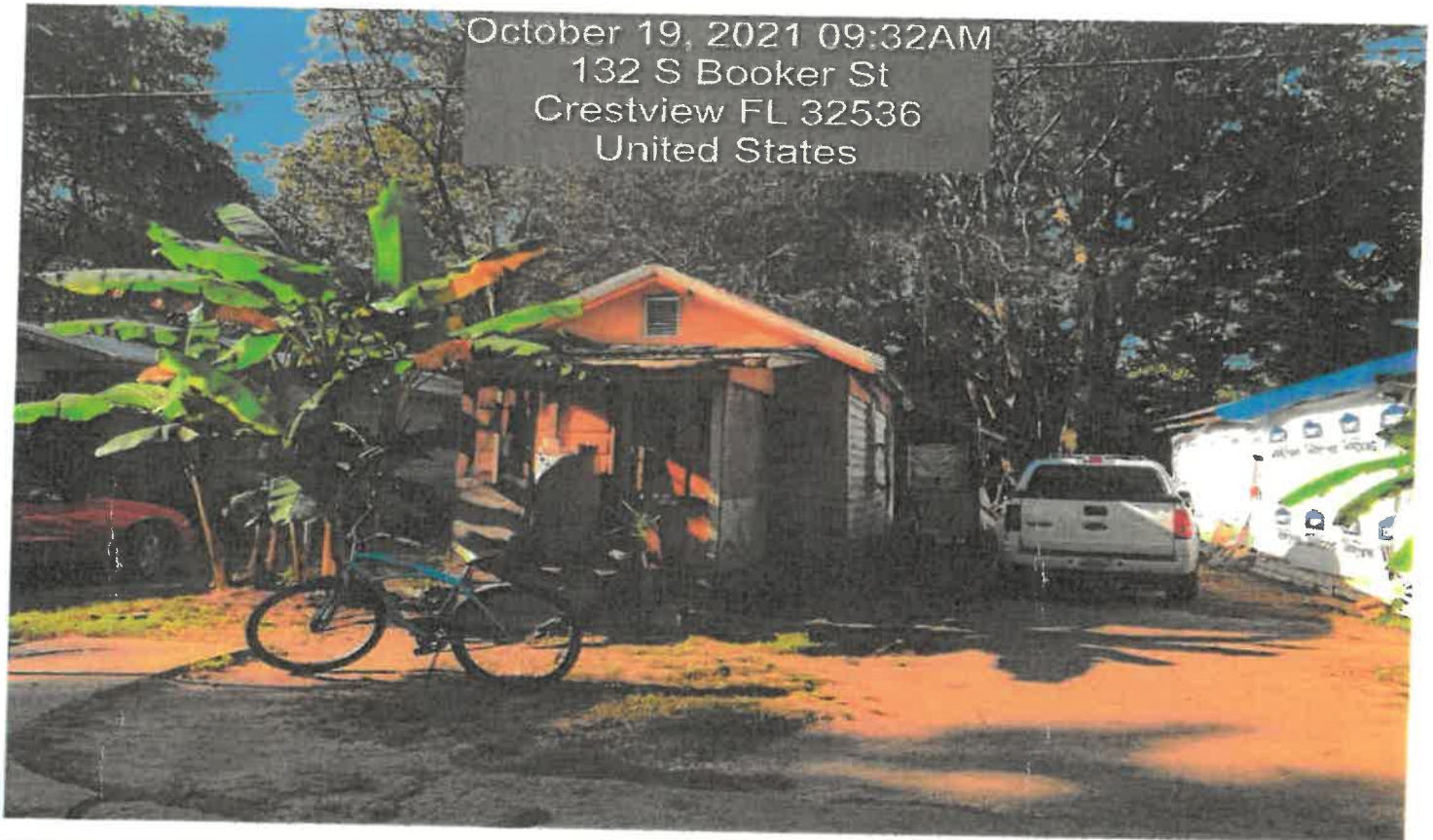
Google
Walnut Ave

Crestview, Florida, United States
124 Booker St, Crestview, FL 32536, USA
Lat 30.754779°
Long -86.572546°
04/08/21 03:27 PM

EXHIBIT # 5



Crestview, Florida, United States
124 Booker St, Crestview, FL 32536, USA
Lat 30.754773°
Long -86.572503°
04/08/21 03:27 PM



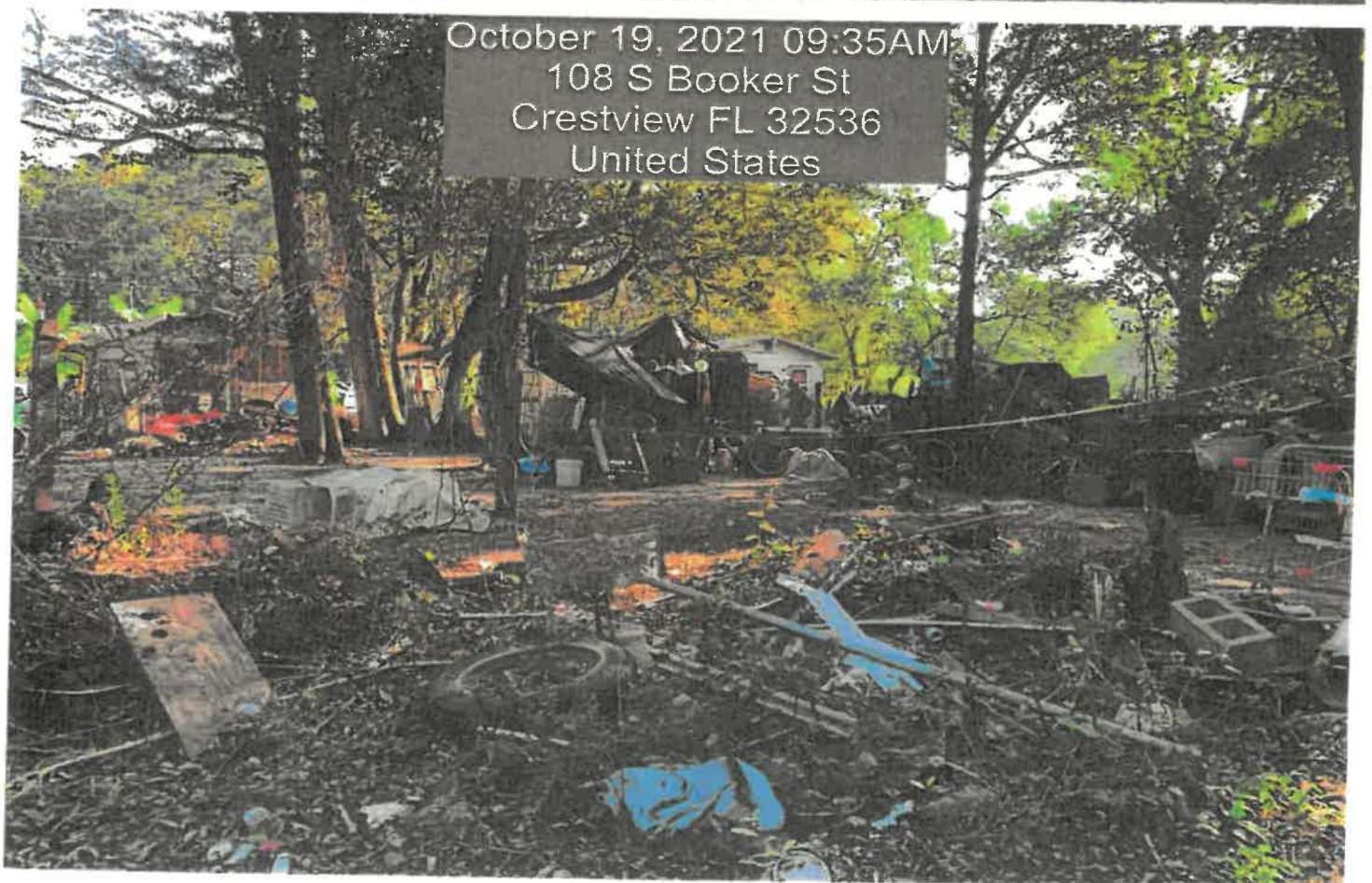
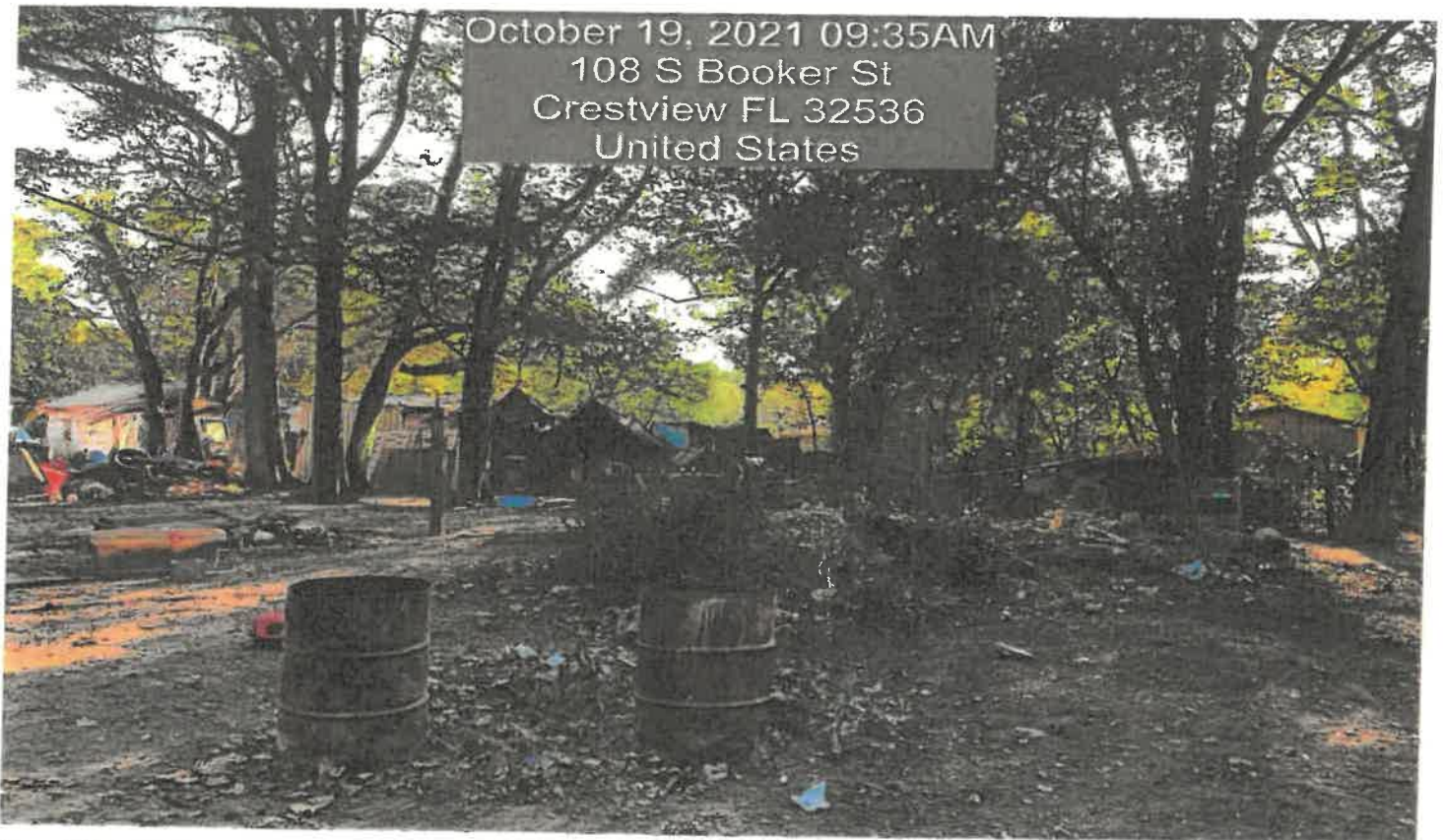


EXHIBIT # 5



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: July 13, 2021
Case #: 21-00001038

LEE LEONARD
320 FORREST PKWY
CRESTVIEW
CRESTVIEW, FL 325398586

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 132 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0076-0160
Legal: CRESTVIEW LOT 16 BLK 76, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **July 27, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Code Compliance Officer

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

VIOLATION: CH 38 SEC 18 (f) QUANTITY: 1
DESCRIPTION: OBNOXIOUS ODORS-CONDITIONS DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (f) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the odors, gases, smoke, ashes, fumes, chemical diffusion, or other odors from the property.

VIOLATION: CH 38 SEC 48 QUANTITY: 1
DESCRIPTION: PROPERTY EXTERIOR DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38-48 - Property exteriors.

(a) Property exteriors shall be free of trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment, and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe, and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

(b) No owner, operator, or tenant shall maintain premises, private or open to the public, upon which litter is

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

permitted, caused, allowed or existing in any manner as to be a sanitary nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by conducting the following action.

1. Remove the trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment, and any furniture, specifically not designed for outdoor use.

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 70 QUANTITY: 1
DESCRIPTION: UNSIGHTLY CONDITIONS DATE: 5/18/21
LOCATION:

EXHIBIT # 5

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.70 - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

(1) Partially destroyed; or

(2) Left in a state of disrepair; or

(3) Left in a state of partial construction beyond the valid timeframe of the permit.

(b) Abandoned or broken equipment; broken or discarded furniture and household appliances in visible yard areas.

CODE

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(d) Garbage and trash containers stored in a manner visible from the street.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

(f) Where buildings in any zoning district are destroyed by fire, disaster or other acts of God, the requirements of this section and the Land Development Code shall apply.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 5

VIOLATION: CH 38 SEC 65 SUPPORTS
DESCRIPTION: WOOD OR METAL SUPPORTS
LOCATION:

QUANTITY: 1
DATE: 6/08/21

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(b) Wood supports shall be sound and free from insect infestation and rot.

(c) Metal supports and connections shall be free from rust and the equivalent of new supports.

(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Replace the wood or metal supports that are rusty or rotten.

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.66 - Accessory structures.

Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition. Structures attached or unattached, to

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the Building Official. Maintenance of accessory structures shall comply with the following:

(a) The exterior of the building and premises to include but not limited to parking areas and landscaped areas shall be maintained in a sound, clean and neat condition.

(b) Signs shall be maintained in good condition. Where the sign structure remains, the sign faces are to be replaced with blank panels (permit required). The design and color are subject to approval by the Building Official.

(c) All advertising structures, awnings and accompanying supporting members shall be maintained in good repair and shall not constitute a nuisance or safety hazard. Advertising structures or awnings not properly maintained in accordance with this subsection shall be removed. Awnings or marquees made of cloth, plastic or a similar material shall not show evidence of tearing, ripping or holes. Upon removal of an advertising structure, such as a sign, all supporting members shall be removed. Awnings must be repaired or replaced to original condition. Where supporting members have been left from sign removal prior to adoption of the ordinance from which this chapter is derived, such supporting members shall be removed within three (3) months of the effective date of such ordinance. Nothing in this subsection shall be construed to authorize any encroachments on streets, sidewalks, or other parts of the public right-of-way.

(d) Where parking areas are to be barricaded to prohibit vehicular travel, it shall be accomplished by installation of parking bumpers pinned to the pavement.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by

VIOLATION: CH 38 SEC 65 FENCES-WALLS QUANTITY: 1
DESCRIPTION: FENCES & WALLS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

(w) Fences and walls: Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the fence, or wall.

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: GUTTERS-CHIMNEYS-OVERHANGS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(o) Gutters and downspouts: Gutters and downspouts shall be maintained in good repair, and securely installed. Water run-off shall be contained on the property and shall not run-off onto adjacent properties.

(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the gutter, downspout, chimney-flue, vent attachment, or overhang extension.

For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product. Please call Elizabeth Roy @ 850-682-1560, for information pertaining to the Downtown Overlay District.

VIOULATION: CH 38 SEC 65 ROOFS	QUANTITY: 1
DESCRIPTION: ROOFS	DATE: 6/08/21
LOCATION:	

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 18 & 65 QUANTITY: 1
DESCRIPTION: VERMIN-RATS-MICE-PESTS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :
CHAPTER 38- PROPERTY MAINTENANCE AND HOUSING STANDARDS

38.18 - NUISANCE CONDITIONS.

(c) Any condition that provides harborage for rats, mice, snakes, other vermin, or pests except on pristine lots and in preserve areas.

38.65 - STANDARDS FOR IMPROVED PROPERTY

(u) Rodent harborage: All structures and exterior premises shall be kept free from rodent harborage and infestation. Where rodents are found, the owner shall promptly exterminate rodents through a process which will not be injurious to human health.

CORRECTIVE ACTION REQUIRED :
You may abate the violation(s) by removing the rats, mice, snakes, other vermin, or pests from the property.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :
38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof.
Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

EXHIBIT # 5

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only
 For delivery information, visit our website at www.usps.com®

7020 1290 0001 5682 0058

Certified Mail Fee \$3.60
 Services & Fees (check box, add fee to postage)
☒ Return Receipt (hardcopy) \$2.15
☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Required
☐ Adult Signature Restricted Delivery
 Postage \$0.51
 Total Postage and Fees \$6.96

Postmark Here
 JUL 20 2021
 32539
 USPS

Sent To: LEONARD LEE
 320 FORREST PKWY
 CRESTVIEW, FL 32539

PS Form 3811, July 2020 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: LEONARD LEE 320 FORREST PKWY CRESTVIEW, FL 32539	A. Signature X  B. Received by (Printed Name) C. Date of Delivery 7-21-21 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No		
Article Number 7020 1290 0001 5682 0058	3. Service Type <table border="0"> <tr> <td> ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail Restricted Delivery (over \$500) </td> <td> ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail Restricted Delivery (over \$500)	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail Restricted Delivery (over \$500)	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		

S Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT # 5

[FAQs >](#)

Track Another Package +

Tracking Number: 70201290000156820058[Remove X](#)

Your item was delivered to an individual at the address at 12:33 pm on July 21, 2021 in CRESTVIEW, FL 32539.

Delivered, Left with Individual

July 21, 2021 at 12:33 pm
CRESTVIEW, FL 32539

[Feedback](#)**Get Updates** 

Text & Email Updates

Tracking History**July 21, 2021, 12:33 pm****Delivered, Left with Individual****CRESTVIEW, FL 32539**

Your item was delivered to an individual at the address at 12:33 pm on July 21, 2021 in CRESTVIEW, FL 32539.

July 21, 2021, 12:30 pm**Notice Left (No Authorized Recipient Available)****CRESTVIEW, FL 32539****EXHIBIT # 5**



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: August 5, 2021

Case #: 21-00001038

**LEE LEONARD
320 FORREST PKWY
CRESTVIEW, FL 325398586**

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 132 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0076-0160
Legal: CRESTVIEW LOT 16 BLK 76, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **August 19, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

**Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org**

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

VIOLATION: CH 38 SEC 18 (f) QUANTITY: 1
DESCRIPTION: OBNOXIOUS ODORS-CONDITIONS DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (f) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches..

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the odors, gases, smoke, ashes, fumes, chemical diffusion, or other odors from the property.

VIOLATION: CH 38 SEC 48 QUANTITY: 1
DESCRIPTION: PROPERTY EXTERIOR DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38-48 - Property exteriors.

(a) Property exteriors shall be free of trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment, and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe, and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

(b) No owner, operator, or tenant shall maintain premises, private or open to the public, upon which litter is

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

permitted, caused, allowed or existing in any manner as to be a sanitary nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by conducting the following action.

1. Remove the trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment, and any furniture, specifically not designed for outdoor use.

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 5/18/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 70 QUANTITY: 1
DESCRIPTION: UNSIGHTLY CONDITIONS DATE: 5/18/21
LOCATION:

EXHIBIT # 5

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.70 - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

(1) Partially destroyed; or

(2) Left in a state of disrepair; or

(3) Left in a state of partial construction beyond the valid timeframe of the permit.

(b) Abandoned or broken equipment; broken or discarded furniture and household appliances in visible yard areas.

CODE

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(d) Garbage and trash containers stored in a manner visible from the street.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

(f) Where buildings in any zoning district are destroyed by fire, disaster or other acts of God, the requirements of this section and the Land Development Code shall apply.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 5

VIOLATION: CH 38 SEC 65 SUPPORTS
DESCRIPTION: WOOD OR METAL SUPPORTS
LOCATION:

QUANTITY: 1
DATE: 6/08/21

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(b) Wood supports shall be sound and free from insect infestation and rot.

(c) Metal supports and connections shall be free from rust and the equivalent of new supports.

(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Replace the wood or metal supports that are rusty or rotten.

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.66 - Accessory structures.

Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition. Structures attached or unattached, to

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the Building Official. Maintenance of accessory structures shall comply with the following:

(a) The exterior of the building and premises to include but not limited to parking areas and landscaped areas shall be maintained in a sound, clean and neat condition.

(b) Signs shall be maintained in good condition. Where the sign structure remains, the sign faces are to be replaced with blank panels (permit required). The design and color are subject to approval by the Building Official.

(c) All advertising structures, awnings and accompanying supporting members shall be maintained in good repair and shall not constitute a nuisance or safety hazard. Advertising structures or awnings not properly maintained in accordance with this subsection shall be removed. Awnings or marquees made of cloth, plastic or a similar material shall not show evidence of tearing, ripping or holes. Upon removal of an advertising structure, such as a sign, all supporting members shall be removed. Awnings must be repaired or replaced to original condition. Where supporting members have been left from sign removal prior to adoption of the ordinance from which this chapter is derived, such supporting members shall be removed within three (3) months of the effective date of such ordinance. Nothing in this subsection shall be construed to authorize any encroachments on streets, sidewalks, or other parts of the public right-of-way.

(d) Where parking areas are to be barricaded to prohibit vehicular travel, it shall be accomplished by installation of parking bumpers pinned to the pavement.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by

VIOLATION: CH 38 SEC 65 FENCES-WALLS QUANTITY: 1
DESCRIPTION: FENCES & WALLS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

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CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

(w)Fences and walls: Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the fence, or wall.

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: GUTTERS-CHIMNEYS-OVERHANGS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(o) Gutters and downspouts: Gutters and downspouts shall be maintained in good repair, and securely installed. Water run-off shall be contained on the property and shall not run-off onto adjacent properties.

(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the gutter, downspout, chimney-flue, vent attachment, or overhang extension.

For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product. Please call Elizabeth Roy @ 850-682-1560, for information pertaining to the Downtown Overlay District.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 5

CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 18 & 65 QUANTITY: 1
DESCRIPTION: VERMIN-RATS-MICE-PESTS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

CHAPTER 38- PROPERTY MAINTENANCE AND HOUSING STANDARDS

38.18 - NUISANCE CONDITIONS.

(c) Any condition that provides harborage for rats, mice, snakes, other vermin, or pests except on pristine lots and in preserve areas.

38.65 - STANDARDS FOR IMPROVED PROPERTY

(u) Rodent harborage: All structures and exterior premises shall be kept free from rodent harborage and infestation. Where rodents are found, the owner shall promptly exterminate rodents through a process which will not be injurious to human health.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by removing the rats, mice, snakes, other vermin, or pests from the property.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 6/08/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

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CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof.

Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more

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CASE NUMBER 21-00001038
PROPERTY ADDRESS 132 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

EXHIBIT # 5

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee: 3.60
 Return Receipt (hardcopy): 2.85
☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
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☐ Adult Signature Restricted Delivery

Postage: 0.51
 Total Postage and Fees: 6.96

Postmark Here: **CRESTVIEW FL 32539**
21-1038

Sender: **LEE LEONARD**
320 FORREST PKWY
CRESTVIEW, FL 32539

PS Form 3800, April 2015 PSN 7530-02-500-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature ☒ Signature ☐ Address B. Received by (Printed Name) C. Date of Delivery 8-11-21 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No
1. Article Addressed to: LEE LEONARD 320 FORREST PKWY CRESTVIEW, FL 32539	3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Mail Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
2. Article Number (Transfer from service label) 7020 1290 0001 5682 1543	

9590 9402 6373 0303 1248 95

PS Form 3811, July 2020 PSN 7530-02-500-9053 Domestic Return Receipt

EXHIBIT # 5

[FAQs >](#)[Track Another Package +](#)**Tracking Number:** 70201290000156821543[Remove X](#)

Your item was delivered to an individual at the address at 1:08 pm on August 7, 2021 in CRESTVIEW, FL 32539.

Delivered, Left with Individual

August 7, 2021 at 1:08 pm
CRESTVIEW, FL 32539

[Feedback](#)[Get Updates](#) 

Text & Email Updates

Tracking History**August 7, 2021, 1:08 pm**

Delivered, Left with Individual
CRESTVIEW, FL 32539

Your item was delivered to an individual at the address at 1:08 pm on August 7, 2021 in CRESTVIEW, FL 32539.

August 7, 2021, 1:06 pm

Notice Left (No Authorized Recipient Available)
CRESTVIEW, FL 32539

EXHIBIT # 5



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 9/1/2021

**Leonard Lee
320 Forrest Parkway
Crestview, FL 32539**

RE: CASE# 21-1038

Dear Property Owner:

You are hereby formally notified that on October 19, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 132 S Booker Street, Crestview, FL 32536 more particularly described as:

PIN# 17-3N-23-2490-0076-0160 LEGAL DESCRIPTION: CRESTVIEW LOT 16 BLK 76

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Encl: Notice of Violation

EXHIBIT # 5

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,

A handwritten signature in blue ink that reads "Deborah Lawson". The signature is written in a cursive style with a large, looped "D" at the beginning.

Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

EXHIBIT # 5

STATEMENT OF VIOLATION

Code of Ordinance Violated: Chapter 38 Section 18 Nuisance Conditions (b)

(b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

Corrective Action Required: The violation may be abated by removing all garbage, cans, appliances, and furniture from the property.

Code of Ordinance Violated: Chapter 38 Section 48 Property Exterior (a), (b)

(a) Property exteriors shall be free of trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment, and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe, and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

(b) No owner, operator, or tenant shall maintain premises, private or open to the public, upon which litter is permitted, caused, allowed or existing in any manner as to be a sanitary nuisance.

Corrective Action Required: The violation may be abated by removing all litter, debris, solid waste, appliances, equipment, and household furniture from the property.

Code of Ordinance Violated: Chapter 38 Section 65 (b), (f), (k), (n), (p), (q), (u), (w)

(b) Wood supports shall be sound and free from insect infestation and rot.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation.

(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust.

(u) Rodent Harborage: All structures and exterior premises shall be kept free from rodent harborage and infestation. Where rodents are found, the owner shall promptly exterminate rodents through a process which will not be injurious to human health.

(w) Fences and walls: Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted.

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CASE # 21-1038
132 S Booker Street

Corrective Action Required: The violations may be abated by obtaining a building permit and repairing the wood supports, windows, structural supports, roof, flue, overhangs, and walls.

Code of Ordinance Violated: Chapter 38 Section 66

Accessory Structures: Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition, Structures attached or unattached, to the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the Building Official.

Corrective Action Required: a.) Obtain a building permit and repair the accessory structure.
b.) Obtain a demolition permit and demolish the accessory structure. Remove all demolition debris from the property.

Code of Ordinance Violated: Chapter 38 Section 70 Unsightly Conditions (a) (2), (b), (c),

(a) Structures that are:

(2) Left in a state of disrepair

(b) Abandoned or broken equipment; broken or discarded furniture and household appliances in visible yard areas.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

Corrective Action Required: Obtain the proper permits and repair the structure. Remove the discarded appliances from the property.

Code of Ordinance Violated: Chapter 70 Section 27 Solid Waste- Refuse not Acceptable for Collection (7)
Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse.

(7) Animal waste, dead animals, or tires.

Corrective Action Required: The violation may be abated by removing all tires and solid waste from the property.

EXHIBIT # 5

CE

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

Postmark Here
SEP 14 2021

Send to **LEONARD LEE**
 Street, Apt. No., or PO Box No. **320 FORREST PKWY**
 City, State, ZIP+4[®] **CRESTVIEW, FL 32539**

PS Form 3800, August 2006 See Reverse for Instructions

7011 3500 0000 9133 0476

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>MLN</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>C-19</i> C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No		
1. Article Addressed to: LEONARD LEE 320 FORREST PKWY CRESTVIEW, FL 32539  9590 9402 6373 0303 1228 60	3. Service Type <table border="0"> <tr> <td> ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail[®] ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery </td> <td> ☐ Priority Mail Express[®] ☐ Registered Mail[™] ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation[™] ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail [®] ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	☐ Priority Mail Express [®] ☐ Registered Mail [™] ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation [™] ☐ Signature Confirmation Restricted Delivery
☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail [®] ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	☐ Priority Mail Express [®] ☐ Registered Mail [™] ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation [™] ☐ Signature Confirmation Restricted Delivery		
2. Article Number (Transfer from service label) 7011 3500 0000 9133 0476	4a. Mail Restricted Delivery ☐		

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT # 5



[FAQs >](#)

Track Another Package +

Tracking Number: 70113500000091330476

[Remove X](#)

Your item was delivered to an individual at the address at 6:50 pm on September 15, 2021 in CRESTVIEW, FL 32536.

 **Delivered, Left with Individual**

September 15, 2021 at 6:50 pm
CRESTVIEW, FL 32536

Get Updates 

Text & Email Updates



Tracking History



Product Information



See Less 

EXHIBIT # 5

Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.

BUILDING OFFICIAL DETERMINATION

6/7/21

MONTH/DAY/YEAR

132 S Booker St

ADDRESS/LOCATION OF VIOLATION

Unsafe structure. Possible structural issues and unsafe electrical.

NATURE OF VIOLATION(S) OBSERVED

Repair by deadline set by C.E., or if not repaired I recommend demolition. No
CORRECTIVE ACTION(S) REQUIRED
inside access granted. Structural engineer evaluation may be required.

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☒ FOUNDATION: possible floor system issues & owner did not let me inside
- ☒ WOOD SUPPORTS: same as above
- ☐ SKIRTING:
- ☒ EXTERIOR WALLS: siding missing, has not been maintained
- ☒ WINDOWS: windows boarded up, several egress windows blocked off
- ☐ SHUTTERS:
- ☐ EXTERIOR DOORS:
- ☐ EXTERIOR DOOR FRAMES AND STOREFRONTS:
- ☒ EXTERIOR SURFACE TREATMENT: rotten siding, different materials not maintained
- ☒ STRUCTURAL SUPPORTS: possible roof structural issues no access granted inside to look at ceiling area
- ☐ PORCHES AND BALCONIES:
- ☐ STAIRS:
- ☒ ROOFS: roof not maintained, roof leaks
- ☐ GUTTERS AND DOWNSPOUTS:
- ☒ CHIMNEYS, FLUES, AND VENT ATTACHMENTS: Flue pipe for gas vent needs to be checked
- ☒ OVERHANG EXTENSIONS: overhangs not maintained, rot all around
- ☐ INSECT SCREENS:
- ☒ ACCESSORY STRUCTURES: not maintained and junk piled all around them
- ☐ SWIMMING POOLS:
- ☒ RODENT HARBORAGE: All trash piled up promotes rodent harborage
- ☒ EXTERIOR LIGHTING: unsafe electrical all around structure
- ☐ FENCES AND WALLS:

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

EXHIBIT # 5A



EXHIBIT # 5A



EXHIBIT # 5A



EXHIBIT # 5A

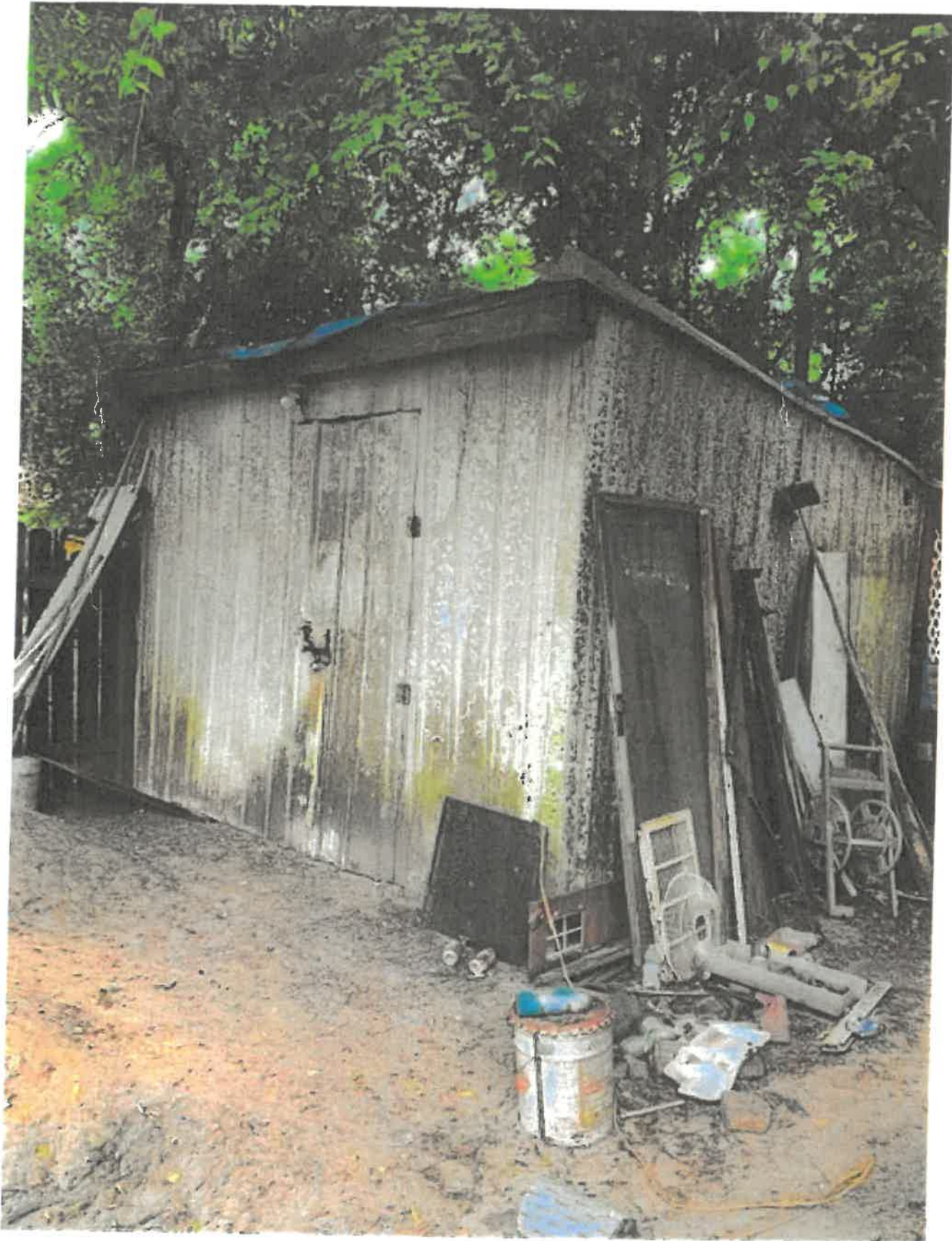


EXHIBIT # 5A



EXHIBIT # 5A

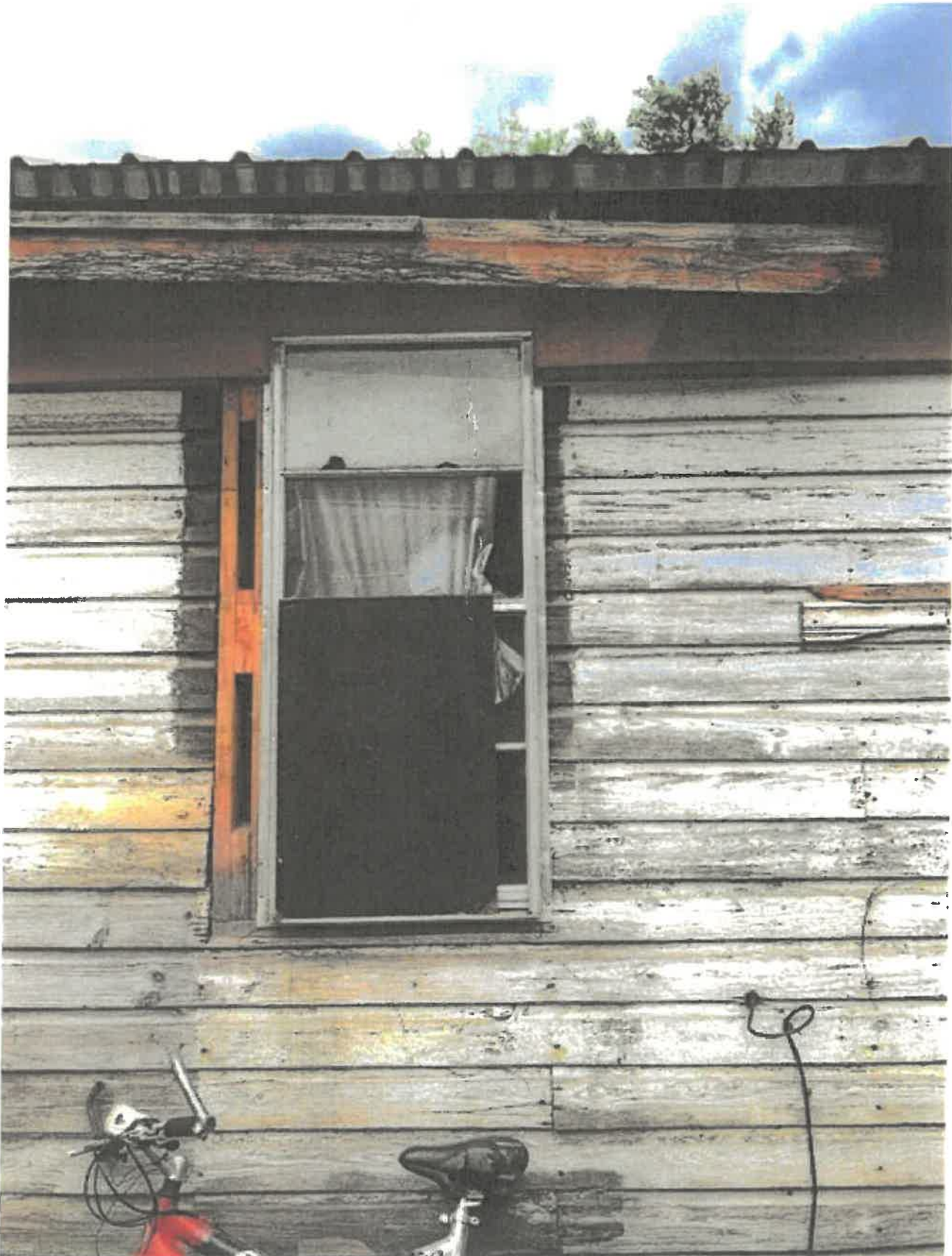


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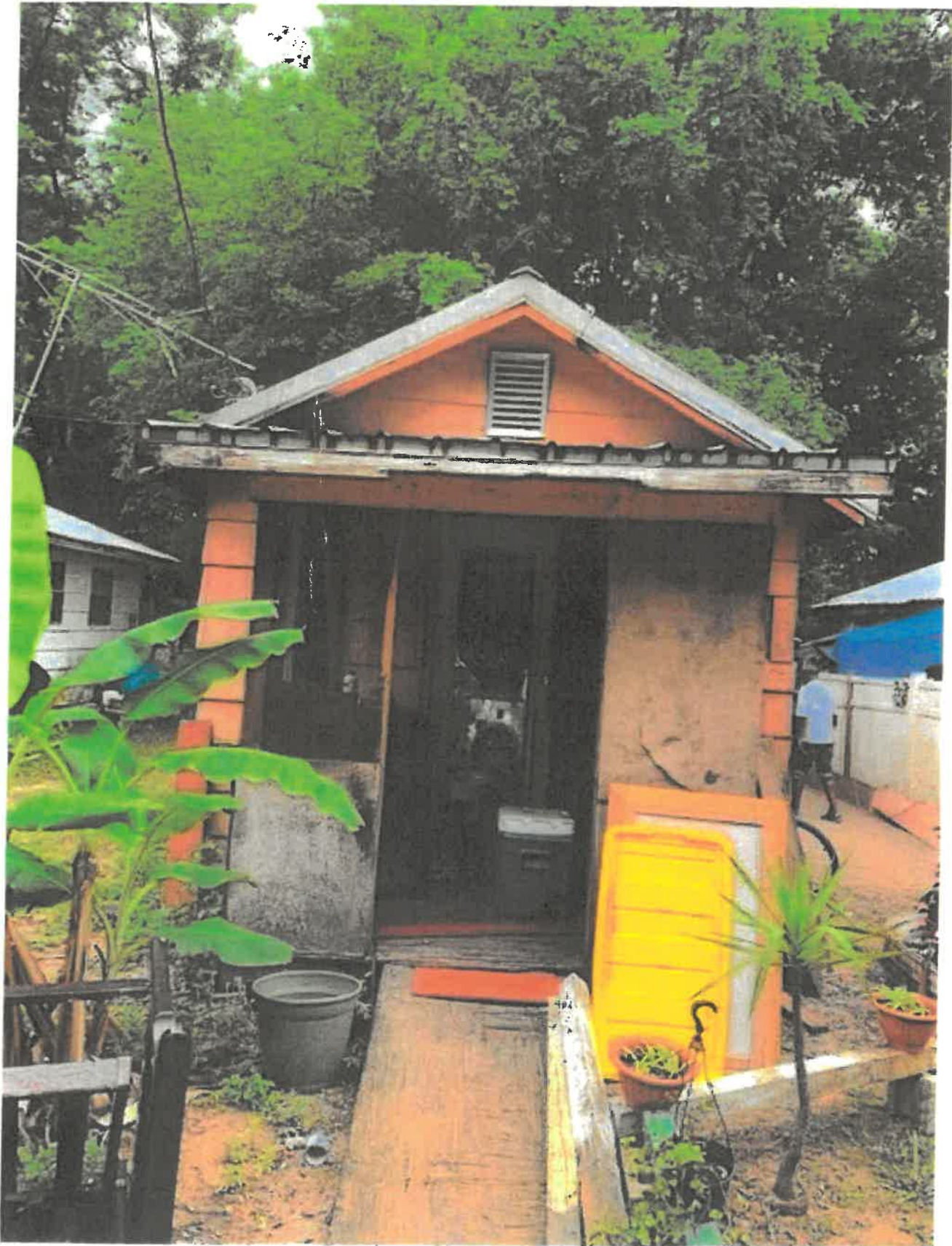


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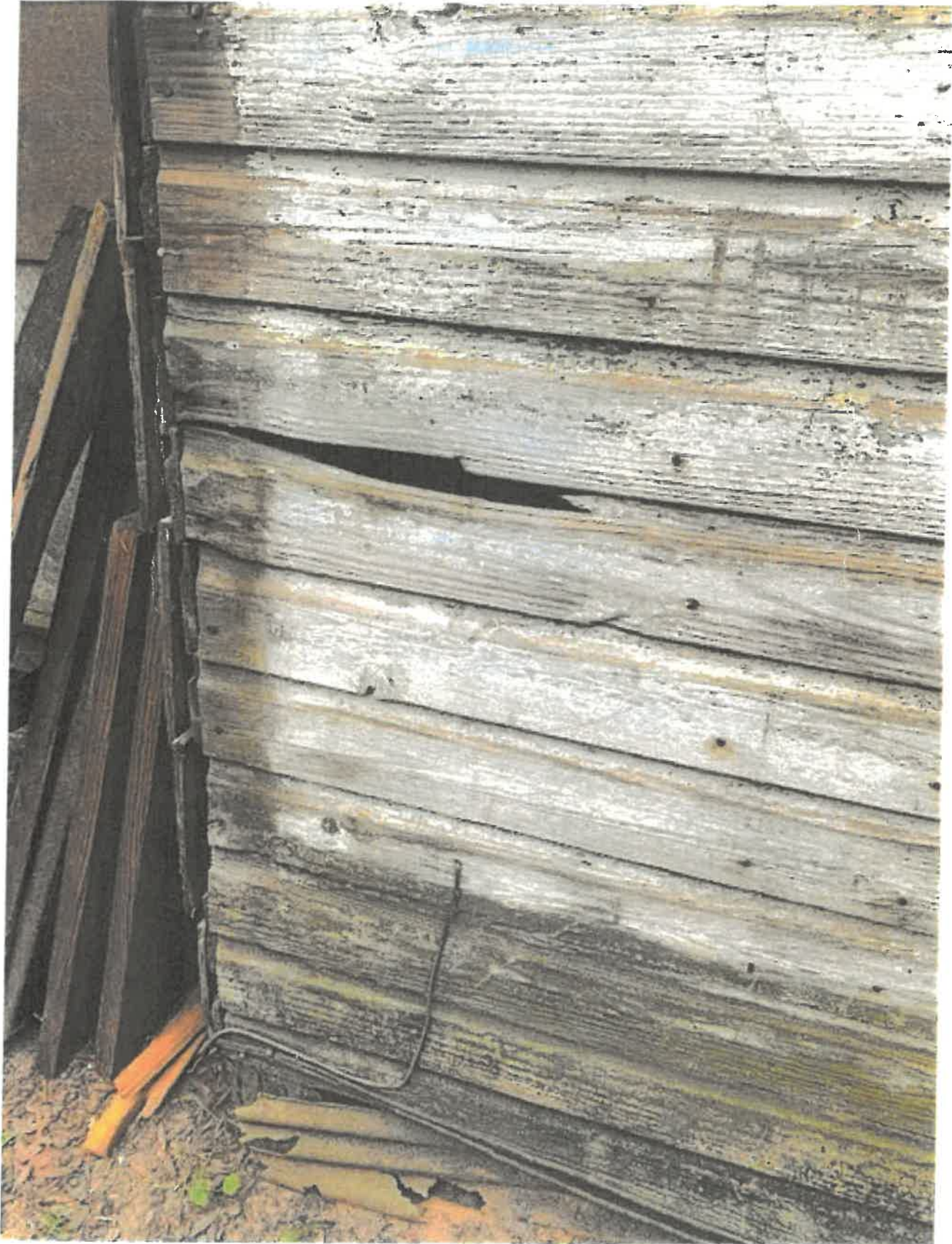


EXHIBIT # 5A

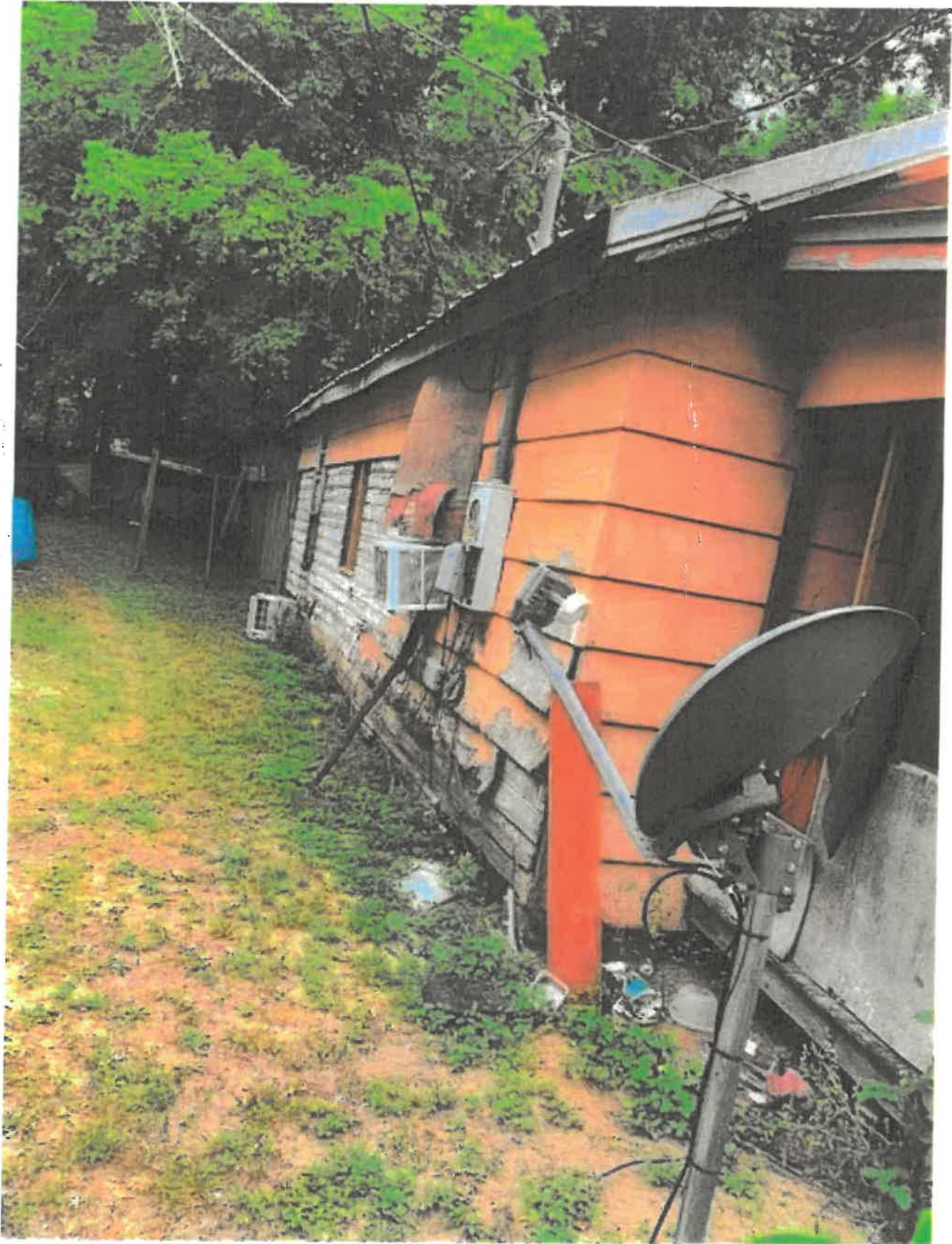


EXHIBIT # 5A



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
*198 Wilson Street North
Crestview, FL 32536*



City of Crestview, Florida,

Petitioner,

vs.

Leonard Lee
320 Forrest Pkwy
Crestview, FL 32539-8586

Respondent.

Inst. #3500467 Bk: 3583 Pg: 1888
Page 1 of 4 Recorded: 10/28/2021 9:16 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK fiv
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1038

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Leonard Lee, whose last known mailing address is 320 Forrest Pkwy, Crestview, FL 32539, is the owner of the property located at, 132 Booker St S., Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0076-0160, and more particularly described as: CRESTVIEW LOT 16 BLK 76
2. The conditions on the property consist of consist of an unsafe structure, solid waste, trash, and debris. The violation(s) were first observed on May 18, 2021. A Notice of Violation was mailed by certified mail July 20, 2021 . The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sections 18 (b) Nuisance Conditions, Chapter 38 Section 48 (a) (b) Property Exterior, Chapter 38 Section 65 (b) (f) (k) (n) (p) (q) (u) (w) Standards for Improved Property, Chapter 38 Section 66 Accessory Structures, Chapter 38 Section 70 (a) 2) (b) (c) Unsightly

Conditions, and Chapter 70 Section 27 (7) Solid Waste, of the City of Crestview's Code of Ordinances and requested correction of the violation by July 27, 2021. Re inspection of the property on August 4, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sections 18 (b) Nuisance Conditions, Chapter 38 Section 48 (a) (b) Property Exterior, Chapter 38 Section 65 (b) (f) (k) (n) (p) (q) (u) (w) Standards for Improved Property, Chapter 38 Section 66 Accessory Structures, Chapter 38 Section 70 (a 2) (b) (c) Unsightly Conditions, and Chapter 70 Section 27 (7) Solid Waste, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account

the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before November 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove all trash, debris, and solid waste from the property.
 - b. Obtain structurally engineered plans in order to obtain a building permit and repair the wood supports, windows, structural supports, roof, flue, overhangs, and walls. Or obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.
10. If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the

costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th, Day of October, 2021.

Samuel
B. Taylor

Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:24:31 -05'00'

Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE CORRECT COPY
CITY OF CRESTVIEW

BY: Seneta Ogaley 10-27-21

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Leonard Lee
320 Forrest Pkwy
Crestview, FL 32539-8586

Respondent.

Inst. #3591802 Bk: 3651 Pg: 4470
Page 1 of 4 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-1038

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Leonard Lee, whose last known mailing address is 320 Forrest Pkwy, Crestview, FL 32539, is the owner of the property located at, 132 Booker St S., Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0076-0160, and more particularly described as: CRESTVIEW LOT 16 BLK 76
2. The conditions on the property consist of consist of an unsafe structure, solid waste, trash, and debris. The violation(s) were first observed on May 18, 2021. A Notice of Violation was mailed by certified mail July 20, 2021 . The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sections 18 (b) Nuisance Conditions, Chapter 38 Section 48 (a) (b) Property Exterior, Chapter 38 Section 65 (b) (f) (k) (n) (p) (q) (u) (w) Standards for Improved Property, Chapter 38 Section 66 Accessory Structures, Chapter 38 Section 70 (a 2) (b) (c) Unsightly

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3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sections 18 (b) Nuisance Conditions, Chapter 38 Section 48 (a) (b) Property Exterior, Chapter 38 Section 65 (b) (f) (k) (n) (p) (q) (u) (w) Standards for Improved Property, Chapter 38 Section 66 Accessory Structures, Chapter 38 Section 70 (a) 2) (b) (c) Unsightly Conditions, and Chapter 70 Section 27 (7) Solid Waste, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account

the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

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 - b. Obtain structurally engineered plans in order to obtain a building permit and repair the wood supports, windows, structural supports, roof, flue, overhangs, and walls. Or obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.
10. If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the

costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th, Day of October, 2021.

Samuel
B. Taylor
Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:24:31 -05'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**
BY: *Maryanne Schaefer* 
City Clerk
DATE: 11-16-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 21-858

653 Sixth Ave

Owner of Record: GMAC Mortgage LLC 1100 Virginia Dr. Ft. Washington, PA 19034

Origination Date: 5/1/2021 Origination Code: Citizen Complaint

Violations: Chapter 38 Section (d) Demolition of Structure, Chapter 38-69 Vacant Structure Standards

Corrective Action Required: Obtain a building permit to demolish the two accessory structures and remove all the debris from the property. Obtain a licensed engineer to conduct an inspection of the structure and submit a letter to the Building Official of his findings.

Notice Sent: 6/4/2021 Signed: 6/18/2021 Compliance Date: 6/21/2021

Inspected: 6/18/2021 Results: In Violation

Notice Sent: 6/22/2021 Signed: 7/15/2021 Compliance Date: 7/8/2021

Inspected: 7/13/2021 Results: In Violation

Public Hearing Notice Sent: 8/20/2021 Signed: 8/25/2021

Hearing Date: 9/21/2021

Property remains in violation.

Order Recorded: 9/29/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 10/22/2021

Daily fine: \$250 Start: 10/22/2021

Fines: \$119,000 **as of February 9, 2023 (not including interest)**

Property Value: \$39,192

Related Properties: No related properties found in Okaloosa County.

CASE # 21-858
653 SIXTH AVENUE
TUESDAY, SEPTEMBER 21, 2021
EXHIBIT 7

BUILDING OFFICIAL STRUCTURAL DETERMINATION

21-858

6/1/21

DATE

653 SIXTH AVE

ADDRESS-LOCATION OF VIOLATION

Unsafe structure issues, windows, doors, siding, roof need to be fixed

NATURE OF VIOLATION(S) OBSERVED

Recommend demolition. If permitted to repair structural engineer evaluation required

CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

☐ (a) FOUNDATION

☐ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☒ (m) STAIRS

☒ (n) ROOFS

☒ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☐ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☐ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☒ (w) FENCES AND WALLS

COMMENTS: Windows, doors, siding, roofing would need permits to repair. No steps leading to either door. Areas of roof decking have rot which may have caused structural damage to roof rafters/trusses s/b. Electrical wiring hanging out of exterior wall. Chain link gate area not maintained.


SIGNATURE OF BUILDING OFFICIAL

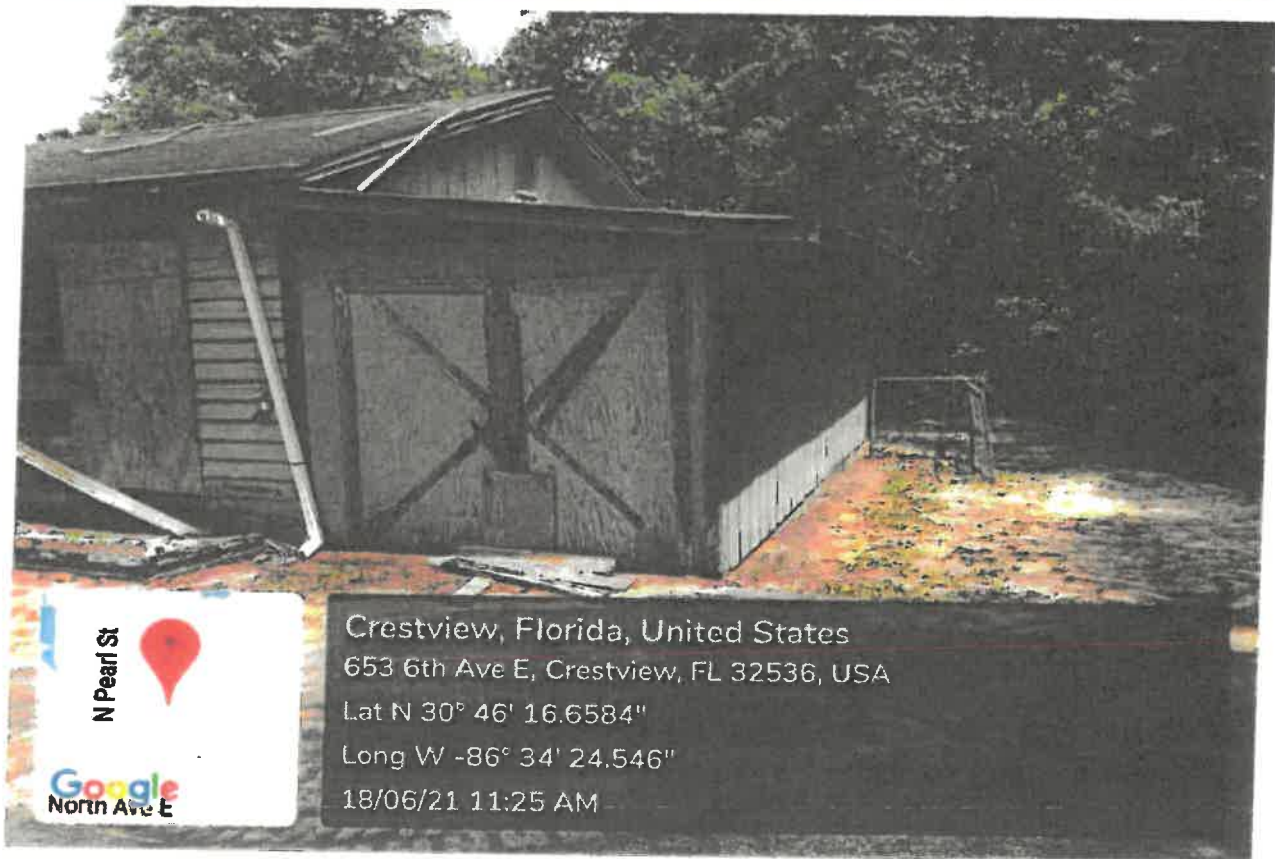
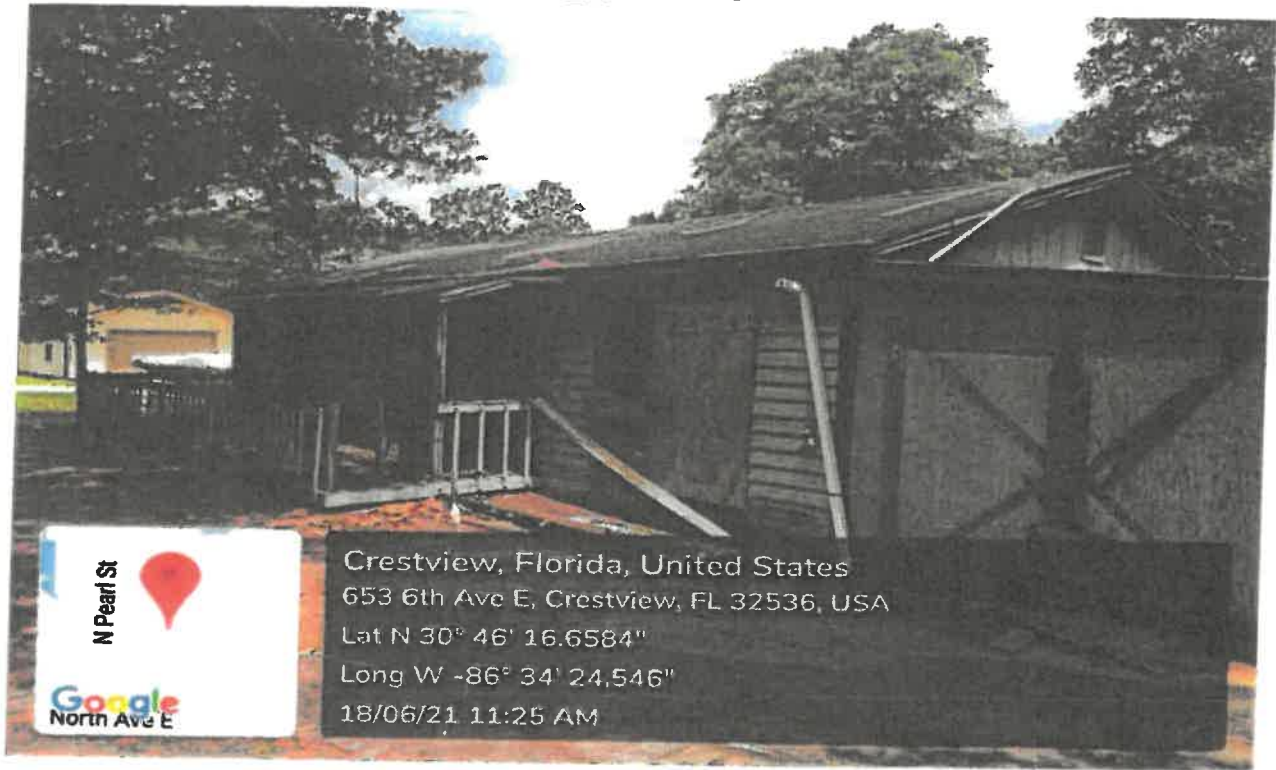
Ronald Rayson
PRINTED NAME OF BUILDING OFFICIAL

6/1/21
DATE

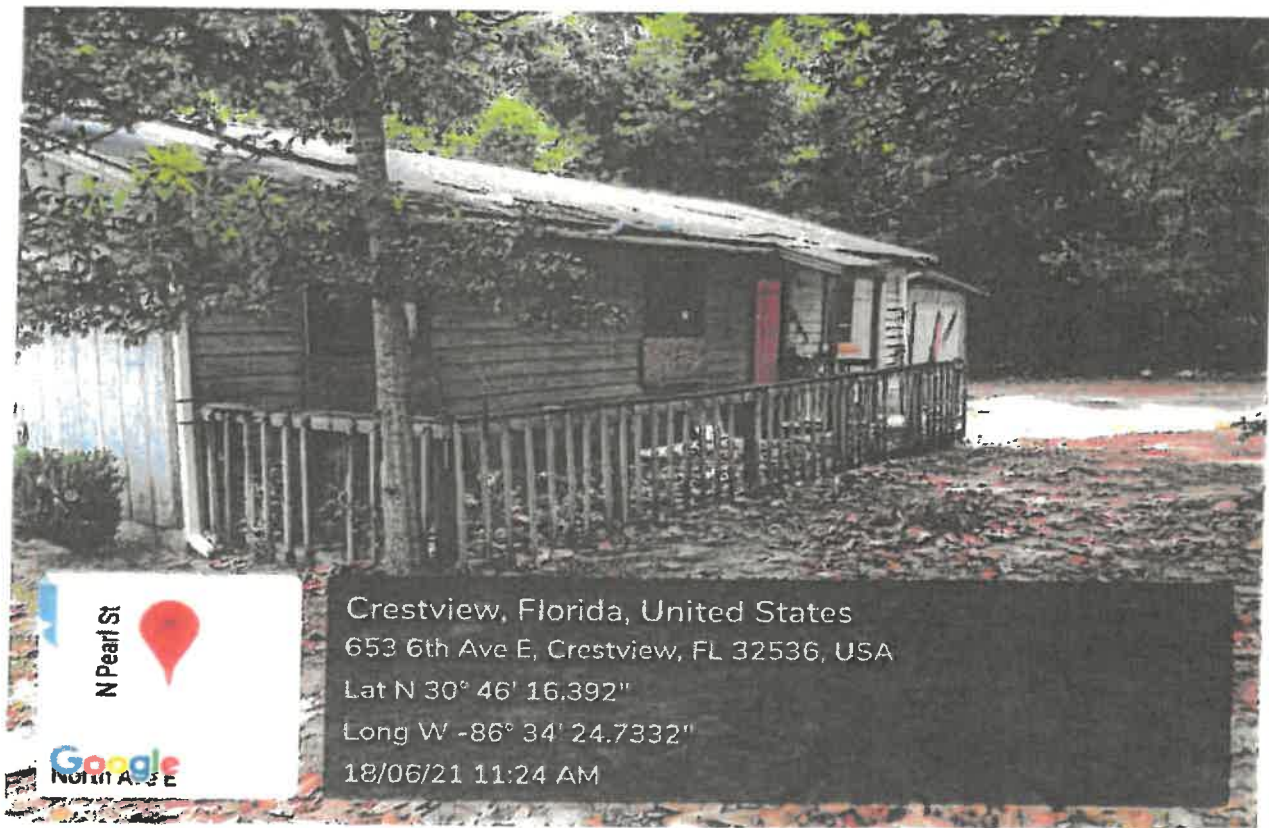
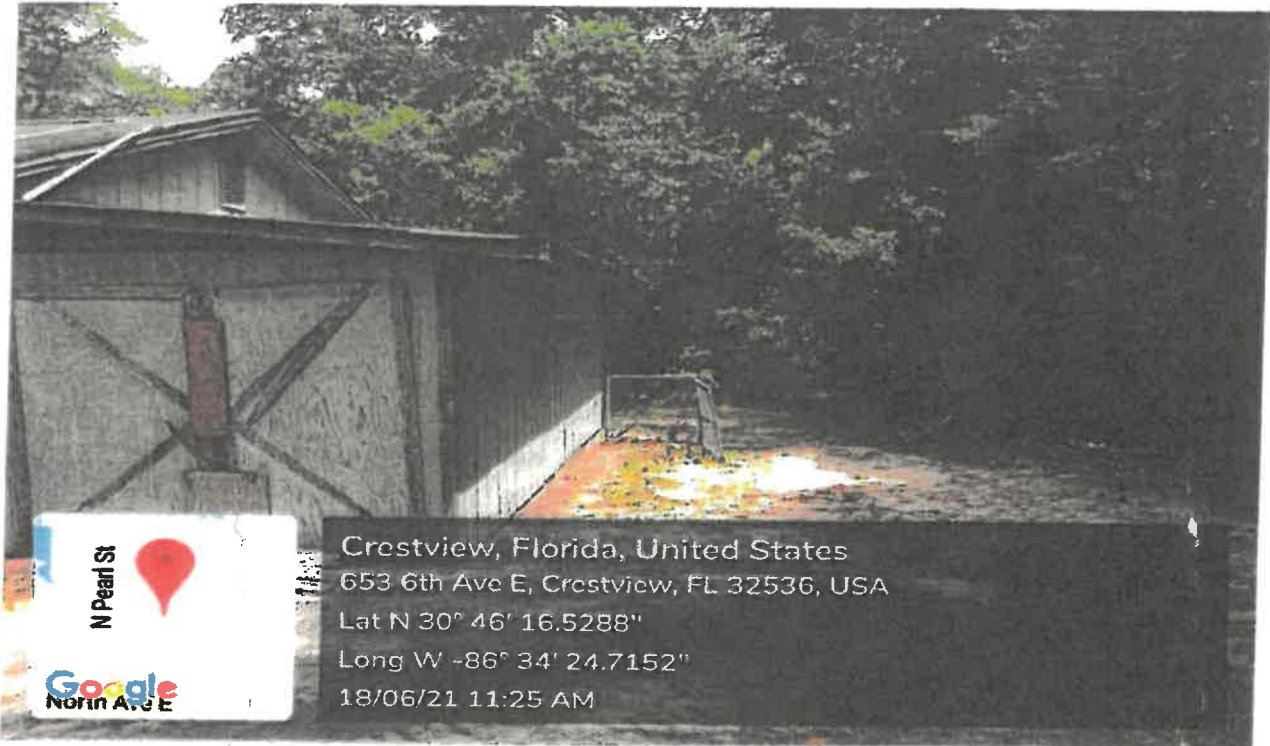
EXHIBIT #

7
Page 239 of 767

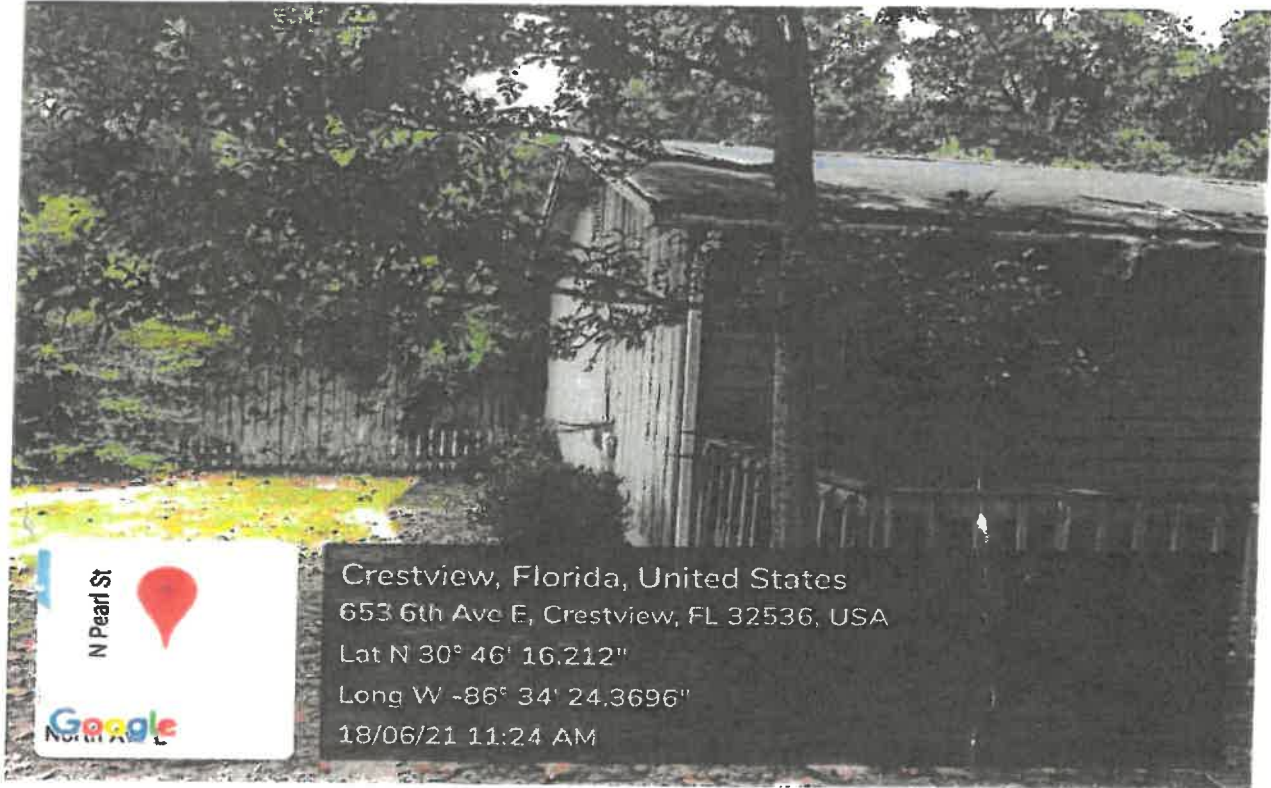
21-858
EXHIBIT 7



21-858
EXHIBIT 7



21-858
EXHIBIT 7



21-858
EXHIBIT 7
SEPTEMBER 21, 2021





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 4, 2021

Case #: 21-00000858

GMAC MORTGAGE LLC
1100 VIRGINIA DR
FT WASHINGTON, PA 19034

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 653 SIXTH AVE

Tax Identification Number: 08-3N-23-1701-0000-002J

Legal: BEG SE COR LOT 2 MCCASKILLS, 2ND ADD W110 FT N150 FT E110, FT S150 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 21, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT #

7

CASE NUMBER 21-00000858
PROPERTY ADDRESS 653 SIXTH AVE

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT #

7

CASE NUMBER 21-00000858
PROPERTY ADDRESS 653 SIXTH AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 69 QUANTITY: 1
DESCRIPTION: VACANT BUILDING STANDARDS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.69 - Applicability of standards to vacant buildings; securing vacant buildings.

The provisions of this chapter that apply to the exterior premises include vacant structures. Vacant structures are not required to comply with the interior requirements of this chapter. All vacant structures shall be secured to prevent the entry of unauthorized persons or the formation of nuisance conditions. Securing a vacant structure may include boarding of the building, for a limited time not to exceed 90 days, as determined by the Building Official. If required by the Building Official, windows and doors shall be boarded by the owner and the boarding shall be maintained to keep the building secured. The design and color of boarding is subject to approval by the Building Official and shall be designed so that the building does not appear to be abandoned.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by conducting the following action(s).

1. Secure the vacant structure to prevent the entry of unauthorized persons.
2. Securing the vacant structure may include boarding of the building, for a limited time not to exceed 90 days, as determined by the Building Official. If required by the Building Official, windows and doors shall be boarded by the

CASE NUMBER 21-00000858
PROPERTY ADDRESS 653 SIXTH AVE

CORRECTIVE ACTION REQUIRED :

owner and the boarding shall be maintained to keep the building secured. The design and color of boarding is subject to approval by the Building Official and shall be designed so that the building does not appear to be abandoned.

EXHIBIT # 7

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: GMAC MORTGAGE LLC 1100 VIRGINIA DR FT. WASHINGTON, PA 19034  9590 9402 5522 9249 9956 10 2. Article Number (Transfer from service label) 7020 1290 0001 5682 2236	A. Signature X  ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery Peter R. Cooper 6-18-11 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top; width: 50%;"> ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Mail Restricted Delivery </td> <td style="vertical-align: top; width: 50%;"> ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
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PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

EXHIBIT #

7



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: June 22, 2021
Case #: 21-00000858

GMAC MORTGAGE LLC
1100 VIRGINIA DR
FT WASHINGTON, PA 19034

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 653 SIXTH AVE

Tax Identification Number: 08-3N-23-1701-0000-002J

Legal: BEG SE COR LOT 2 MCCASKILLS, 2ND ADD W110 FT N150 FT E110, FT S150 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by July 08, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT #

7

CASE NUMBER 21-00000858
PROPERTY ADDRESS 653 SIXTH AVE

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d). Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 7

CASE NUMBER 21-00000858
 PROPERTY ADDRESS 653 SIXTH AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

 VIOLATION: CH 38 SEC 69 QUANTITY: 1
 DESCRIPTION: VACANT BUILDING STANDARDS DATE: 5/05/21
 LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.69 - Applicability of standards to vacant buildings; securing vacant buildings.

The provisions of this chapter that apply to the exterior premises include vacant structures. Vacant structures are not required to comply with the interior requirements of this chapter. All vacant structures shall be secured to prevent the entry of unauthorized persons or the formation of nuisance conditions. Securing a vacant structure may include boarding of the building, for a limited time not to exceed 90 days, as determined by the Building Official. If required by the Building Official, windows and doors shall be boarded by the owner and the boarding shall be maintained to keep the building secured. The design and color of boarding is subject to approval by the Building Official and shall be designed so that the building does not appear to be abandoned.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by conducting the following action(s).

1. Secure the vacant structure to prevent the entry of unauthorized persons.
2. Securing the vacant structure may include boarding of the building, for a limited time not to exceed 90 days, as determined by the Building Official. If required by the Building Official, windows and doors shall be boarded by the

EXHIBIT #

7

CASE NUMBER 21-00000858
PROPERTY ADDRESS 653 SIXTH AVE

CORRECTIVE ACTION REQUIRED :

owner and the boarding shall be maintained to keep the building secured. The design and color of boarding is subject to approval by the Building Official and shall be designed so that the building does not appear to be abandoned.

EXHIBIT #

7

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GMAC MORTGAGE LLC
1100 VIRGINIA DR.
FT. WASHINGTON, PA 19034



9590 9402 6373 0303 1373 83

2. Article Number (Transfer from card on label)

7020 1290 0001 5662 2366

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

[Handwritten: T. J. Smith]

C. Date of Delivery

[Handwritten: 7/15/21]

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

☒ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT #

7



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 8/19/2021

**GMAC Mortgage LLC
1100 Virginia Drive
Ft. Washington, PA 19034**

RE: CASE# 21-858

Dear Property Owner:

You are hereby formally notified that on September 21, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 653 Sixth Avenue, Crestview, FL 32536 more particularly described as:

**PIN# 08-3N-23-1701-0000-002J LEGAL DESCRIPTION: BEG SE COR LOT 2
MCCASKILLS 2ND ADD W110 FT N150 FT E110 FT S150 FT TO POB**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

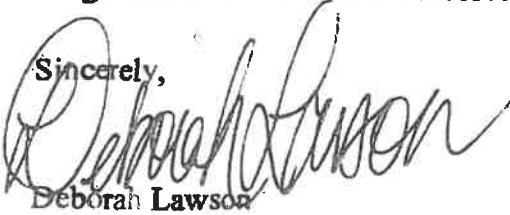
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

EXHIBIT # 7

STATEMENT OF VIOLATION

Case # 21-858

653 Sixth Avenue

Code of Ordinance Violated: Chapter 38 Section 18 (d) Demolition of Structure

Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective Action Required:

- a. Obtain a building permit to demolish the structure and remove all demo debris from the property.**
- b. Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.**

EXHIBIT #

7

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CMAC Massage LLC
1100 Virginia Dr.
Ft. Washington, PA 19054



9590 9402 6373 0303 1239 04

2. Article Number (Transfer from service label)

7018 3090 0001 4430 1751

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X SALBA

☐ Agent

☐ Addressee

B. Received by (Printed Name)

SALBA

C. Date of Delivery

8/25/21

D. Is delivery address different from Item 1? ☐ Yes ☒ No

If YES, enter delivery address below:

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail
Restricted Delivery
(09)

Domestic Return Receipt

EXHIBIT #

7

BUILDING OFFICIAL STRUCTURAL DETERMINATION

6/1/21
DATE

653 SIXTH AVE
ADDRESS/LOCATION OF VIOLATION

Unsafe structure issues, windows, doors, siding, roof need to be fixed
NATURE OF VIOLATION(S) OBSERVED

Recommend demolition. If permitted to repair structural engineer evaluation required
CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|--|--|
| ☐ (a) FOUNDATION | ☒ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☒ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☒ (e) EXTERIOR WALLS | ☒ (q) OVERHANG EXTENSIONS |
| ☒ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☐ (s) ACCESSORY STRUCTURES |
| ☒ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☒ (j) EXTERIOR SURFACE TREATMENT | ☒ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☒ (w) FENCES AND WALLS |
| ☒ (l) PORCHES AND BALCONIES | |

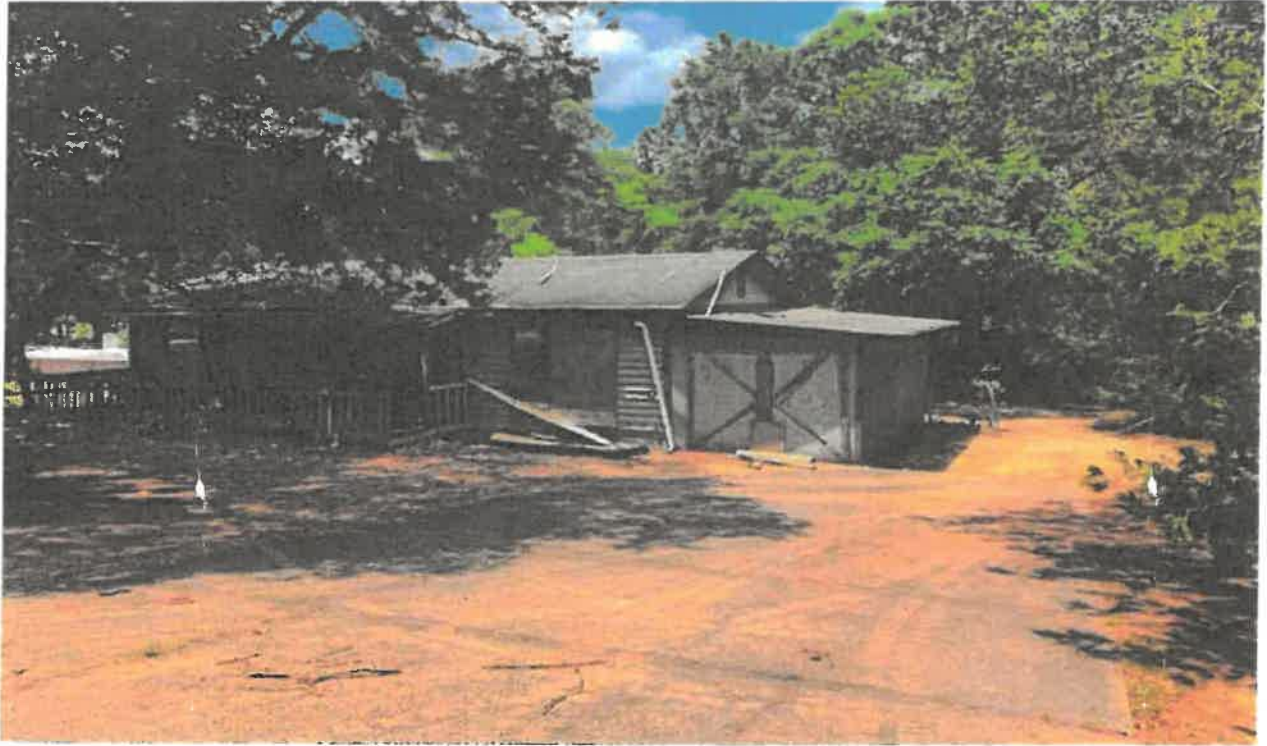
COMMENTS: Windows, doors, siding, roofing would need permits to repair. No steps leading to either door. Areas of roof decking have rot which may have caused structural damage to roof rafters/trusses s/b. Electrical wiring hanging out of exterior wall. Chain link gate area not maintained.


SIGNATURE OF BUILDING OFFICIAL

Ronald Pearson
PRINTED NAME OF BUILDING OFFICIAL

6/1/21
DATE

**653 SIXTH
EXHIBIT 7A**



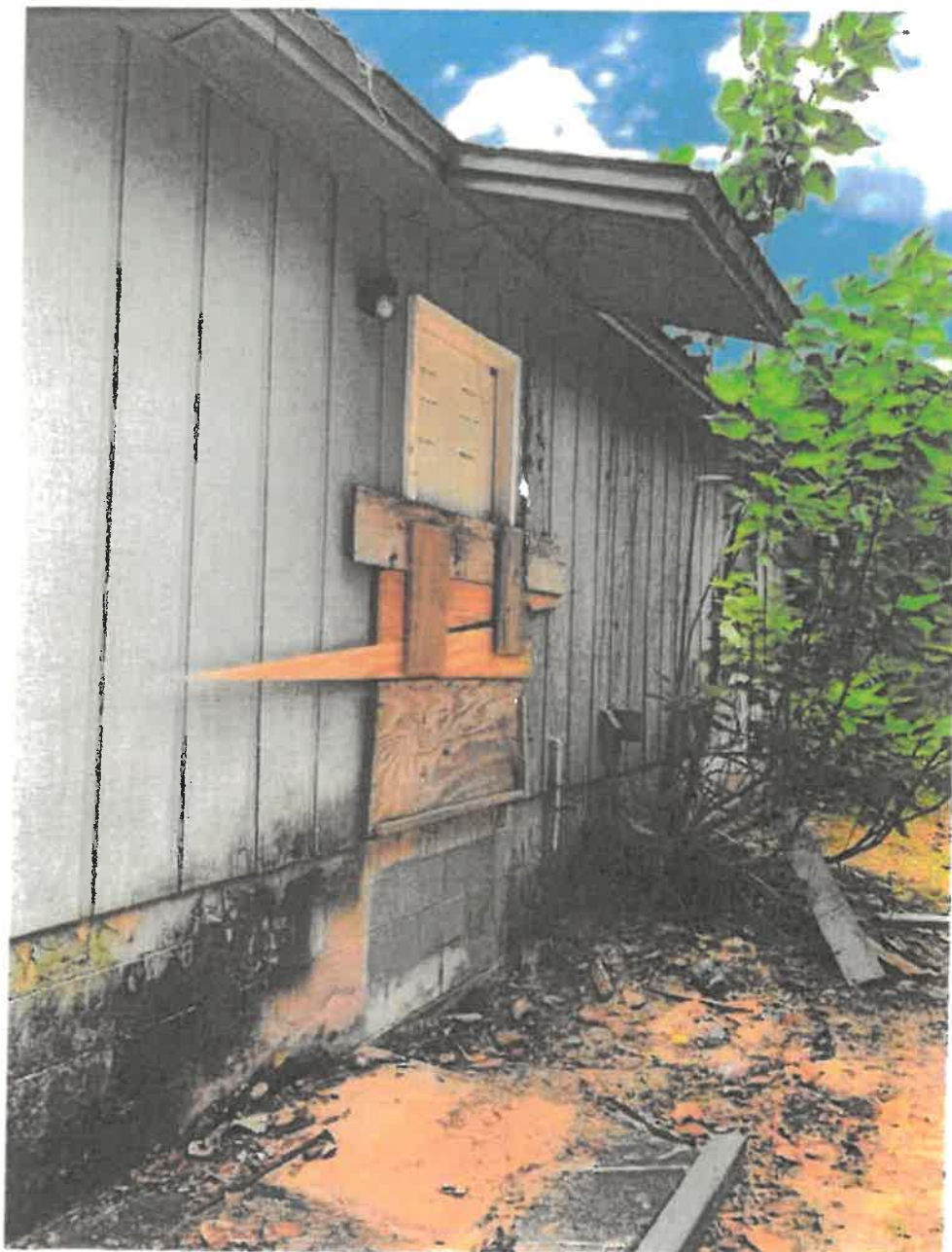
**653 SIXTH
EXHIBIT 7A**



**653 SIXTH
EXHIBIT 7A**



**653 SIXTH
EXHIBIT 7A**





CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3591806 Bk: 3651 Pg: 4484
Page 1 of 3 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-858

GMAC Mortgage LLC
1100 Virginia Drive
Ft. Washington, PA 19034

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on September 21, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, GMAC Mortgage LLC, whose last known mailing address 1100 Virginia Drive, Ft Washington, PA 19034, is the owner of the property located at, 653 Sixth Avenue, Crestview FL 32536 AKA PIN# 08-3N-23-1701-0000-002J, and more particularly described as:

BEG SE COR LOT 2 MCCASKILLS 2ND ADD W110 FT N150 FT E110 FT S150 FT TO POB
2. The conditions on the property consist of an consist of an unsafe structure. The violation(s) were first observed on May 1, 2021. A Notice of Violation was mailed by certified mail June 4, 2021 and received by respondent on June 18, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (d) and 69, of the City of Crestview's Code of Ordinances

and requested correction of the violation by June 21,2021. Re inspection of the property on July 13, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-18 (d) and 69, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before October 22, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before October 22, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
- Obtain a building permit to demolish the two accessory structures and remove all the debris from the property.
 - Obtain a licensed engineer to conduct an inspection of the structure and submit a letter to the Building Official of his findings.
10. If the violation(s) are not corrected by October 22, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 21st, Day of September 2021.

Samuel B. Taylor
Digitally signed by
Samuel B. Taylor
Date: 2021.09.28
18:01:09 -05'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schrader, MMC
DATE: 11-16-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3492877 Bk: 3577 Pg: 786
Page 1 of 3 Recorded: 9/29/2021 3:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK sdoscher
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-858

GMAC Mortgage LLC
1100 Virginia Drive
Ft. Washington, PA 19034

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on September 21, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, GMAC Mortgage LLC, whose last known mailing address 1100 Virginia Drive, Ft Washington, PA 19034, is the owner of the property located at, 653 Sixth Avenue, Crestview FL 32536 AKA PIN# 08-3N-23-1701-0000-002J, and more particularly described as:

BEG SE COR LOT 2 MCCASKILLS 2ND ADD W110 FT N150 FT E110 FT S150 FT TO
POB
2. The conditions on the property consist of an consist of an unsafe structure. The violation(s) were first observed on May 1, 2021. A Notice of Violation was mailed by certified mail June 4, 2021 and received by respondent on June 18, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (d) and 69, of the City of Crestview's Code of Ordinances

and requested correction of the violation by June 21, 2021. Re inspection of the property on July 13, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-18 (d) and 69, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

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9. On or before October 22, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain a building permit to demolish the two accessory structures and remove all the debris from the property.
 - b. Obtain a licensed engineer to conduct an inspection of the structure and submit a letter to the Building Official of his findings.
10. If the violation(s) are not corrected by October 22, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 21st, Day of September 2021.

Samuel B. Taylor
Digitally signed by
Samuel B. Taylor
Date: 2021.09.28
18:01:09 -05'00'

Special Magistrate
City of Crestview, Florida

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Owner of Record: Kenneth J & Connie M Siler 497 S Wilson St, Crestview, FL 32536

Origination Date: March 31, 2021 Origination Code: Anonymous Complaint

Violations: Chapter 38 Section (d) – Skirting, Chapter 70 Section 70-27- Solid Waste

Corrective Action Required: Remove the tires from the property and install skirting on mobile home.

Notice Sent: 05/21/2021 Signed: 06/03/2021 Compliance Date: 06/01/2021

Inspected: 06/02/2021 Results: In Violation

Notice Sent: 06/02/2021 Signed: 06/04/2021 Compliance Date: 06/16/2021

Inspected: 06/17/2021 Results: In Violation

Notice Sent: 06/18/2021 Signed: 06/19/2021 Compliance Date: 07/01/2021

Inspected: 07/02/2021 Results: In Violation

Public Hearing Notice Sent: 07/08/2021 Signed: 07/23/2021

Hearing Date: 08/17/2021

Property remains in violation.

Order Recorded: 08/24/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 08/31/2021

Daily fine: \$250 Start: 09/18/2021

Fines: \$137,250 **as of March 20, 2023 (not including interest)**

Property Value: \$5,016

Related Properties:**Vacant Lot Booker St** 17-3N-23-2490-0076-0120

Case # 21-385 Found in Compliance 3/17/2021

Violations: Recreational Camps

247 S Booker St 17-3N-23-2490-0079-0040

Case # 18-1373 Found in Compliance 12/17/2018

Violations: Chapter 70- Solid Waste, Debris

497 S Wilson St 17-3N-23-2490-0129-0030

Case # 22-198 Hearing Date: April 19, 2022 Fines: \$58,500

Violations: Inoperable vehicle/parts, Trash/Debris, Abandoned Appliances

257 W Bowers 17-3N-23-2490-0133-0050

Case # 16-812 Found in Compliance 12/20/2016

Violations: Bags, Fecal Smell

235 W Bowers 17-3N-23-2490-0133-006B

Case # 18-1095 Found in Compliance 8/14/2019

Violations: Working Without Permit

Case # 21-1220 Found in Compliance 2/4/2022

Violations: Trash/Debris, Recreational Camps

Case # 22-329 Found in Compliance 1/13/2022

Violations: Recreational Camps

Case # 22-710 Found in Compliance 4/27/2022

Violations: Recreational Camps

404 Beech Ave W 17-3N-23-2490-0178-0120

Case # 15- 481 Found in Compliance 8/13/2015

Violations: Chapter 70- Solid Waste

Case # 19-806 Hearing Date: 11/17/2020 Fines:\$108,500

Found in Compliance 3/10/2022 Violations: Criteria to Demolish

Vacant Lot Blakely Ave 20-3N-23-0000-0107-0020

Case # 21-782 Found in Compliance 5/21/21

Violations: Vegetation/Trash/Debris, Chapter 70- Solid Waste

CASE 21-791
418 N SPRING STREET
TUESDAY, AUGUST 17, 2021
EXHIBIT 2

418 SPRING ST N



404 SPRING ST N

EXHIBIT # 2

CASE # 21-791
418 SPRING ST N
AUGUST 17, 2021



EXHIBIT 2

CASE # 21-791
418 SPRING ST N



EXHIBIT 2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: May 21, 2021
Case #: 21-00000791

KENNETH & CONNIE SILER
497 WILSON STR S
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 418 N SPRING ST
Tax Identification Number: 17-3N-23-2490-0057-0110
Legal: CRESTVIEW LOT 11 BLK 57, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 01, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST'

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 4/05/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

(1) Materials which have not been prepared for collection in accordance with this article.

(2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.

(3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).

(4) Solid wastes resulting from industrial processes.

(5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.

(6) Refuse created by any private contractor as described in sections 70-35 and 70-36.

(7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT #

2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 65 SKIRTING QUANTITY: 1
DESCRIPTION: SKIRTING DATE: 5/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described in section 38.65 below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

(c) Install, secure, replace, or repair, the skirting.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT #

2

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6.96

CRESTVIEW, FL 32539
MAY 2 2011
USPS

21.792

SENT TO: KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

Services & Fees (indicate by checkmark):
☒ Return Receipt (hardcopy)
☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Required
☐ Adult Signature Restricted Delivery
 Postage
 Total Postage and Fees

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: KENNETH SILER 497 S WILSON STR CRESTVIEW, FL 32536 9590 9402 5522 9249 9959 31 2. Article Number (Transfer from service label) 7020 1290 0001 5682 1277		A. Signature ☒ Kenneth J. Siler ☐ Agent ☐ Addressee B. Received by (Printed Name) Kenneth J. Siler C. Date of Delivery 6-3-2 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Mail Restricted Delivery (30) ☐ Priority Mail Express ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery	

Domestic Return Receipt

EXHIBIT #

2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: June 2, 2021
Case #: 21-00000791

KENNETH & CONNIE SILER
497 WILSON STR S
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 418 N SPRING ST
Tax Identification Number: 17-3N-23-2490-0057-0110
Legal: CRESTVIEW LOT 11 BLK 57, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 16, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

· VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 4/05/21
LOCATION: -----

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT #

2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 65 SKIRTING QUANTITY: 1
DESCRIPTION: SKIRTING DATE: 5/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described in section 38.65 below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

(c) Install, secure, replace, or repair, the skirting.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

EXHIBIT #

2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT #

2

7020 1290 0001 5682 2144

U.S. Postal ServiceTM
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Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy)	\$ <u>2.85</u>
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage 0.51

Total Postage and Fees 6.96

Sent to KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for instructions



21.791

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

2. Article Number (Transfer from service label)
7020 1290 0001 5682 2144

9590 9402 5522 9249 9956 96

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature C. D. 15 ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. S. 10K C. Date of Delivery 6-4-14

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☒ Adult Signature	☐ Priority Mail Express [®]
☐ Adult Signature Restricted Delivery	☐ Registered Mail [™]
☐ Certified Mail [®]	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Return Receipt for Merchandise
☐ Collect on Delivery	☐ Signature Confirmation [™]
☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery
☐ Insured Mail [®]	
☐ Insured Mail Restricted Delivery	

Domestic Return Receipt



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: June 18, 2021
Case #: 21-00000791

KENNETH & CONNIE SILER
497 WILSON STR S
CRESTVIEW, FL 32536

Dear KENNETH & CONNIE SILER,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 418 N SPRING ST
Tax Identification Number: 17-3N-23-2490-0057-0110
Legal: CRESTVIEW LOT 11 BLK 57

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by July 01, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT #

2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 4/05/21
LOCATION: -----

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 65 SKIRTING QUANTITY: 1
DESCRIPTION: SKIRTING DATE: 5/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.
It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property..

(d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described in section 38.65 below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

(c) Install, secure, replace, or repair, the skirting.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

EXHIBIT #

2

CASE NUMBER 21-00000791
PROPERTY ADDRESS 418 N SPRING ST

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT # 2

7020 1290 0001 5682 2342

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OFFICIAL USE

Certified Mail Fee 3.60

Extra Services & Fees (Print or check box) 2.18

☐ Return Receipt (hardcopy)
☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Required
☐ Adult Signature Restricted Delivery

Postage 0.51

Total Postage and Fees 6.96

Sent to KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

21-791

PS Form 3800, April 2015 Only See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: <u>KENNETH SILER</u> <u>497 S WILSON STR</u> <u>CRESTVIEW, FL 32536</u> 2. Article Number (Transfer from service label) <u>7020 1290 0001 5682 2342</u>	A. Signature <u>X C. Siler</u> ☐ Agent ☐ Addressee B. Received by (Printed Name) <u>C. Siler</u> C. Date of Delivery <u>6-19</u> D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: 3. Service Type <table border="0"> <tr> <td> ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery </td> <td> ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		

9590 9402 6373 0303 1374 06

PS Form 3811, July 2020 PSN 7530-02-000-9000 Domestic Return Receipt

EXHIBIT # 2



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 7/8/2021

**Siler Kenneth J & Connie M
497 S Wilson St
Crestview, FL 32536**

RE: CASE# 21-791

Dear Property Owner:

You are hereby formally notified that on August 17, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 418 N. Spring Str, Crestview, FL 32536 more particularly described as:

PIN# 17-3N-23-2490-0057-0110 LEGAL DESCRIPTION: CRESTVIEW LOT 11 BLK 57

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Encl: Notice of Violation

EXHIBIT #

2

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

STATEMENT OF VIOLATION

Code of Ordinance Violated: Ch. 70 Solid waste and Recycling Sec 70-27 Refuse not acceptable for collection (7):

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (7) Animal waste, dead animals, or tires.

Corrective Action: You may abate the violation by properly selecting these items and disposing of it at an approved facility.

Code of Ordinance Violated: Ch. 38 Sec 65 Skirting (d)

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.65 - Standards for Improved Property.

- d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

Corrective Action: Obtain the proper permit and install, secure, replace or repair the skirting.

Code of Ordinance Violated: Ch 38 sec 18 (k) Vegetation-weeds.

1. Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

Corrective Action: Remove the vegetation and/or weeds from property.

EXHIBIT # 2

7020 1290 0001 2346 7194

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com

CERTIFIED MAIL

Certified Mail Fee \$ 3.60

Extra Services & Fees (check box, add fee)
☒ Return Receipt (hardcopy) \$ 2.85
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$ 51

Total Postage and Fees \$ 16.96

Postmark: CRESTVIEW, FL 7-23-21

Article Addressed to:
CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL 32536

PS Form 3800, April 2015 (PSN 7530-02-000-9053)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL
32536


9590 9402 5522 9249 9967 85

2. Article Number (Transfer from service label)
7020 1290 0001 2346 7194

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Kenneth J. Siler ☐ Agent ☒ Addressee

B. Received by (Printed Name)
Kenneth J. Siler

C. Date of Delivery
7-23-21

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery (00)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT # 2



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3483010 Blk 3569 Pg: 1009
Page 1 of 3 Recorded: 8/24/2021 10:35 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK fiv
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-791

Kenneth J. and Connie M. Siler
497 S Wilson Street
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on August 17, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenneth J. and Connie M. Siler, whose last known mailing address is 497 S Wilson Street Crestview, FL 32536, is the owner of the property located at, 418 N. Spring Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0057-0110, and more particularly described as:

CRESTVIEW LOT 11 BLK 57

2. The conditions on the property consist of a stack of tires placed by the street that is not acceptable refuse for collection and must be taken to an approved facility for disposal. Also, the required skirting has not been placed around the mobile home.. The violation(s) were first observed on March 31, 2021. A Notice of Violation was mailed by certified mail

May 21, 2021 and received by respondent on June 3rd 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances, Chapter 38 Section 65 (d) Skirting and Chapter 70 Solid Waste and Recycling Sec. 27 (7), and requested correction of the violation by June 1, 2021. Re inspection of the property on June 2, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances, Chapter 38 Section 65 (d) Skirting and Chapter 70 Solid Waste and Recycling Sec. 27 (7).
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and

that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before September 17, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before September 17, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
10. If the violation(s) are not corrected by September 17, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 17, Day of August 2021.


Special Magistrate
City of Crestview, Florida

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
198 Wilson Street North
Crestview, FL 32536



Inst. #3591808 Bk: 3651 Pg: 4490
Page 1 of 3 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-791

Kenneth J. and Connie M. Siler
497 S Wilson Street
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on August 17, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenneth J. and Connie M. Siler, whose last known mailing address is 497 S Wilson Street Crestview, FL 32536, is the owner of the property located at, 418 N. Spring Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0057-0110, and more particularly described as:

CRESTVIEW LOT 11 BLK 57

2. The conditions on the property consist of a stack of tires placed by the street that is not acceptable refuse for collection and must be taken to an approved facility for disposal. Also, the required skirting has not been placed around the mobile home.. The violation(s) were first observed on March 31, 2021. A Notice of Violation was mailed by certified mail

May 21, 2021 and received by respondent on June 3rd 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances, Chapter 38 Section 65 (d) Skirting and Chapter 70 Solid Waste and Recycling Sec. 27 (7), and requested correction of the violation by June 1, 2021. Re inspection of the property on June 2, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances, Chapter 38 Section 65 (d) Skirting and Chapter 70 Solid Waste and Recycling Sec. 27 (7).
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and

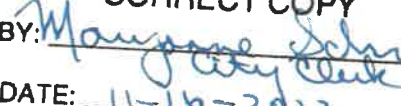
that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before September 17, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before September 17, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
10. If the violation(s) are not corrected by September 17, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 17, Day of August 2021.


Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE
AND
CORRECT COPY
BY: , MMC
DATE: 11-16-2022



RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

CASE 21-792
404 N SPRING STREET
TUESDAY, AUGUST 17, 2021
EXHIBIT 3

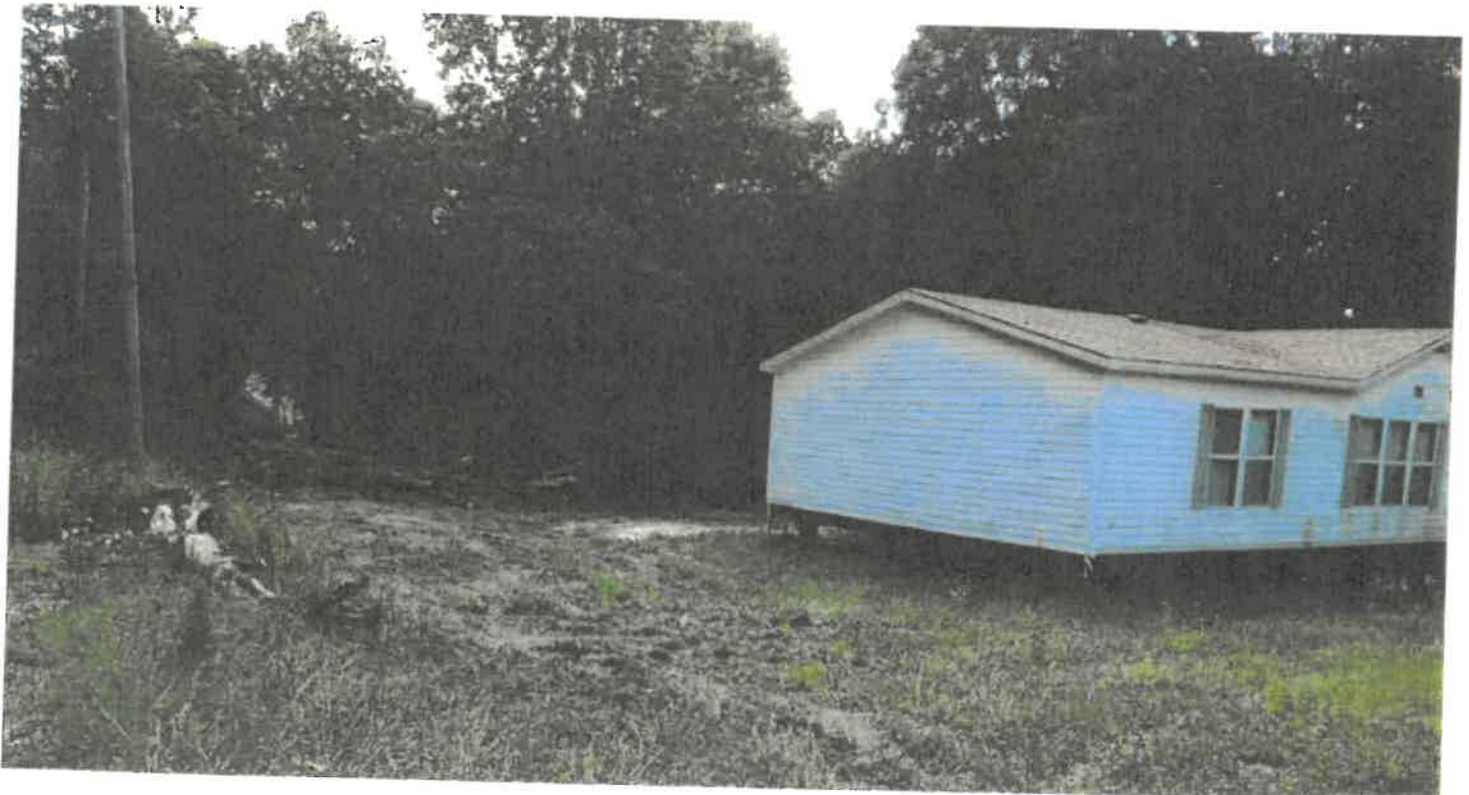


**CASE # 21-792
404 SPRING ST N**

AUGUST 17, 2021



JUNE 17, 2021



CASE # 21-792
404 SPRING ST N

MAY 20, 2021





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: May 21, 2021
Case #: 21-00000792

Kenneth J Siler
497 S Wilson St
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 404 N SPRING ST
Tax Identification Number: 17-3N-23-2490-0057-0120
Legal: CRESTVIEW LOT 12 BLK 57, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 01, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

VIOLATION DETAIL

PAGE 1

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 4/05/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT #

3

VIOLATION DETAIL

PAGE

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

CORRECTIVE ACTION REQUIRED :
You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 65 SKIRTING
DESCRIPTION: SKIRTING QUANTITY: 1
LOCATION: DATE: 5/20/21

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.
It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described in section 38.65 below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

(c) Install, secure, replace, or repair, the skirting.

VIOLATION: CH 38 SEC 18 (k)
DESCRIPTION: VEGETATION-WEEDS QUANTITY: 1
LOCATION: DATE: 5/20/21

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

VIOLATION DETAIL

PAGE

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT #

3

U.S. Postal Service[™]
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only
 For delivery information, visit our website at www.usps.com

7020 1290 0001 5682 1277

Official Mail Fee 3.60

Postage 0.51

Postage and Fee 4.11

Services & Fees (check box, attach fee):
☒ Return Receipt (hardcopy)
☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Restricted Delivery
☐ Adult Signature Restricted Delivery

Postage and Fee 4.11

KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

CRESTVIEW FL 32536
 MAY 21 2011
 USPS

21.792

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

9590 9402 5522 9249 9959 31

2. Article Number (Transfer from service label)
7020 1290 0001 5682 1277

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Agent
☐ Address
Kenneth J. Siler

B. Received by (Printed Name)
Kenneth J. Siler

C. Date of Delivery
6-7-2

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail[®]
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Mail Restricted Delivery

☐ Priority Mail Express[®]
☐ Registered Mail[™]
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation[®]
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 2, 2021
Case #: 21-00000792

Kenneth J Siler
497 S Wilson St
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 404 N SPRING ST
Tax Identification Number: 17-3N-23-2490-0057-0120
Legal: CRESTVIEW LOT 12 BLK 57, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 16, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

VIOLATION DETAIL

PAGE 1

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 4/05/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

VIOLATION DETAIL

PAGE 2

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 65 SKIRTING QUANTITY: 1
DESCRIPTION: SKIRTING DATE: 5/20/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described in section 38.65 below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

(c) Install, secure, replace, or repair, the skirting.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/20/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

EXHIBIT # 3

VIOLATION DETAIL

PAGE 3

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT # 3

7020 1290 0001 5682 2120

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee 3.60

Extra Services & Fees (check box, add fee amount)

☒ Return Receipt (hardcopy) \$ 2.15

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage 0.51

Total Postage and Fees 6.96

Postmark Here 21.732

Sent To KENNETH SILER
497 SWILSON STR
CRESTVIEW, FL 32536

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: <u>KENNETH SILER</u> <u>497 SWILSON STR</u> <u>CRESTVIEW, FL 32536</u>  9590 9402 5522 9249 9957 02 2. Article Number (Transfer from service label) <u>7020 1290 0001 5682 2120</u>	A. Signature <u>X [Signature]</u> ☐ Agent ☐ Addressee B. Received by (Printed Name) <u>[Signature]</u> C. Date of Delivery <u>6-5-11</u> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type <table border="0"> <tr> <td> ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) </td> <td> ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		

PS Form 3811, July 2010 Domestic Return Receipt



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: June 18, 2021
Case #: 21-00000792

Kenneth J Siler
497 S Wilson St
CRESTVIEW, FL 32536

Dear Kenneth J Siler,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 404 N SPRING ST
Tax Identification Number: 17-3N-23-2490-0057-0120
Legal: CRESTVIEW LOT 12 BLK 57, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **July 01, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Code Compliance Officer

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 4/05/21
LOCATION: -----

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 65 SKIRTING QUANTITY: 1
DESCRIPTION: SKIRTING DATE: 5/20/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described in section 38.65 below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

(c) Install, secure, replace, or repair, the skirting.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/20/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

CASE NUMBER 21-00000792
PROPERTY ADDRESS 404 N SPRING ST

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

U.S. Postal Service[™]
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$ 3.60

Extra Services & Fees (check box and add fee amount)

☒ Return Receipt (hardcopy) \$ 2.85

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$ 0.51

Total Postage and Fees \$ 6.96

Postmark Here

Sent To KENNETH SILER

Street Address 497 S WILSON STR

City, State, ZIP+4[®] CRESTVIEW, FL 32536

PS Form 3800, April 2016 PSN 7530-02-000-9053

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536

2. Article Number (Transfer from service label)

7020 1290 0001 5682 2335

3. Service Type

☒ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail[®]

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery

☐ Priority Mail Express[®]

☐ Registered Mail[™]

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation[™]

☐ Signature Confirmation Restricted Delivery

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X C. Siler

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Siler

C. Date of Delivery

6-15

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

PS Form 3811, July 2020 PSN 7530-02-000-8053

Domestic Return Receipt

EXHIBIT # 3



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 7/8/2021

**Siler Kenneth J
497 S Wilson St
Crestview, FL 32536**

RE: CASE# 21-792

Dear Property Owner:

You are hereby formally notified that on August 17, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 404 N. Spring Str, Crestview, FL 32536 more particularly described as:

PIN# 17-3N-23-2490-0057-0120 LEGAL DESCRIPTION: CRESTVIEW LOT 12 BLK 57

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Encl: Notice of Violation

EXHIBIT #

3

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

STATEMENT OF VIOLATION

Code of Ordinance Violated: Ch. 70 Solid waste and Recycling Sec 70-27 Refuse not acceptable for collection (5 & 7):

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (7) Animal waste, dead animals, or tires.

Corrective Action: You may abate the violation by properly selecting these items and disposing of it at an approved facility.

Code of Ordinance Violated: Ch. 38 Sec 65 Skirting (d)

38.65 - Standards for Improved Property.

- d) Skirting shall be maintained free from broken or missing sections, pieces, or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

Corrective Action: Obtain the proper permit and install, secure, replace or repair the skirting.

Code of Ordinance Violated: Ch 38 sec 18 (k) Vegetation-weeds.

- (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

Corrective Action: Remove the vegetation and/or weeds from property.

EXHIBIT # 3

7020 1290 0001 2346 7194

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com
OFFICIAL USE

Certified Mail Fee 3.60
Postage .51
Total Postage and Fees 6.96

Services & Fees (check box, add fee, or other):
☒ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Address:
CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL 32536

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL
32536

9590 9402 5522 9249 9967 85

2. Article Number (Transfer from service label)
7020 1290 0001 2346 7194

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Kenneth J. Siler ☐ Agent ☒ Addressee

B. Received by (Printed Name)
Kenneth J. Siler

C. Date of Delivery
7-23-21

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail Restricted Delivery (NO)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

Case # 21-566

621 W Walnut Ave

Owner of Record: Heirs of Corrine E McLaughlin 819 W Walnut Ave, Crestview, FL 32536

Origination Date: 2/19/2021 Origination Code: Proactive

Violations: Chapter 38 Section 4- (1) Inoperable vehicles

Corrective Action Required: Remove the inoperable vehicles from the property or bring the vehicles into a state of compliance.

Notice Sent: 2/19/2021 Signed: Returned to Sender Compliance Date: 3/1/2021

Inspected: 3/2/2021 Results: In Violation

Notice Sent: 3/3/2021 Signed: Returned to Sender Compliance Date: 3/12/2021

Inspected: 3/12/2021 Results: In Violation

Public Hearing Notice Sent: 6/11/2021 Signed: 6/14/2021

Hearing Date: 7/20/2021

Property remains in violation.

Order Recorded: 8/24/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 8/21/2021

Daily fine: \$250 Start: 8/21/2021

Fines: \$138,750 **as of February 27, 2023**

Property Value: \$7,323

Related Properties: N/A

CASE 21-566
621 W WALNUT
EXHIBIT 4
TUESDAY, JULY 20, 2021

CASE 21-566 621 W WALNUT

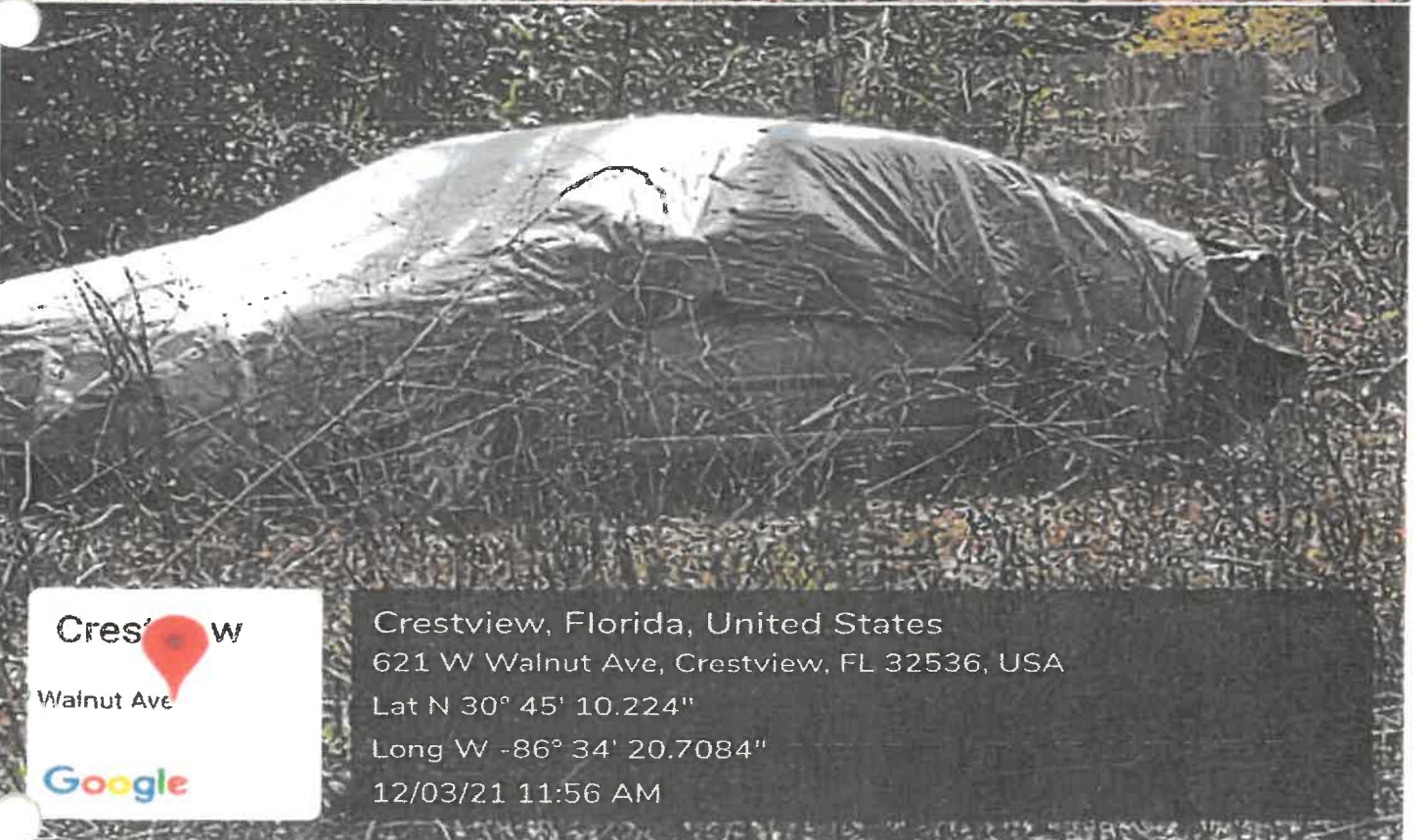
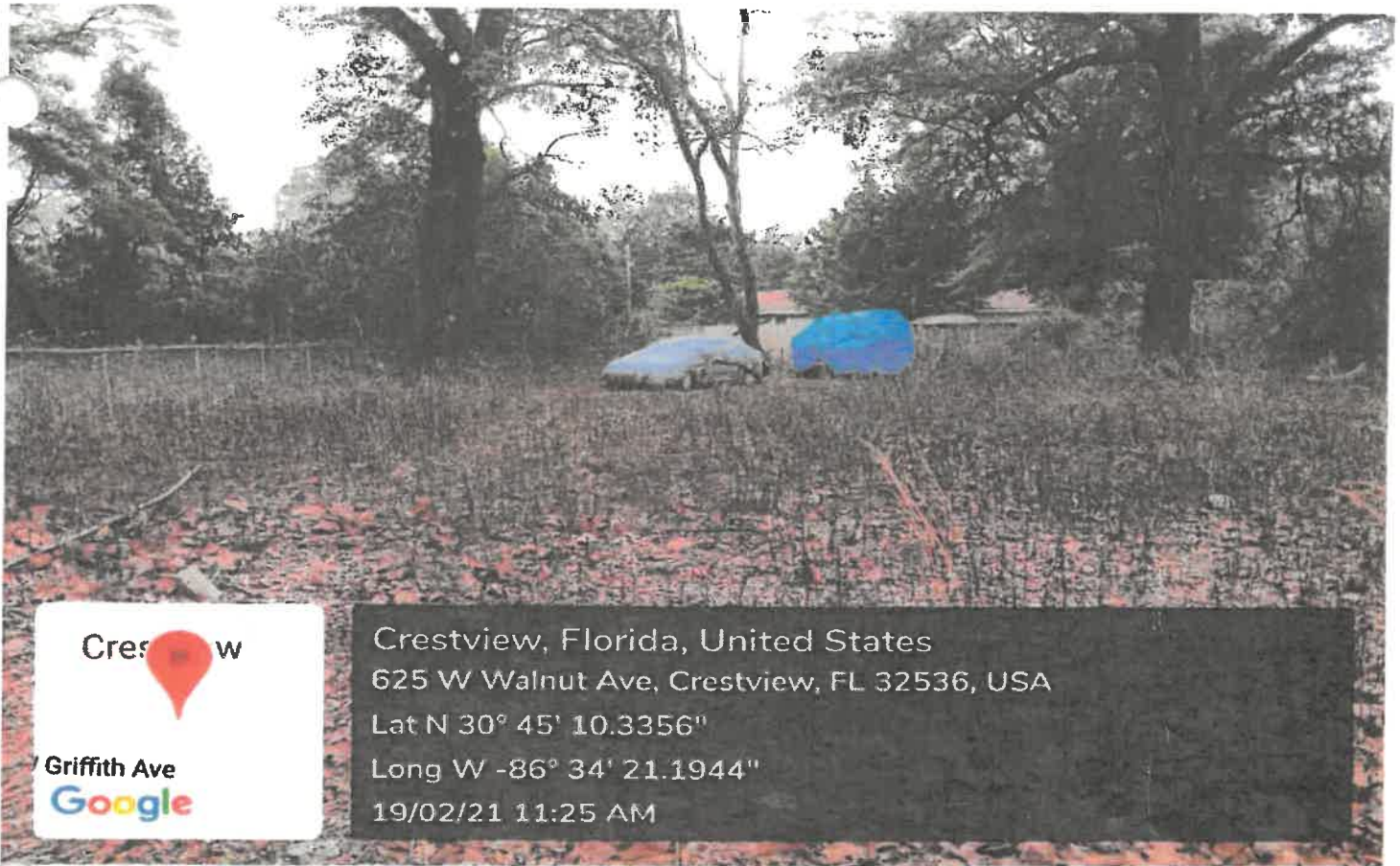
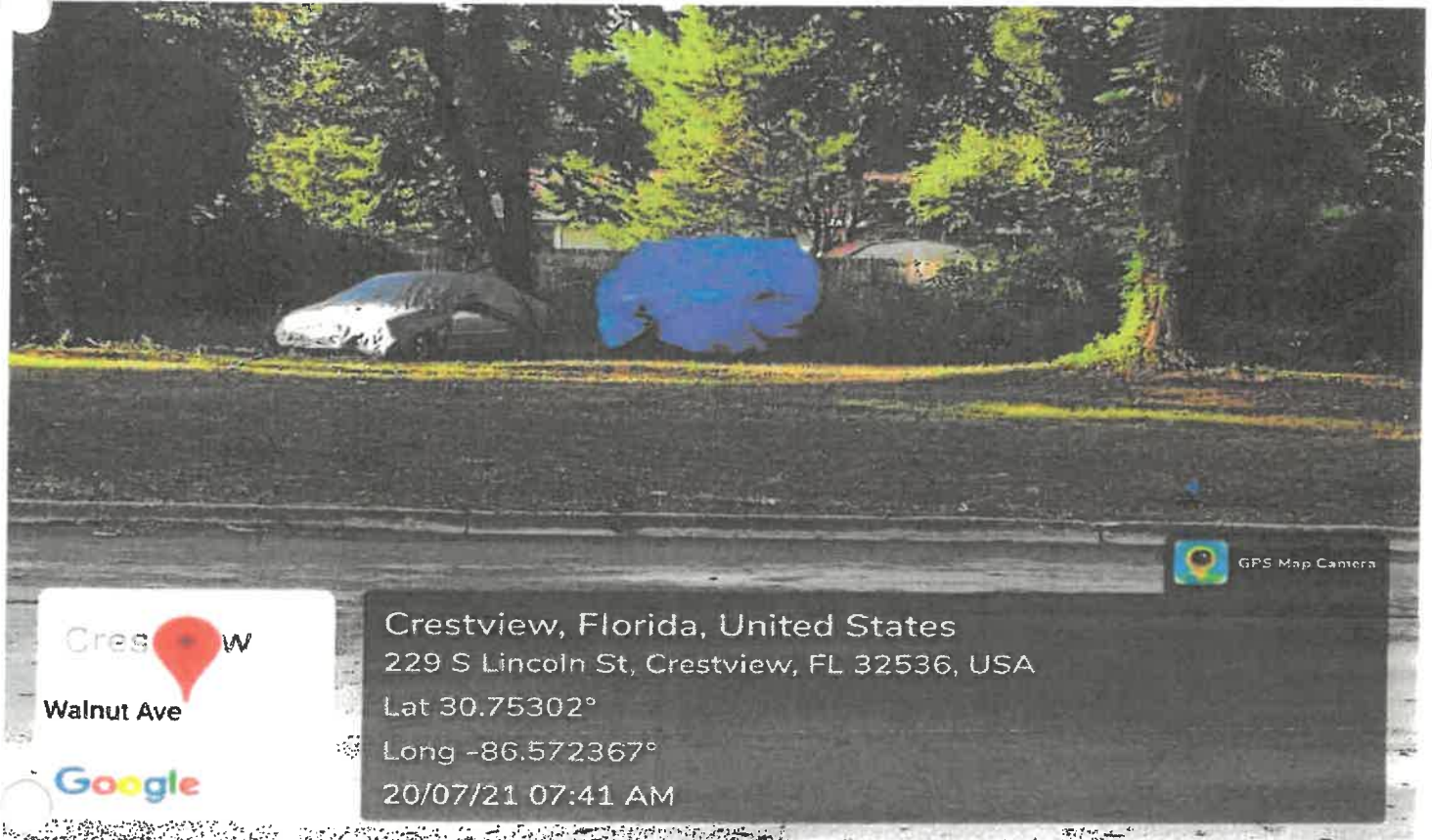
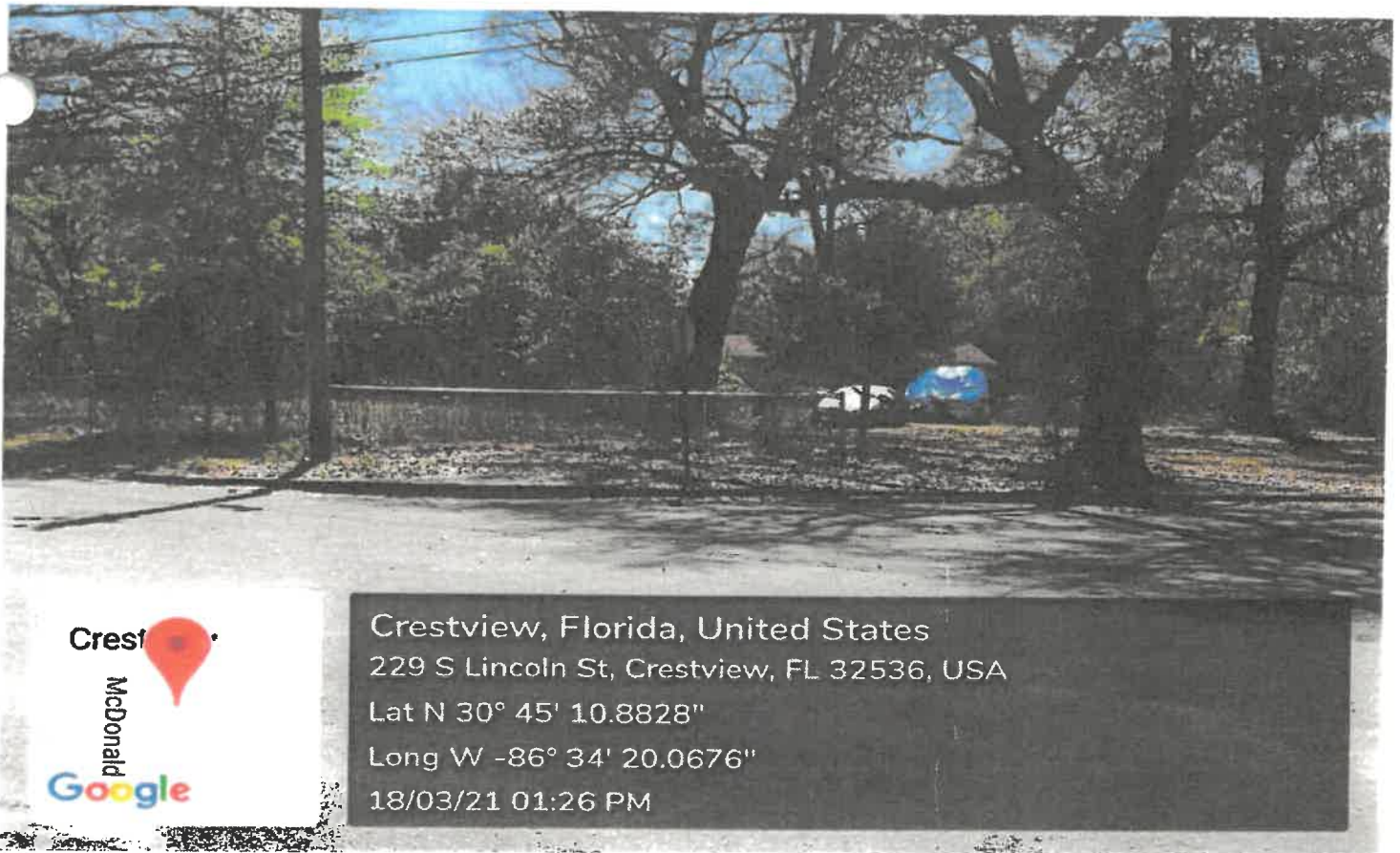


EXHIBIT 4





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: February 19, 2021

Case #: 21-00000566

Corrine McLaughlin
819 W WALNUT AVE
CRESTVIEW, FL 32536-3921

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 621 W WALNUT AVE

Tax Identification Number: 17-3N-23-2490-0124-0020

Legal: CRESTVIEW LOT 2 & E10 FT LOT 3, BLK 124,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **March 01, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)

EXHIBIT #

A

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 2/19/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 4

VIOLATION DETAIL

PAGE 2

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the debris.

VIOLATION: CHAPTER 38 SECT. 38-4 (4) QUANTITY: 1
DESCRIPTION: VEGETATION/DEBRIS/JUNK/TRASH DATE: 2/19/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38 - 4
(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT #

4

City of Crestview
Community Development Services
P. O. Box 1209
Crestview, Florida 32536



EXHIBIT #

4

CORR
819
CRES

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
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OFFICIAL USE

Certified Mail Fee	3.60
Return Receipt (hardcopy)	2.85
Return Receipt (electronic)	
Certified Mail Restricted Delivery	
Adult Signature Required	
Adult Signature Restricted Delivery	
Postage	0.51
Total Postage and Fees	6.96

Sent to: **CORRINE MCLAUGHLIN**
Street: **819 W WALNUT AVE**
City: **CRESTVIEW, FL 32536**

PS Form 3800, April 2010 Edition

7018 3090 0001 4427 9623

7018 3090 0001 4427 9623

NEOPOST
01/15/2021
US POSTAGE \$006.90

ZIP 32536
041M11297338

NEOPOST
02/12/2021
US POSTAGE \$000.06

ZIP 32536
041M11297338

City of Crestview
Community Development Services
P. O. Box 1209
Crestview, Florida 32536



7018 3090 0001 4427 9623

NEOPOST
01/15/2021
US POSTAGE \$006.90

ZIP 32536
041M11297338

CORRINE MCLAUGHLIN
819 W WALNUT AVE
CRESTVIEW, FL 32536

NEOPOST
02/12/2021
US POSTAGE \$000.06

ZIP 32536
041M11297338

NIXIE 322 DC 1 0002/24/21
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 32536120909 *2187-16131-19-39

ANK 32536120909

2.20.21



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: March 3, 2021
Case #: 21-00000566

Corrine McLaughlin
229 S Lincoln Str
Crestview, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 621 W WALNUT AVE

Tax Identification Number: 17-3N-23-2490-0124-0020

Legal: CRESTVIEW LOT 2 & E10 FT LOT 3, BLK 124,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **March 12, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)

EXHIBIT #

4

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 2/19/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
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Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 4

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the debris.

VIOLATION: CHAPTER 38 SECT. 38-4 (4) QUANTITY: 1
DESCRIPTION: VEGETATION/DEBRIS/JUNK/TRASH DATE: 2/19/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards

Chapter 38 Property

Section 38 - 4

(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.



City of Crestview
Community Development Services
P.O. Box 1209
Crestview, Florida 32536

7018 3090 0001 4427 9722



325
MAR 30 2021 PM 11

NEOPOST

FIRST CLASS MAIL

03/01/2021

US POSTAGE \$006.96



ZIP 32536
041M11297338

NSN

3-17-21

RUSSELL MCLAUGHLIN
229 S LINCOLN ST
CRESTVIEW, FL 32536

32536-0300

NSN

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD
RC: 32536120909
*2638-05086-03-36

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee	3.60
Return Receipt (hardcopy)	2.85
Return Receipt (electronic)	
Certified Mail Restricted Delivery	
Adult Signature Required	
Adult Signature Restricted Delivery	
Postage	0.51
Total Postage and Fees	6.96

Postmark Here
MAR - 3 2021

RUSSELL MCLAUGHLIN
229 S LINCOLN ST
CRESTVIEW, FL 32536

U.S. Form 3800, April 2015 PSN 750152-90-0007 See Reverse for Instructions

2226 2244 T 7 0606 8702

EXHIBIT #

4



CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: March 12, 2021
Case #: 21-00000566

Corrine McLaughlin
229 S Lincoln Str
Crestview, FL 32536

Dear Corrine McLaughlin,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 621 W WALNUT AVE
Tax Identification Number: 17-3N-23-2490-0124-0020
Legal: CRESTVIEW LOT 2 & E10 FT LOT 3, BLK 124,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **March 22, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

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If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 4

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 2/19/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT #

4

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the debris.

VIOLATION: CHAPTER 38 SECT. 38-4 (4) QUANTITY: 1
DESCRIPTION: VEGETATION/DEBRIS/JUNK/TRASH DATE: 2/19/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38 - 4
(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

VIOLATION: CHAPTER 38 SECT. 38-4 (1) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLES DATE: 3/12/21
LOCATION:

NARRATIVE :

3/12/2021, 4:23:56 PM CRESFMA
I am adding to this list of violations, IOV, because those cars/van/truck WERE THERE LONGER THAN 72 HOURS, so I need to address it.

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38-4
(1) - Maintain a public nuisance prohibited

Inoperable vehicles are a nuisance due to safety, aesthetics, and visual impact on surrounding areas. Such inoperable vehicles constitute a breeding ground for mosquitoes, snakes, rats, rodents, and other vermin. No inoperable vehicle, including a motor vehicle frame, vehicle body, or parts, shall be parked or stored on any property, public land, right-of-way, or easement. Any vehicle or

EXHIBIT #

4

CASE NUMBER 21-00000566
PROPERTY ADDRESS 621 W WALNUT AVE

ORDINANCE DESCRIPTION :

inoperative machinery including, but not limited to, cars, trucks, vans, motorcycles, minibikes, all-terrain vehicles, boats, excavators, front end loaders, which by quantity, placement or visibility would in any way constitute a public nuisance as defined in this Chapter shall be considered to be a violation of this code and subject to penalties as outlined in this Chapter.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

Having the inoperable vehicle, motorcycle, minibike, all-terrain vehicle, boat, excavator or front end loader, repaired to an operating state, affix a current license plate to it, or remove it from the property.

EXHIBIT # 4

**City of Crestview
Community Development Services
P. O. Box 1209
Crestview, Florida 32536**



NEOPOST

FIRST CLASS MAIL

03/12/2021

03-172921
US POSTAGE \$006.96⁰



ZIP 32536
041M11297338

7020 1290 0001 2346 7576

CORRINE MULVAGHAN
229 S LINCOLN ST
OKESTVIEW, FL 32536

3.22.21

FIXIN

322 DC 1

000019/21

RETRY TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK
32536-1209

32536120909

*0238-02049-19-23

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®	
Original Mail Fee \$ 3.50	Postmark Here MAR 15 2011
☒ Basic Services & Fees (check one) \$ 2.85 ☐ Return Receipt (hardcopy) \$ _____ ☐ Return Receipt (electronic) \$ _____ ☐ Certified Mail Restricted Delivery \$ _____ ☐ Adult Signature Required \$ _____ ☐ Adult Signature Restricted Delivery \$ _____	
Postage 0.51	
Total Postage and Fees 6.96	
Send to: CORRINE MC LAUGHLIN 2225 S. LINCOLN ST. ORL STUVIEW, FL 32536	



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 06/9/2021

**Heirs of Corrine E McLaughlin
819 W Walnut Avenue
Crestview, FL, 32536**

RE: CASE# 21-566

Dear Property Owner:

You are hereby formally notified that on July 20, 2021 at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North Crestview, Florida in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 621 Walnut Avenue West, Crestview, FL, 32536, more particularly described as:

**PIN# 17-3N-23-2490-0124-0020 LEGAL DESCRIPTION: CRESTVIEW LOT 2 & E10 FT LOT 3
BLK 124**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

Encl: Notice of Violation

EXHIBIT #

4

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

STATEMENT OF VIOLATION

1. **Code of Ordinance Violated:** CHAPTER 38 SECTION 38-4 (1)

Inoperable vehicles are a nuisance due to safety, aesthetics, and visual impact on surrounding areas. Such inoperable vehicles constitute a breeding ground for mosquitoes, snakes, rats, rodents, and other vermin. No inoperable vehicle, including a motor vehicle frame, vehicle body, or parts, shall be parked or stored on any properly, public land, right-of-way, or easement. Any vehicle or inoperative machinery including, but not limited to, cars, trucks, vans, motorcycles, minibikes, all-terrain vehicles, boats, excavators, front end loaders, which by quantity, placement or visibility would in any way constitute a public nuisance as defined in this Chapter shall be considered to be a violation of this code and subject to penalties as outlined in this Chapter.

Corrective Action: Remove the inoperable vehicle or bring the vehicle into a state of compliance.

U.S. Postal Service[™]
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

7020 3160 0001 0731 1813

Certified Mail Fee **3.60**

Services: ☒ Return Receipt (hardcopy) **2.35**

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage **.51**

Total Package and Fees **6.46**

Post to: **HEIRS OF CORRIE E McLAUGHAN**
819 W WALNUT AVE
CRESTVIEW, FL 32636

Postmark: **JUN 11 2021**

PS Form 3809, April 2015 PSN 7530-02-000-9053 See Reverse for instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
HEIRS OF CORRIE E McLAUGHAN
819 W Walnut Ave
CRESTVIEW, FL
32636

2. Article Number (Transfer from service label)
7020 3160 0001 0731 1813

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Agent
☐ Addressee

B. Received by (Printed Name) **R. McLaughlin**

C. Date of Delivery **6-14**

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail[®]

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Priority Mail Express[®]

☐ Registered Mail[™]

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation[™]

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT # 4



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3483006 Bk: 3569 Pg: 995
Page 1 of 3 Recorded: 8/24/2021 10:35 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK fivv
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-566

**Corrine E McLaughlin (Heirs Of)
819 W Walnut Ave
Crestview, FL 32536**

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on July 20, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Corrine E McLaughlin , whose last known mailing address is 819 Walnut Avenue West, is the owner of the property located at, 621 Walnut Avenue West, Crestview, FL 32536, AKA PIN#17-3N-23-2490-0124-0020, and more particularly described as:

CRESTVIEW LOT 2 & E10 FT LOT 3 BLK 124
2. The conditions on the property consist of inoperable vehicles. The violation(s) were first observed on February 18, 2021. A Notice of Violation was mailed by certified mail return receipt February 19, 2021, and was not accepted by the Respondent. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance Conditions - Section 4 (1), of the City of Crestview's Code of Ordinances and requested correction

of the violation by March 1, 2021. A second Notice of Violation was mailed by certified mail return receipt March 3, 2021 and was not accepted by the Respondent. A Notice of Public Hearing was mailed certified Mail Return Receipt on June 11, 2021 and was signed for on June 14, 2021. Re inspection of the property on March 2, March 12, March 24, May 11, and June 9, 2021 confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

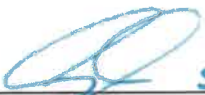
CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards -Nuisance Conditions - Sec. 38-4 (1) -, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before August 21, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before August 21, 2021, the Respondent is to correct the violation(s) by conducting the following action(s): Remove the inoperable vehicles from the property or bring the vehicles into a state of compliance.
10. If the violation(s) are not corrected by August 21, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 20th day of July, 2021.



Special Magistrate
City of Crestview, Florida

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3591810 Bk: 3651 Pg: 4496
Page 1 of 3 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-566

**Corrine E McLaughlin (Heirs Of)
819 W Walnut Ave
Crestview, FL 32536**

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on July 20, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Corrine E McLaughlin , whose last known mailing address is 819 Walnut Avenue West, is the owner of the property located at, 621 Walnut Avenue West, Crestview, FL 32536, AKA PIN#17-3N-23-2490-0124-0020, and more particularly described as:

CRESTVIEW LOT 2 & E10 FT LOT 3 BLK 124

2. The conditions on the property consist of inoperable vehicles. The violation(s) were first observed on February 18, 2021. A Notice of Violation was mailed by certified mail return receipt February 19, 2021, and was not accepted by the Respondent. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance Conditions - Section 4 (1), of the City of Crestview’s Code of Ordinances and requested correction

of the violation by March 1, 2021. A second Notice of Violation was mailed by certified mail return receipt March 3, 2021 and was not accepted by the Respondent. A Notice of Public Hearing was mailed certified Mail Return Receipt on June 11, 2021 and was signed for on June 14, 2021. Re inspection of the property on March 2, March 12, March 24, May 11, and June 9, 2021 confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards -Nuisance Conditions - Sec. 38-4 (1) -, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before August 21, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before August 21, 2021, the Respondent is to correct the violation(s) by conducting the following action(s): Remove the inoperable vehicles from the property or bring the vehicles into a state of compliance.
10. If the violation(s) are not corrected by August 21, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 20th day of July, 2021.


Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**
BY: 
DATE: 11-16-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 21-477

Address 650 Shortwell Ave

Owner of Record: Clara C Smith

650 Shortwell Ave Crestview FL 32539

Origination Date: 05/01/2021

Origination Code: Proactive

Violations: Chapter 38 Section 18 (b)(d), Land Development Code Chapter 7 Sec 7.05.03

(a)(b)(c) ; trash, debris, dilapidated structure, and recreational camps.

Corrective Action Required:

- a. Obtain a building permit and demolish the structure. Remove all demolition debris from the property.
- b. Remove all trash and debris from the property.
- c. Remove all tents from the property.
- d. Remove the recreational vehicle from the property or bring it into an operable state.

Notice Sent: 07/21/21

Signed: Returned

Compliance Date: 08/04/21

Inspected: 08/09/21 Results: In Violation

Notice Sent: 08/11/21

Signed: Returned

Compliance Date: 08/20/21

Inspected: 08/26/21

Results: In Violation

Public Hearing Notice Sent: 09/14/21

Signed: Returned

Hearing Date: 10/19/21

After March, 26, 2023, property remains in violation.

Order Recorded: 10/28/21

Re-recorded with wet stamp 11/16/2022

Hearing fee: \$250 Due by 11/19/2021

Daily fine: \$250 Start: 11/20/2021

Fines: \$110,250 **as of 02/03/2023 (not including interest)**

Property Value: \$35,555

Related Properties: N/A

EXHIBIT 7
CASE # 21-477
650 SHORTWELL
TUESDAY, OCTOBER 19, 2021

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

7/1/21

DATE

650 Shortwell

ADDRESS-LOCATION OF VIOLATION

21477

☐ (a) FOUNDATION

☐ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☒ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☒ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☐ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☒ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☒ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S):

I recommend removal of single wide trailer and the RV from the property. There are numerous tents and an outdoor shower on the property. No skirting, missing doors, windows, steps and no porch on front at all.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

7/1/21

DATE

EXHIBIT # 7

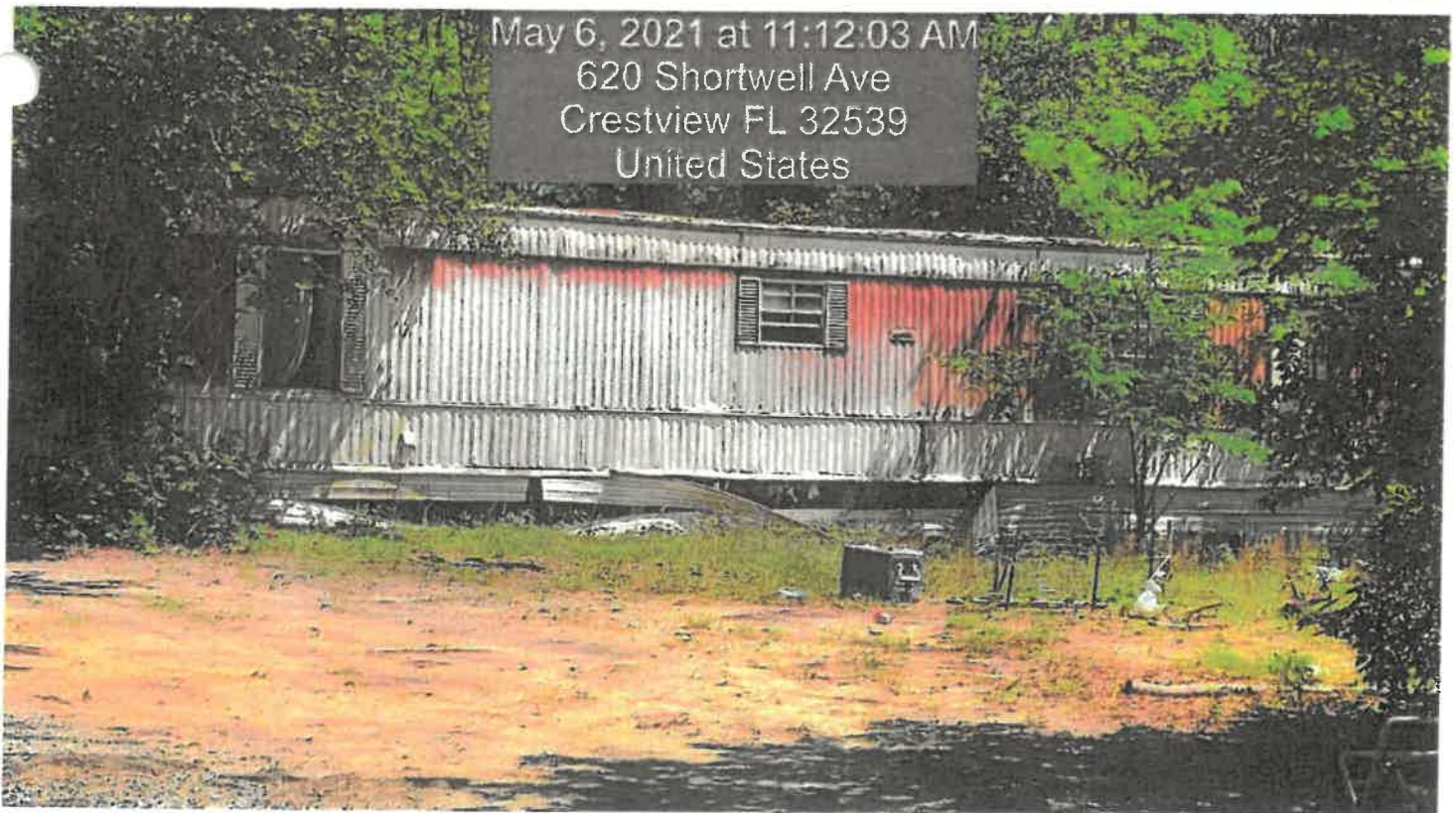
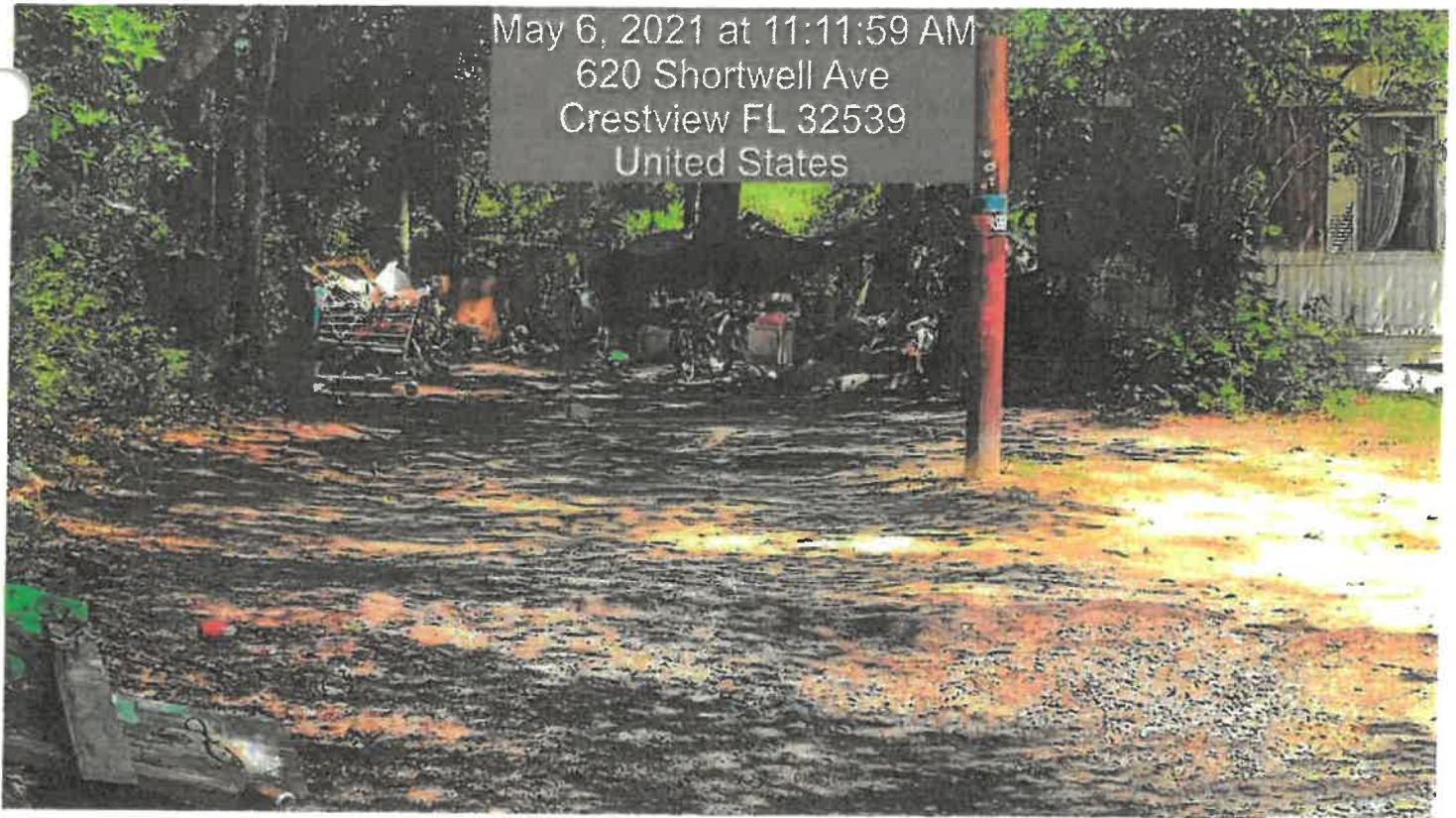


EXHIBIT # 7



EXHIBIT # 7

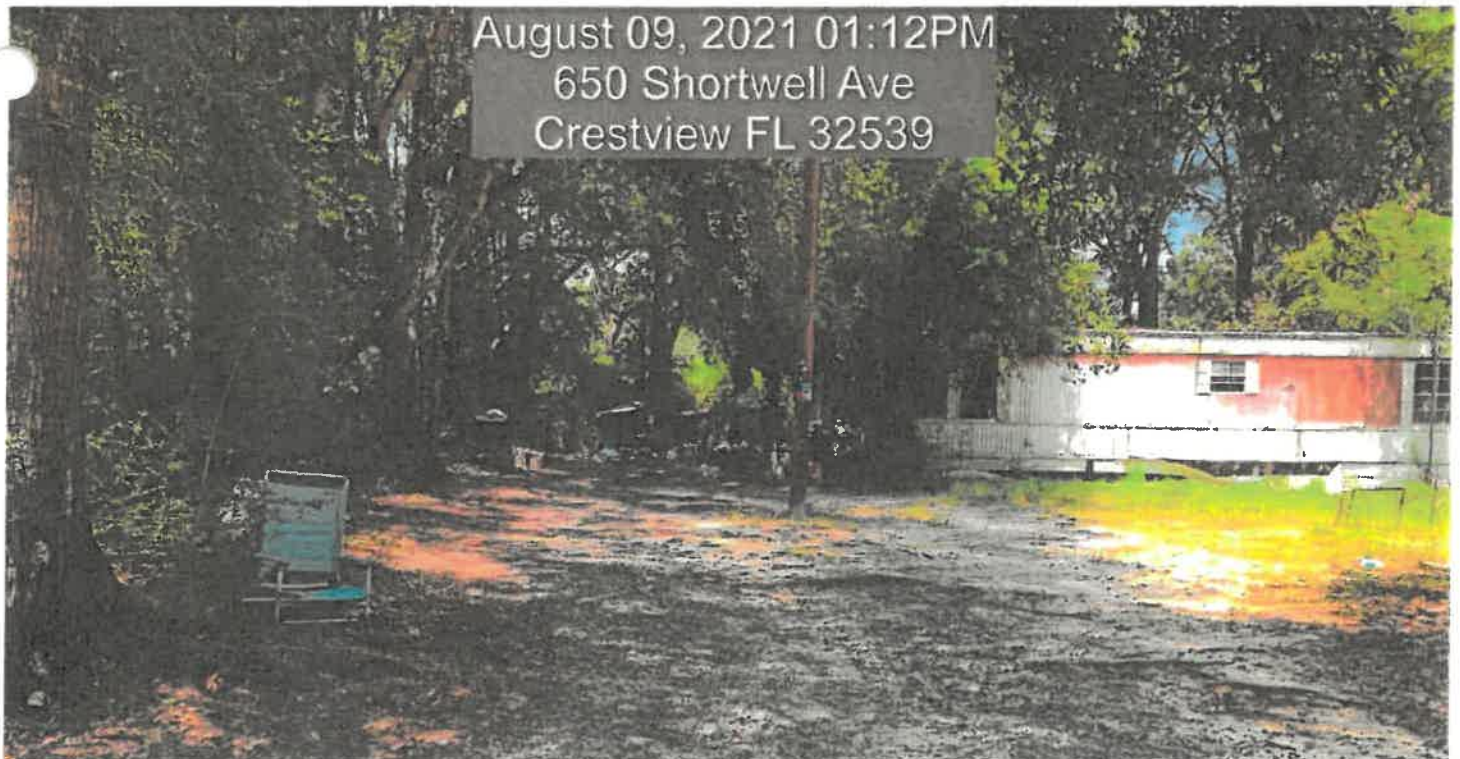


EXHIBIT # 7

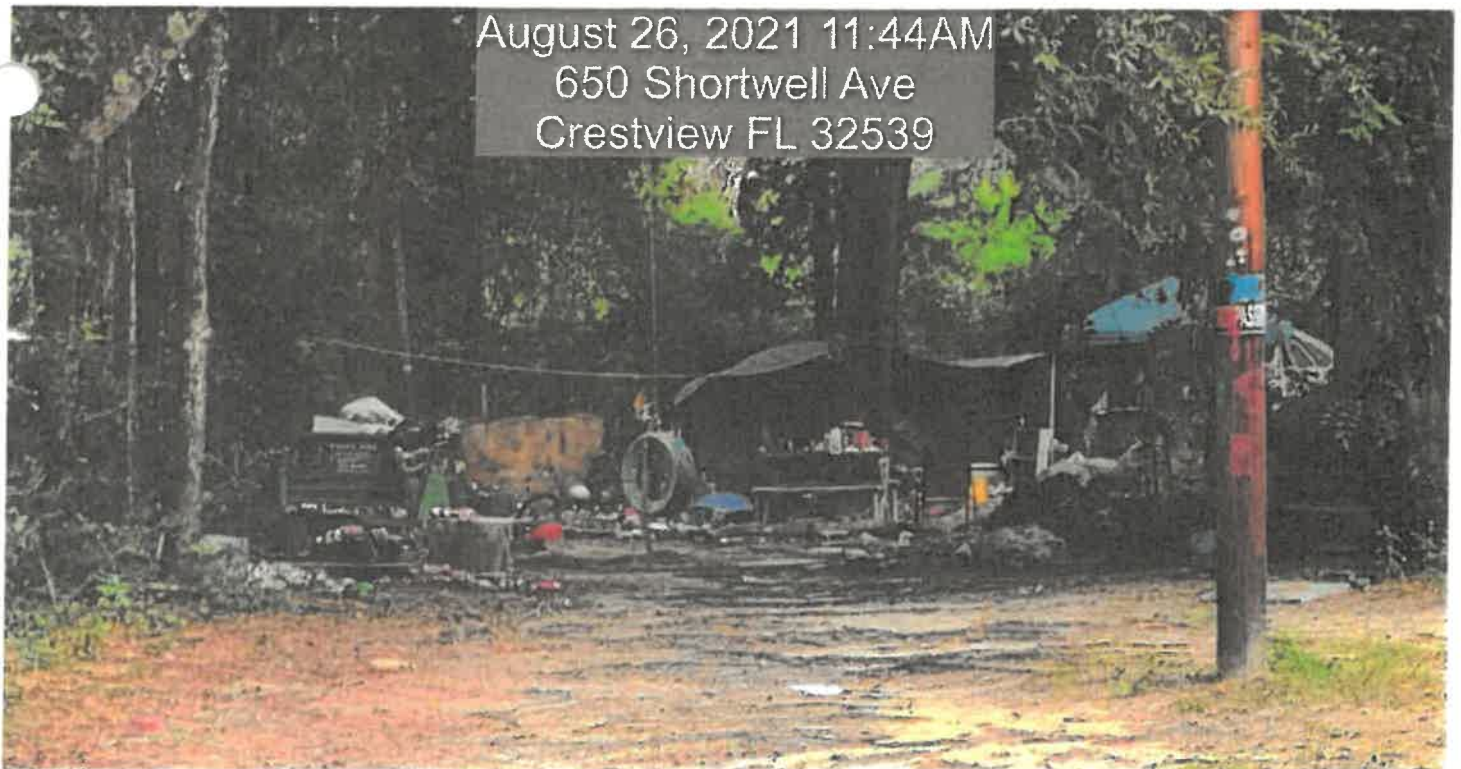
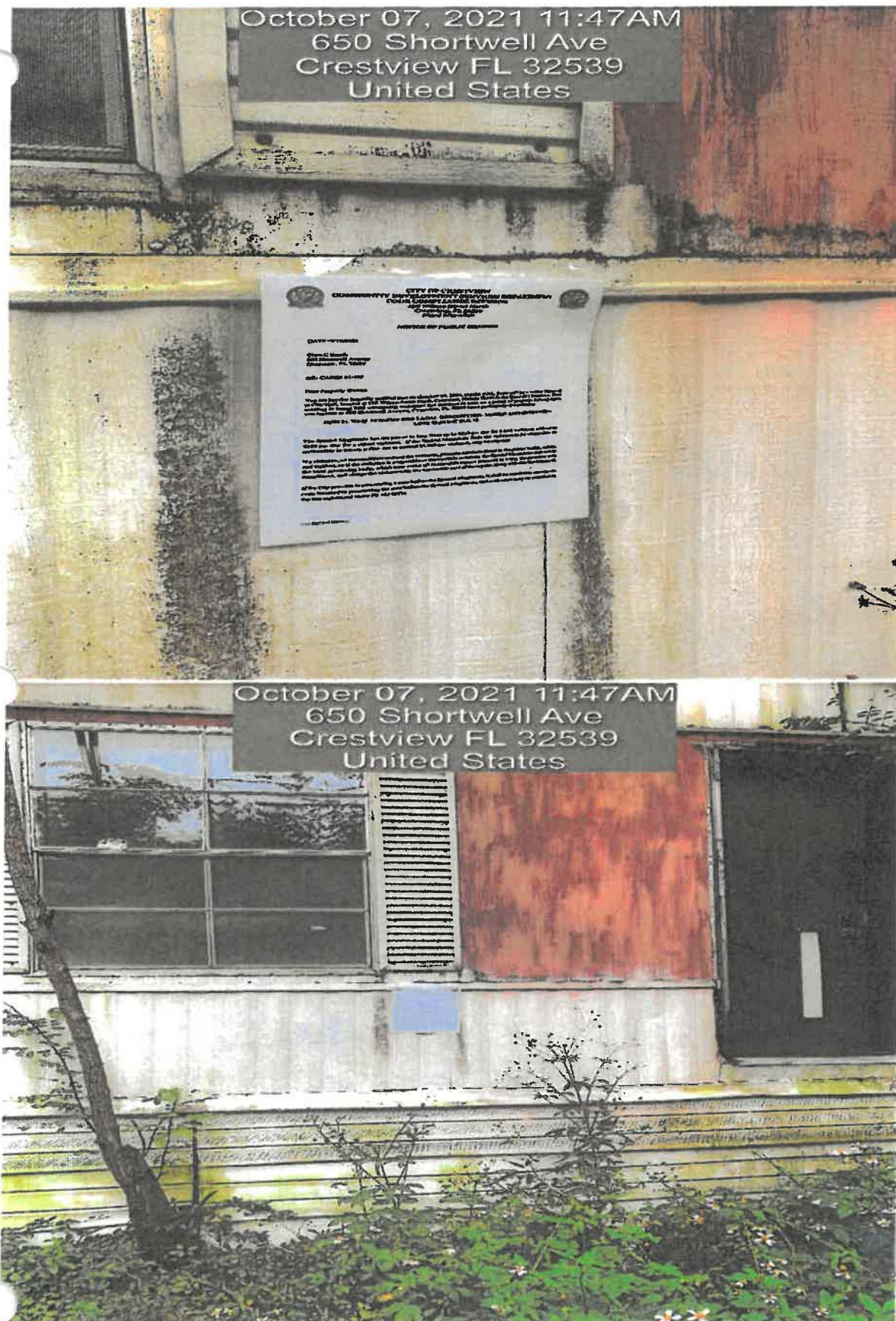


EXHIBIT # 7

EXHIBIT # 7

October 07, 2021 01:00PM
198 N Wilson St
Crestview FL 32536
United States

**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION**
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896

NOTICE OF PUBLIC HEARING

DATE: 9/13/2021

Clara C Smith
650 Shortwell Avenue
Crestview, FL 32539

RE: CASE# 21-477

Dear Property Owner:

You are hereby formally notified that on October 19, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 650 Shortwell Avenue, Crestview, FL 32539 more particularly described as:

FINW 21-3N-23-1670-0010-0320 LEGAL DESCRIPTION: MORRIS ADD CRESTVIEW
LOTS 32-36 INC BLK 10

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

That Notice of Violation

EXHIBIT #

7

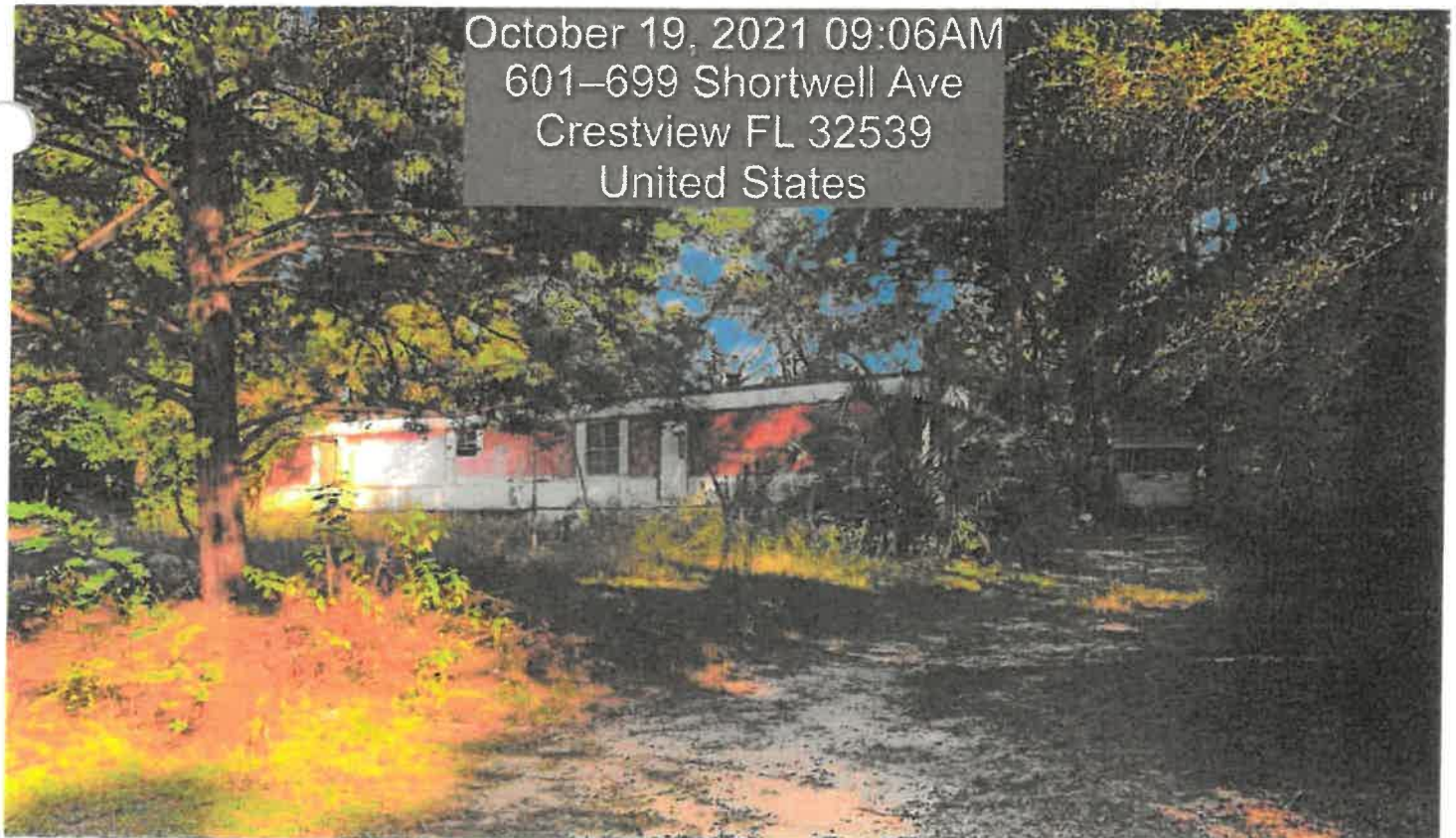
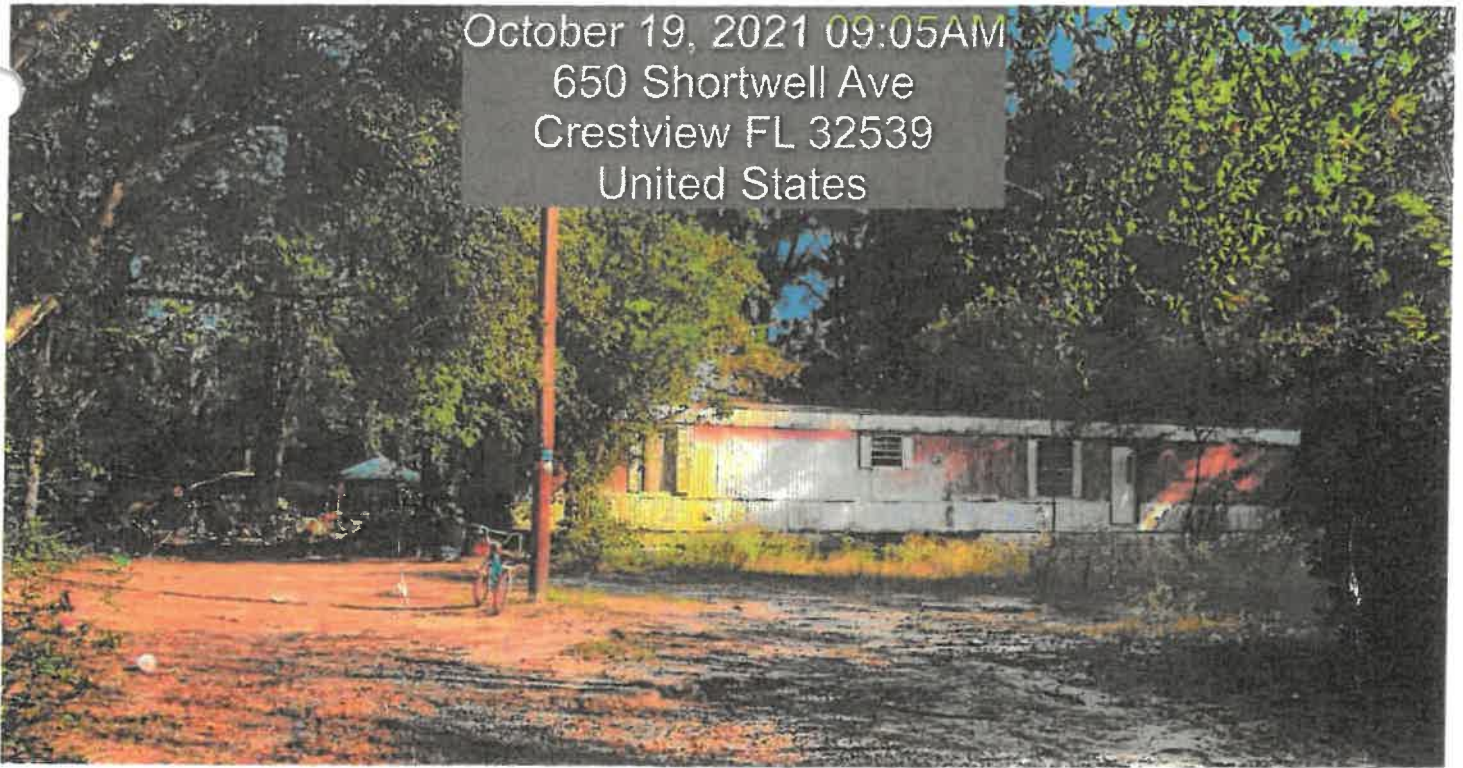


EXHIBIT # 7



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: July 21, 2021
Case #: 21-00000477

CLARA C SMITH
650 SHORTWELL AVENUE
CRESTVIEW, FL 32539

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 650 SHORTWELL AVE
Tax Identification Number: 21-3N-23-1670-0010-0320
Legal: MORRIS ADD CRESTVIEW LOTS, 32-36 INC BLK 10,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **August 04, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Deborah Lawson

Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 3/10/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 7/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 7/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

ORDINANCE DESCRIPTION :

which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

VIOLATION: LDC CH 7 SEC. 7.05.03
DESCRIPTION: RECREATIONAL CAMPS/TENTS
LOCATION: QUANTITY: 1
DATE: 7/21/21

EXHIBIT # 7

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

ORDINANCE DESCRIPTION :

LAND DEVELOPMENT CODE CHAPTER 7

SECTION 7.05.03 - RECREATIONAL CAMPS

A. Recreational camps are allowed by special exception in the MU, C-1, C-2 and E districts in accordance with the following standards.

B. For purposes of this subsection, "Recreational camp" or "Recreational camps" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

C. The minimum lot area within the MU, C-1, C-2 or E districts shall be 40 acres.

D. Recreational camps in the E districts may only be allowed in accordance with an approved management plan. The management plan shall be prepared at the expense of the applicant by a person or persons qualified in the appropriate fields of study and conducted according to professionally accepted standards. At a minimum, the management plan includes the following:

1. Description of goals and objectives based on type of natural resources to be managed;
2. Description of all proposed uses, including existing and any proposed physical and access improvements;
3. Description of prohibited activities, such as mowing in wetland buffers, or removal of native vegetation in protected habitat areas;
4. Descriptions of ongoing activities that will be performed to protect, restore, or enhance the natural resources to be protected. This may include:
 - a. Removal or control of invasive vegetation and debris;
 - b. Replanting with native vegetation as necessary;
 - c. Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive foraging, breeding, roosting, and nesting areas;
 - d. Fencing or other institutional controls to minimize impact of human activities on wildlife and vegetation, such as predation by pets;
 - e. Prescribed burning, thinning, or comparable activities performed in an environmentally sensitive manner to restore or maintain habitat;
 - f. Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring, and reporting;
 - g. Any additional measures determined to be necessary to protect and maintain the functions and values of conservation areas in conjunction with wildfire mitigation;
 - h. Set of schedules, estimated costs, staffing requirements, and assignments of responsibility for specific implementation activities to be performed as part of the

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

ORDINANCE DESCRIPTION :

- management plan, and identification of means by which funding will be provided;
- i. Performance standards with criteria for assessing goals and objectives;
 - j. Five-year monitoring plan with schedule and responsibility;
 - k. Ownership and party responsible for management activities
 - l. Provision for changes to be reviewed and approved by the City; and
 - m. Contingency plans for corrective measures or change if goals not met, and recognition of City enforcement authority
5. The maximum density of cabins, lodges and/or tent campsites shall not exceed one per five acres. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high-water mark.
6. Cabins or lodges shall comply with the Florida Building Code and must contain a minimum of 250 square feet of floor space up to a maximum of 2,500 square feet of floor space, with a maximum occupancy of 10 per cabin or lodge. Use of mobile homes or recreational vehicles for lodging is prohibited.
7. A single permanent residence is allowed.
8. All structures, cabins and tent sites shall be setback a minimum of 200 feet from the property line.
9. Vehicular access shall be from a paved public roadway.
10. A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.
11. Sanitary facilities including showers, toilets, and sinks shall be provided. Potable water from a municipal water supply shall be used for such sanitary facilities, unless the facility is served by a private well registered, approved and tested by the Department of Health as a limited use public water system.
12. Recreational camps for five or more members of the public as defined in Section 513.01, Florida Statutes, are subject to the provisions of Chapter 513, Florida Statutes and shall not be permitted as a special exception unless the Department of Business and Professional Regulation has issued a permit for such activity and such permit remains valid and current at all times and such property meets every provision of this section not in conflict with the requirements of Chapter 513, Florida Statutes.
13. Any violation of this section, including a property owner's operating or allowing unpermitted recreational camps shall be punished as provided for in section 1-11 of the City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :
PROHIBITED

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

CORRECTIVE ACTION REQUIRED :

Building(s), structure(s), tent(s), trailer(s), or vehicle(s), or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

You may abate the violation by removing the building(s), structure(s), tent(s), trailer(s), or vehicle(s), from the property.

EXHIBIT # 7



City of Crestview
Community Development Ser
P. O. Box 1209
Crestview, Florida 32536

CERTIFIED MAIL



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NEOPOST

07/21/2021

US POSTAGE \$006.96⁹



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CLARA C SMITH

650 SHORTWELL AVENUE

CRESTVIEW

NIXIE 322 DE 1 0807/24/21

RETURN RECEIPT
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RETURN TO SENDER
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UNABLE TO FORWARD

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☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
Postage **.51**
Total Postage and Fees **6.96**



CLARA C SMITH
650 SHORTWELL
CRESTVIEW, FL 32536
2477

7020 1290 0001 2346 7415

EXHIBIT # 7



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: August 10, 2021

Case #: 21-00000477

CLARA C SMITH
650 SHORTWELL AVENUE
CRESTVIEW, FL 32539

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 650 SHORTWELL AVE

Tax Identification Number: 21-3N-23-1670-0010-0320

Legal: MORRIS ADD CRESTVIEW LOTS, 32-36 INC BLK 10,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by August 20, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 3/10/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

(1) Materials which have not been prepared for collection in accordance with this article.

(2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.

(3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).

(4) Solid wastes resulting from industrial processes.

(5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.

(6) Refuse created by any private contractor as described in sections 70-35 and 70-36.

(7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 7/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 7/21/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

ORDINANCE DESCRIPTION :

which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 7/21/21
LOCATION:

EXHIBIT # 7

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

ORDINANCE DESCRIPTION :

LAND DEVELOPMENT CODE CHAPTER 7

SECTION 7.05.03 - RECREATIONAL CAMPS

A. Recreational camps are allowed by special exception in the MU, C-1, C-2 and E districts in accordance with the following standards.

B. For purposes of this subsection, "Recreational camp" or "Recreational camps" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

C. The minimum lot area within the MU, C-1, C-2 or E districts shall be 40 acres.

D. Recreational camps in the E districts may only be allowed in accordance with an approved management plan. The management plan shall be prepared at the expense of the applicant by a person or persons qualified in the appropriate fields of study and conducted according to professionally accepted standards. At a minimum, the management plan includes the following:

1. Description of goals and objectives based on type of natural resources to be managed;
2. Description of all proposed uses, including existing and any proposed physical and access improvements;
3. Description of prohibited activities, such as mowing in wetland buffers, or removal of native vegetation in protected habitat areas;
4. Descriptions of ongoing activities that will be performed to protect, restore, or enhance the natural resources to be protected. This may include:
 - a. Removal or control of invasive vegetation and debris;
 - b. Replanting with native vegetation as necessary;
 - c. Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive foraging, breeding, roosting, and nesting areas;
 - d. Fencing or other institutional controls to minimize impact of human activities on wildlife and vegetation, such as predation by pets;
 - e. Prescribed burning, thinning, or comparable activities performed in an environmentally sensitive manner to restore or maintain habitat;
 - f. Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring, and reporting;
 - g. Any additional measures determined to be necessary to protect and maintain the functions and values of conservation areas in conjunction with wildfire mitigation;
 - h. Set of schedules, estimated costs, staffing requirements, and assignments of responsibility for specific implementation activities to be performed as part of the

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

ORDINANCE DESCRIPTION :

- management plan, and identification of means by which funding will be provided;
- i. Performance standards with criteria for assessing goals and objectives;
 - j. Five-year monitoring plan with schedule and responsibility;
 - k. Ownership and party responsible for management activities
1. Provision for changes to be reviewed and approved by the City; and
- m. Contingency plans for corrective measures or change if goals not met, and recognition of City enforcement authority
5. The maximum density of cabins, lodges and/or tent campsites shall not exceed one per five acres. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high-water mark.
6. Cabins or lodges shall comply with the Florida Building Code and must contain a minimum of 250 square feet of floor space up to a maximum of 2,500 square feet of floor space, with a maximum occupancy of 10 per cabin or lodge. Use of mobile homes or recreational vehicles for lodging is prohibited.
7. A single permanent residence is allowed.
8. All structures, cabins and tent sites shall be setback a minimum of 200 feet from the property line.
9. Vehicular access shall be from a paved public roadway.
10. A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.
11. Sanitary facilities including showers, toilets, and sinks shall be provided. Potable water from a municipal water supply shall be used for such sanitary facilities, unless the facility is served by a private well registered, approved and tested by the Department of Health as a limited use public water system.
12. Recreational camps for five or more members of the public as defined in Section 513.01, Florida Statutes, are subject to the provisions of Chapter 513, Florida Statutes and shall not be permitted as a special exception unless the Department of Business and Professional Regulation has issued a permit for such activity and such permit remains valid and current at all times and such property meets every provision of this section not in conflict with the requirements of Chapter 513, Florida Statutes.
13. Any violation of this section, including a property owner's operating or allowing unpermitted recreational camps shall be punished as provided for in section 1-11 of the City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :
PROHIBITED

EXHIBIT # 7

CASE NUMBER 21-00000477
PROPERTY ADDRESS 650 SHORTWELL AVE

CORRECTIVE ACTION REQUIRED :

Building(s), structure(s), tent(s), trailer(s), or vehicle(s), or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

You may abate the violation by removing the building(s), structure(s), tent(s), trailer(s), or vehicle(s), from the property.

EXHIBIT # 7



City of Crestview
City Hall
198 North Wilson Str
Crestview, FL 32536

CERTIFIED MAIL



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NEOPOST FIRST-CLASS MAIL
09/11/2021
US POSTAGE \$006.96⁰



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041M11297338

ANK

RETURN RECEIPT
REQUESTED

CLARA C SMITH

650 SHORTWELL AVENUE

CRESTVIEW

NIXIE 322 FE 1 0008/14/21

RETURN TO SENDER
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☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	.51
Total Postage and Fees	6.36



CLARA C SMITH
650 SHORTWELL AVE
CRESTVIEW, FL 32539
#2477

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions

EXHIBIT # 7



CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: 9/13/2021

Clara C Smith
650 Shortwell Avenue
Crestview, FL 32539

RE: CASE# 21-477

Dear Property Owner:

You are hereby formally notified that on **October 19, 2021, at 5:30 P.M.**, there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at **650 Shortwell Avenue, Crestview, FL 32539** more particularly described as:

PIN# 21-3N-23-1670-0010-0320 LEGAL DESCRIPTION: MORRIS ADD CRESTVIEW
LOTS 32-36 INC BLK 10

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

End: Notice of Violation

EXHIBIT # 7

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deborah Lawson", is written over the typed name.

Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

EXHIBIT # 7

STATEMENT OF VIOLATION

Code of Ordinance Violated: Chapter 38 Section 18 (b) Trash, Garbage, Debris, Refuse

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

Corrective Action Required: Remove all trash, garbage, bottles, cans and other refuse from the property.

Code of Ordinance Violated: Chapter 38 Section 18 (d) Demolition of Structure

Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective Action Required: Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.

Code of Ordinance Violated: LDC Chapter 7 Section 7.05.03 Recreational Camps/ Tents (A), (B), (C)

(A) Recreational camps are allowed by special exception in the MU, C-1, C-2, and E districts in accordance with the following standards.

(B) For purposes of this subsection, "Recreational camp" or "Recreational camps" means one or more building or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

(C) The minimum lot area within the MU, C-1, C-2, or E districts shall be 40 acres.

Corrective Action Required: Remove the tents, trailers, or vehicles used as living quarters for one or more resident or transient members of the public from the property.

EXHIBIT # 7



City of Crestview
City Hall
198 North Wilson Street
Crestview, FL 32536

CERTIFIED MAIL



7011 3500 0000 9133 8632

NEOPOST
09/13/2021
US POSTAGE \$007.33⁹



ZIP 32536
041M11297338

Clara C Smith
650 Shortwell Avenue
Crestview, FL 32539

NIXIE 322 FE 1 0009/16/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

.. 9326889887026811

UTF
32536>3436

BC: 32536343698 *0238-02678-16-36



U.S. Postal Service
CERTIFIED MAIL RECEIPT *UE*
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

USPS
Postmark Here
SEP 14 2021

Sent To: CLARA C SMITH
Street, Apt. No. or PO Box No.: 650 SHORTWELL AVE
CITY: CRESTVIEW, FL 32539

PS Form 3800, August 2006

EXHIBIT # 7

CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21- 477

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 7th the day of October 2021, I personally posted said Notice of Hearing at: 450 Shortwell, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson
Affiant's Signature

10/7/2021
Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

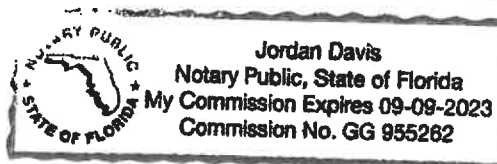
Sworn to and subscribed before me this 7 the day of Oct. 2021.

(SEAL)

NOTARY PUBLIC:

Jordan Davis

MY COMMISSION EXPIRES: _____



BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

7/1/21

DATE

650 Shortwell

ADDRESS/LOCATION OF VIOLATION

21477

☐ (a) FOUNDATION

☐ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☒ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☒ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☐ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☒ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☒ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S): I recommend removal of single
wide trailer and the RV from the property. There are numerous
tents and an outdoor shower on the property. No skirting,
missing doors, windows, steps and no porch on front at all.

[Signature]

NATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

7/1/21

DATE

EXHIBIT # 7A

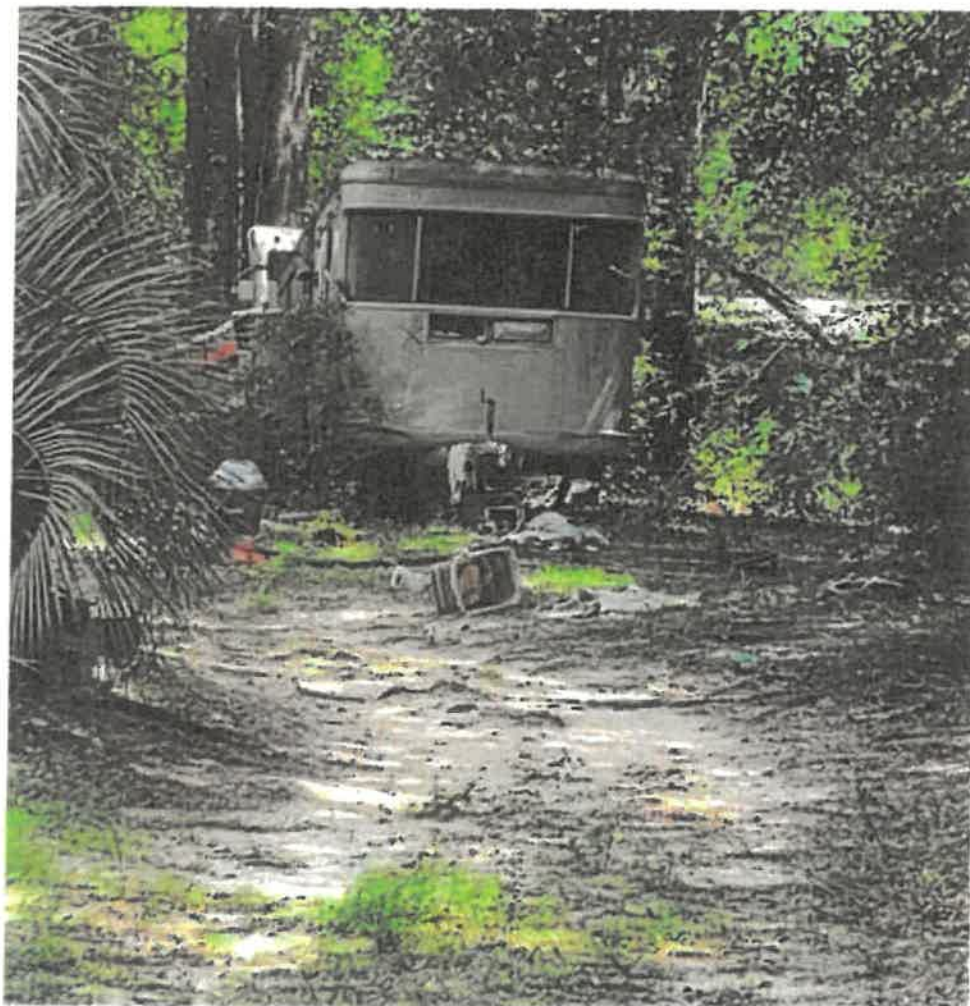


EXHIBIT # 7A



EXHIBIT # 7A

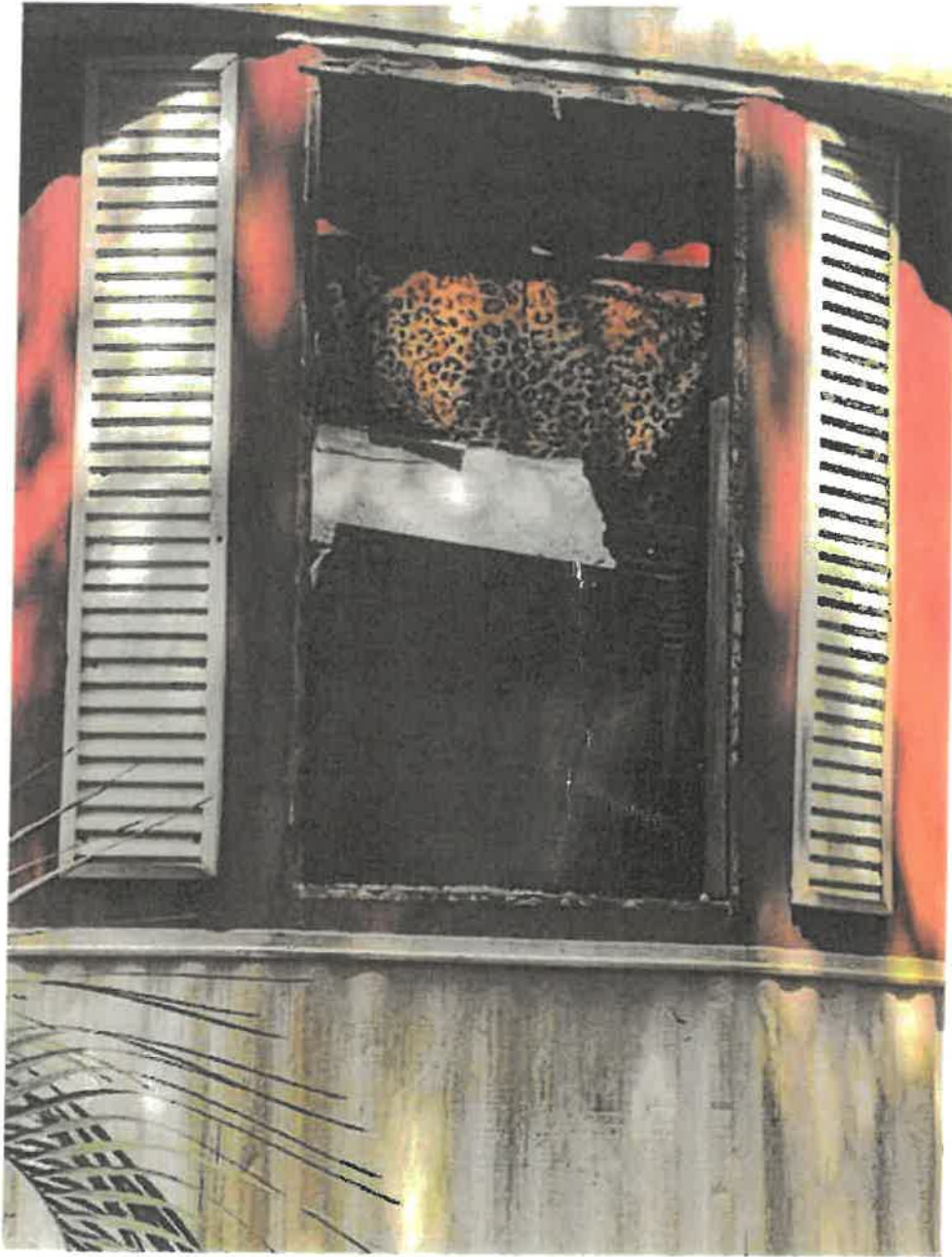


EXHIBIT # 7a



EXHIBIT # 7A



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Clara C Smith
650 Shortwell Ave
Crestview, FL 32539-4630

Respondents.

Inst. #3591812 Blk 3651 Pg: 4502
Page 1 of 4 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-477

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Clara C Smith, whose last known mailing address is 650 Shortwell Ave, Crestview, FL 32539-4630, is the owner of the property located at, 650 Shortwell Ave, Crestview, FL 32539, AKA PIN# 21-3N-23-1670-0010-0320, and more particularly described as:

MORRIS ADD CRESTVIEW LOTS 32-36 INC BLK 10

2. The conditions on the property consist of consist of an unsafe structure, trash, debris, unpermitted camps, and tents. The violation(s) were first observed on May 1, 2021. A Notice of Violation was mailed by certified mail July 21, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Section 18 (b) (d); LDC Chapter 7 Section 7.05.03 (a) (b) (c) of the City of

Crestview's Code of Ordinances and requested correction of the violation by August 4, 2021. Re inspection of the property on August 9, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18 (b) (d); LDC Chapter 7 Section 7.05.03 (a) (b) (c) , of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before November 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
- a. Obtain a building permit and demolish the structure. Remove all demolition debris from property.
 - b. Remove all trash and debris from property.
 - c. Remove all tents from property.
 - d. Remove the recreational vehicle from the property or bring it into an operable state.
10. If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th, Day of October, 2021.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:23:59 -05'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 11-16-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 21-435

165 Washington Street

Owner of Record: Terenzio N & Lara Baker 4140 Big Buck Trail Crestview, FL 32539

Origination Date: 1/26/2021 Origination Code: Police Department Referral

Violations: Chapter 38 Section 18 (d) Demolition of Structure, (k) Overgrown Vegetation

Corrective Action Required: a. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.

b. Remove all vegetation from the property.

Notice Sent: 5/25/2021 Signed: 5/27/2021 Compliance Date: 6/9/2021

Inspected: 6/10/2021 Results: In Violation

Notice Sent: 6/11/2021 Signed: 6/14/2021 Compliance Date: 6/29/2021

Inspected: 6/29/2021 Results: In Violation

Notice Sent: 7/1/2021 Signed: 7/2/2021 Compliance Date: 7/12/2021

Inspected: 7/23/2021 Results: In Violation

Public Hearing Notice Sent: 9/14/2021 Signed: 9/15/2021

Hearing Date: 10/19/2021

Property remains in violation.

Order Recorded: 10/28/2021

Re-recorded with wet stamp 12/1/2022

Hearing fee: \$250 Due by 11/19/2021

Daily fine: \$250 Start: 11/19/2021

Fines: \$111,750 as of February 9, 2023 (not including interest)

Property Value: \$6,974

Related Properties: No related properties found in Okaloosa county.

EXHIBIT 6
CASE # 21-435
165 WASHINGTON
TUESDAY, OCTOBER 19, 2021

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

165 WASHINGTON

21-435

DATE

ADDRESS-LOCATION OF VIOLATION

☐ (a) FOUNDATION

☒ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☒ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☐ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☐ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☒ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S):

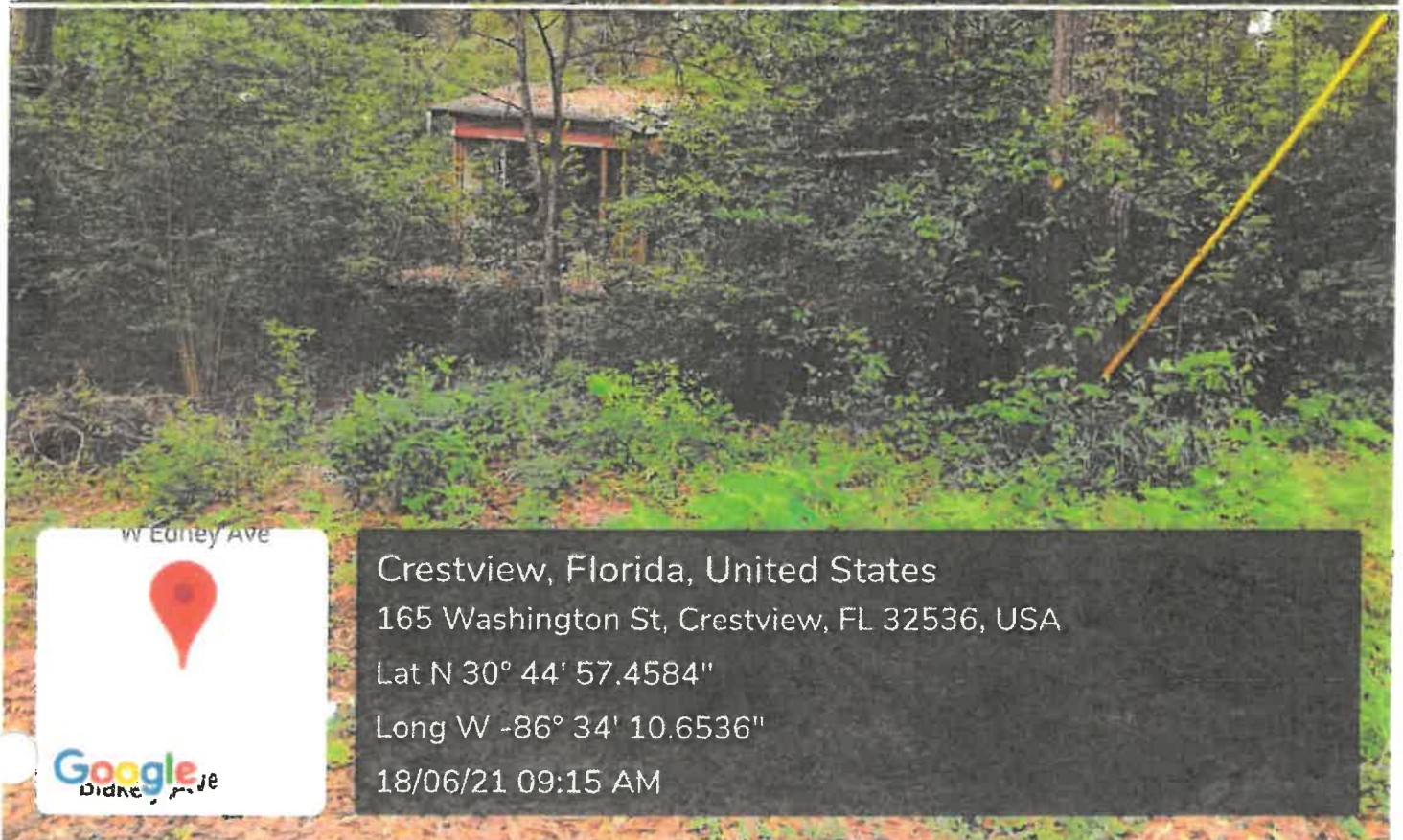
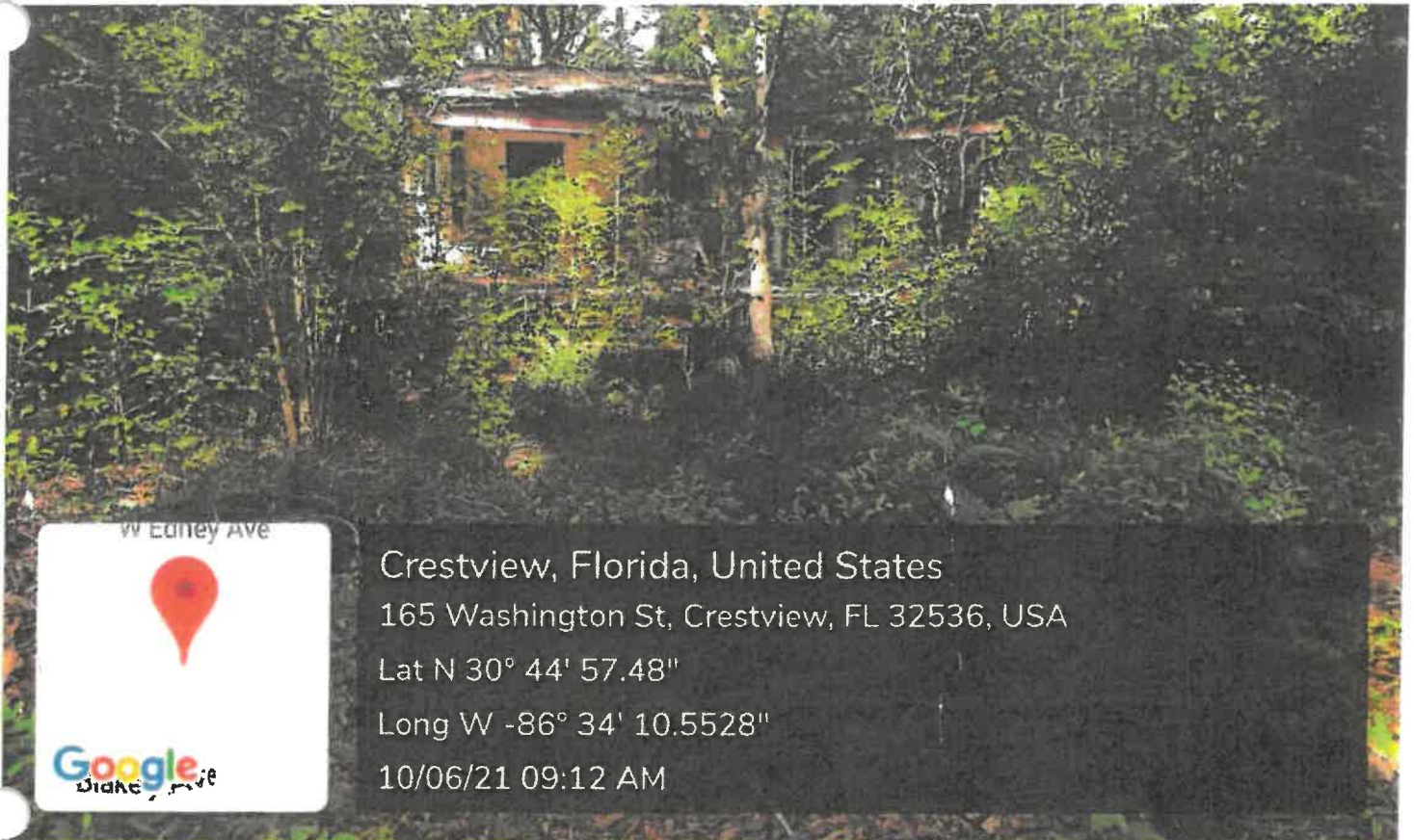
Roof and all structural wood members supporting it are falling in. There are no windows, doors, or other exterior components on the structure. The structure is an unsafe structure and I recommend removal of structure from property. Structural damage in excess of 50%.

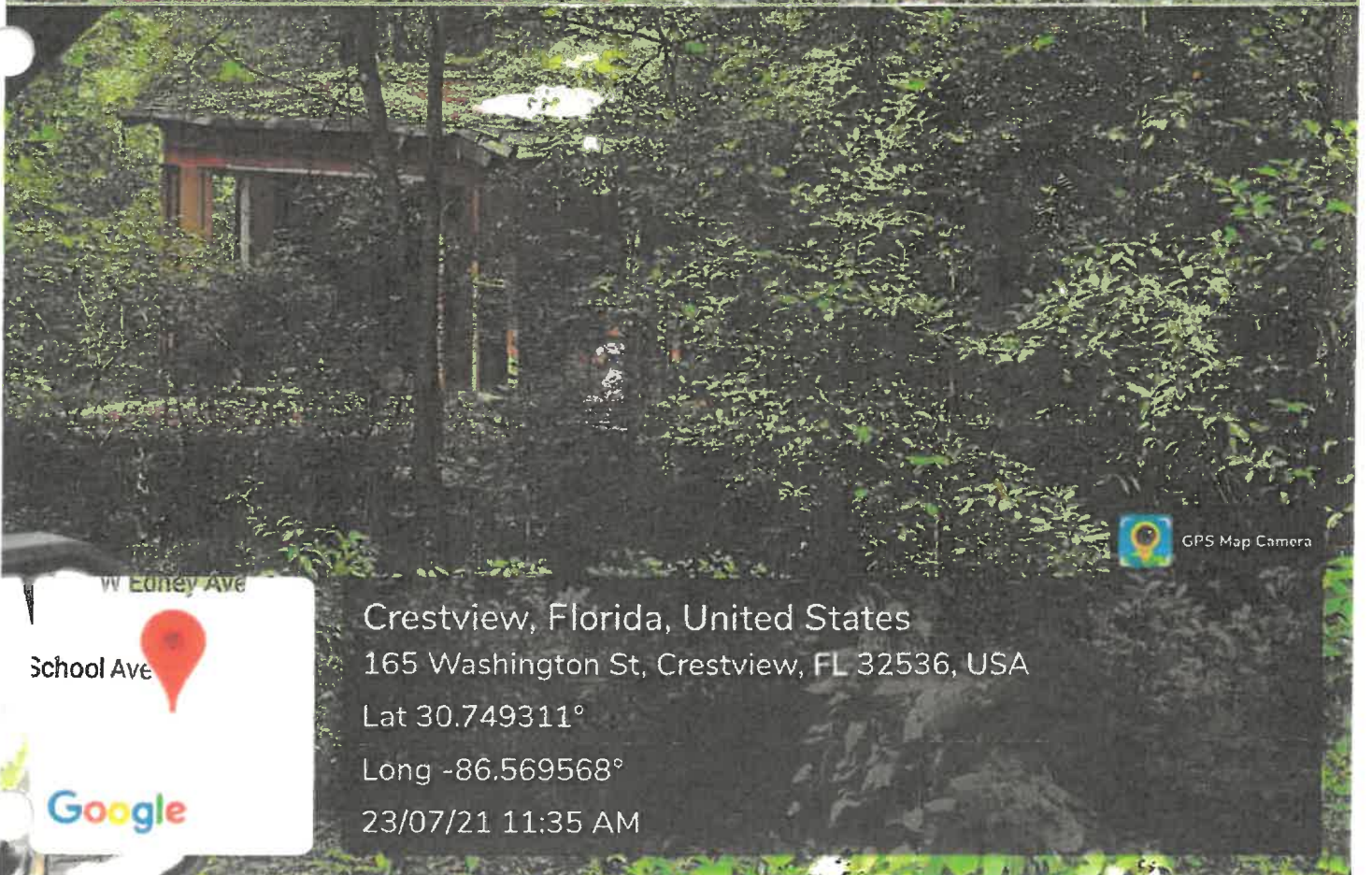
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

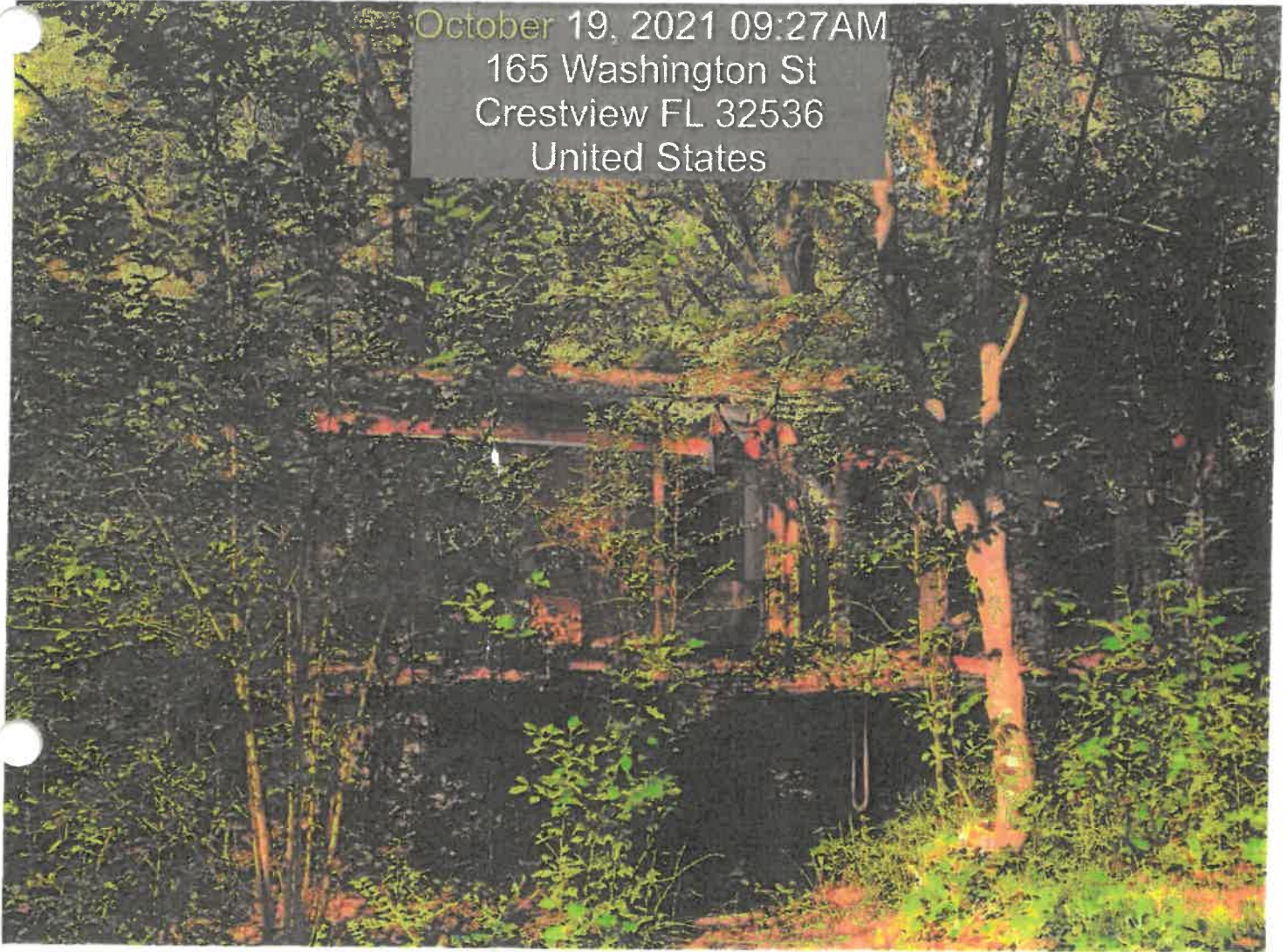
DATE

EXHIBIT # 6





October 19, 2021 09:27AM
165 Washington St
Crestview FL 32536
United States





CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: May 25, 2021
Case #: 21-00000435

BAKER TERENCE N & LARA
4140 BIG BUCK TRAIL
CRESTVIEW, FL 32539

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 165 WASHINGTON ST
Tax Identification Number: 20-3N-23-2390-0006-0130
Legal: SULLIVAN ADD LOT 13 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 09, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 6

CASE NUMBER 21-00000435
PROPERTY ADDRESS 165 WASHINGTON ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 6

CASE NUMBER 21-00000435
PROPERTY ADDRESS 165 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT # 6

7020 1290 0001 5682 1987

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 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee: **3.60**

Return Receipt (hardcopy) ☒ **2.85**

Postage: **0.51**

Weight: **6.96**

21-435

TERENZO BAKER
4140 BIG BUCK TRAIL
CRESTVIEW, FL 32539

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: TERENZO BAKER 4140 BIG BUCK TRAIL CRESTVIEW, FL 32539  9590 9402 5522 9249 9958 63 2. Article Number (Transfer from service label) 7020 1290 0001 5682 1987		A. Signature: X <i>Terenzo Baker</i> 1987 ☐ Agent ☐ Addressee B. Received by (Printed Name): TERENZO BAKER C. Date of Delivery: 5-27 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

Domestic Return Receipt

EXHIBIT # 6



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: June 10, 2021
Case #: 21-00000435

BAKER TERENCE N & LARA
4140 BIG BUCK TRAIL
CRESTVIEW, FL 32539

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 165 WASHINGTON ST
Tax Identification Number: 20-3N-23-2390-0006-0130
Legal: SULLIVAN ADD LOT 13 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 29, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 6

CASE NUMBER 21-00000435
PROPERTY ADDRESS 165 WASHINGTON ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 6

CASE NUMBER 21-00000435
PROPERTY ADDRESS 165 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT # 6

U.S. Postal Service[™]
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

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OFFICIAL USE

3,60
 2,85
 0,51
 6,96

JUN 1 2012
 2J-435

TERENIO BAKER
 4140 BIG BUCK TRAIL
 CRESTVIEW, FL 32539

7020 1290 0001 5682 1314

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return this card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: TERENIO BAKER 4140 BIG BUCK TRAIL CRESTVIEW, FL 32539 2. Article Number (Transfer from service label) 7020 1290 0001 5682 1314	A. Signature X <i>AB</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: C-19 3. Service Type ☒ Adult Signature ☐ Priority Mail Express[®] ☐ Adult Signature Restricted Delivery ☐ Registered Mail[™] ☐ Certified Mail[®] ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Collect on Delivery ☐ Signature Confirmation[™] ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery ☐ Mail Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9033

Domestic Return Receipt

EXHIBIT # 10

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70201290000156821314

Remove X

Status Not Available

The tracking number may be incorrect or the status update is not yet available. Please verify your tracking number and try again later.

Feedback

Can't find what you're looking for?

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FAQs**EXHIBIT # 6**



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 30, 2021

Case #: 21-00000435

BAKER TERENZIO N & LARA
4140 BIG BUCK TRAIL
CRESTVIEW, FL 32539

Dear BAKER TERENZIO N & LARA,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 165 WASHINGTON ST

Tax Identification Number: 20-3N-23-2390-0006-0130

Legal: SULLIVAN ADD LOT 13 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by July 12, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 6

CASE NUMBER 21-00000435
PROPERTY ADDRESS 165 WASHINGTON ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 6

CASE NUMBER 21-00000435
PROPERTY ADDRESS 165 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT # 6

U.S. Postal Service
CERTIFIED MAIL RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Article Number 7020 1290 0001 5682 1437

Postage 3.60
Insurance 2.85
Certified Mail Restricted Delivery 0.51
Adult Signature Restricted Delivery 6.96
Total 14.92

TERENCIO LARA BAKER
4140 BIG BUCK TRAIL
CRESTVIEW, FL 32539

21-135

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>BT22</i> C. Date of Delivery <i>C-19</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: TERENCIO LARA BAKER 4140 BIG BUCK TRAIL CRESTVIEW, FL 32539 9590 9402 6373 0303 1235 60	3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail Restricted Delivery (over \$500) ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
2. Article Number (Transfer from carrier label) 7020 1290 0001 5682 1437	

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT # 6

USPS Tracking®

[FAQs >](#)[Track Another Package +](#)**Tracking Number:** 70201290000156821437[Remove X](#)

Your item was delivered to an individual at the address at 1:59 pm on July 2, 2021 in CRESTVIEW, FL 32539.

✓ Delivered, Left with Individual

July 2, 2021 at 1:59 pm
CRESTVIEW, FL 32539

[Feedback](#)[Get Updates ✓](#)[Text & Email Updates](#)[Tracking History](#)[Product Information](#)[See Less ^](#)**EXHIBIT #** 6

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**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 9/7/2021

**Terenzio N & Lara Baker
4140 Big Buck Trail
Crestview, FL 32539**

RE: CASE# 21-435

Dear Property Owner:

You are hereby formally notified that on October 19, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 165 Washington Street, Crestview, FL 32536 more particularly described as:

PIN# 20-3N-23-2390-0006-0130 LEGAL DESCRIPTION: SULLIVAN ADD LOT 13 BLK 6

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Encl: Notice of Violation

EXHIBIT # 16

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

EXHIBIT # U

21-435
165 Washington Street

STATEMENT OF VIOLATION

Code of Ordinance Violated: Chapter 38 Section 18 (d) Demolition of Structure

Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective Action Required: Obtain a demolition permit and demolish the structure. Remove all demolition debris from property.

Code of Ordinance Violated: Chapter 38 Section 18 (k) Vegetation- Weeds

Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

Corrective Action Required: Remove the vegetation from the property.

EXHIBIT # 6

[FAQs >](#)[Track Another Package +](#)**Tracking Number:** 70113500000091330490[Remove X](#)

Your item was delivered to an individual at the address at 1:55 pm on September 15, 2021 in CRESTVIEW, FL 32539.

✓ Delivered, Left with Individual

September 15, 2021 at 1:55 pm
CRESTVIEW, FL 32539

[Feedback](#)**Get Updates** ✓**Text & Email Updates****Tracking History****Product Information****See Less** ^**EXHIBIT #** 66**Can't find what you're looking for?**

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BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

165 WASHINGTON

21-435

DATE

ADDRESS/LOCATION OF VIOLATION

☐ (a) FOUNDATION

☒ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☒ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☐ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☐ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☒ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S):

Roof and all structural wood members supporting it are falling in. There are no windows, doors, or other exterior components on the structure. The structure is an unsafe structure and I recommend removal of structure from property. Structural damage in excess of 50%.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 6A



EXHIBIT # 6A



EXHIBIT # 6A



EXHIBIT # 16A



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3500472 Blk: 3583 Pg: 1908
Page 1 of 4 Recorded: 10/28/2021 9:16 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK fivy
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-435

Terenzio & Lara Baker
4140 Big Buck Trail
Crestview, FL 32539

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Terenzio & Lara Baker, whose last known mailing address is 4140 Big Buck Trail, Crestview, FL 32539, is the owner of the property located at, 165 Washington ST., Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0006-0130 , and more particularly described as: SULLIVAN ADD LOT 13 BLK 6
2. The conditions on the property consist of consist of an unsafe structure and overgrown vegetation. The violation(s) were first observed on May 25, 2021. A Notice of Violation was mailed by certified mail May 25, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (d), (k) of the City of Crestview's Code of Ordinances and requested

correction of the violation by June 9, 2021. Re inspection of the property on June 10, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (d), (k), of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.

9. On or before November 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):

- a. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.
- b. Remove all vegetation from the property.

If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.

10. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

11. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th, Day of October, 2021.

Samuel B. Taylor
Special Magistrate
City of Crestview, Florida

Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:23:24 -05'00'

CERTIFIED A TRUE CORRECT COPY
CITY OF CRESTVIEW

BY: Samuel Ogleley 10-27-21

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Terenzio & Lara Baker
4140 Big Buck Trail
Crestview, FL 32539

Respondents.

Inst. #3593613 Bk: 3653 Pg: 825
Page 1 of 4 Recorded: 12/1/2022 11:52 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-435

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Terenzio & Lara Baker, whose last known mailing address is 4140 Big Buck Trail, Crestview, FL 32539, is the owner of the property located at, 165 Washington ST., Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0006-0130 , and more particularly described as: SULLIVAN ADD LOT 13 BLK 6
2. The conditions on the property consist of consist of an unsafe structure and overgrown vegetation. The violation(s) were first observed on May 25, 2021. A Notice of Violation was mailed by certified mail May 25, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (d), (k) of the City of Crestview's Code of Ordinances and requested

correction of the violation by June 9, 2021. Re inspection of the property on June 10, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (d), (k), of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before November 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
- a. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.
 - b. Remove all vegetation from the property.
- If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
10. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
11. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th, Day of October, 2021.

**Samuel B.
Taylor**

Special Magistrate
City of Crestview, Florida

Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:23:24 -05'00'

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 12-1-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Owner of Record: Calvin Siler 196 Ratliff St, Crestview FL 32536

Origination Date: 1/26/2021 Origination Code: Police Department Referral

Violations: Chapter 38 Section 18 (i), (j), Inoperable Vehicle/Parts, (k) Overgrown Vegetation

Ch. 38 Sec. 65 (f) Windows, (k) Structural Supports, (n) Roofs, (v) Exterior Lighting, (w) Fences/Walls

Corrective Action Required:

- a. Remove the inoperable vehicle from the property or affix a valid tag to it.
- b. Remove the vegetation from the property.
- c. Obtain the proper permits and repair the windows, structural supports, roofs, exterior lighting, and fences. Or obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.

Notice Sent: 5/28/2021 Signed: Returned to Sender Compliance Date: 6/10/2021

Inspected: 6/18/2021 Results: In Violation

Notice Sent: 6/25/2021 Signed: 7/6/2021 Compliance Date: 7/8/2021

Inspected: 7/12/2021 Results: In Violation

Public Hearing Notice Sent: 9/14/2021 Signed: Returned to Sender

Notice of hearing was posted on the property and at City Hall on 10/7/2021.

Hearing Date: 10/19/2021

Property remains in violation.

Order Recorded: 10/28/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 11/19/2022

Daily fine: \$250 Start: 11/19/2021

Fines: \$111,750 **as of February 9, 2023 (not including interest)**

Property Value: \$15,263

Related Properties:

1761 N Pearl 08-3N-23-1720-000E-0120 No Case History

Vacant Lot Savage St 17-3N-23-2490-0020-0040

Case # 23-109 Active Case

Violations: Chapter 38 18 (b) Trash/Debris, (i), (j), Inoperable vehicles/parts

Case # 22-1145 Found in Compliance 9/21/2022

Violations: Chapter 38-18 (k) Overgrown Vegetation, (i), (j), Inoperable vehicles/parts

342 N Lincoln St 17-3N-23-2490-0064-0010

Case # 22-1230 Active Case

Vacant Lot Grimes Ave 18-3N-23-0890-0002-0030 No Cases

588 S Brett St 17-3N-23-2490-0099-0070 No Cases

209 Grimes Ave 18-3N-23-0890-0005-0040 No Cases

196 Ratliff St 20-3N-23-2390-0007-0030 No Case History

457 Blakely 20-3N-23-2390-0012-0050

Case # 20-286 Hearing Date: 10/19/2021 Fines: \$111,750 (Foreclosure Status)

EXHIBIT 4
CASE # 21-434
145 WASHINGTON

TUESDAY, OCTOBER 19, 2021

BUILDING OFFICIAL STRUCTURAL DETERMINATION

5/25/21

DATE

145 WASHINGTON

ADDRESS-LOCATION OF VIOLATION

21434

Overgrowth all around structure. Unsafe electrical. Possible roof

NATURE OF VIOLATION(S) OBSERVED

damage

Permit and repair by deadline set by C.E. If no compliance I recommend removal of structure from property.

CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|---|--|
| ☐ (a) FOUNDATION | ☐ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☐ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☐ (e) EXTERIOR WALLS | ☐ (q) OVERHANG EXTENSIONS |
| ☒ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☐ (s) ACCESSORY STRUCTURES |
| ☐ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☐ (j) EXTERIOR SURFACE TREATMENT | ☒ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☒ (w) FENCES AND WALLS |
| ☐ (l) PORCHES AND BALCONIES | |

COMMENTS: Appears roof damage in front. May be from leak and structural damage. Porch lighting wiring hanging out of wall unsecured and no fixture. Old fencing not maintained. Several busted windows with plywood over them.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

5/25/21

DATE

EXHIBIT # 4

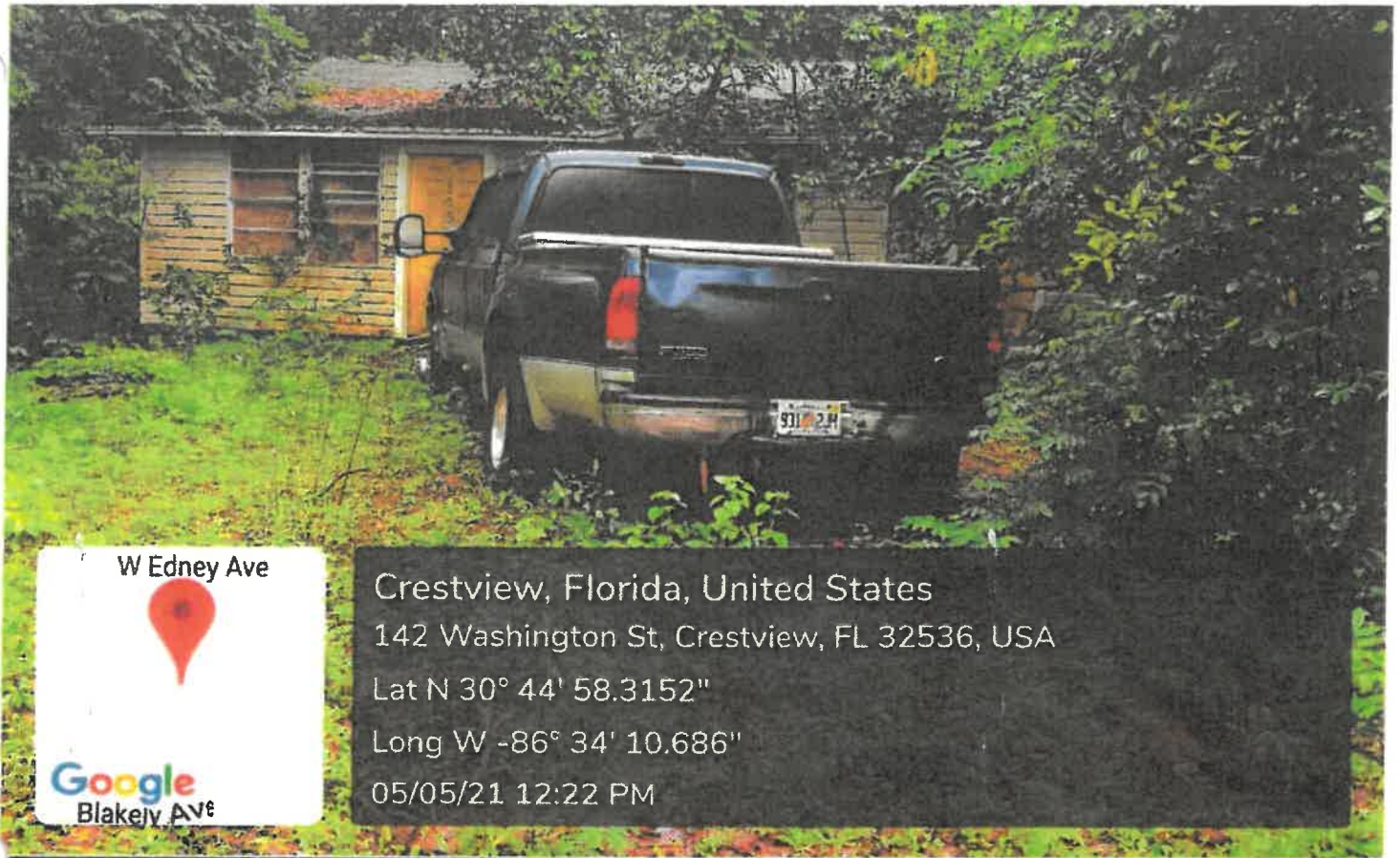
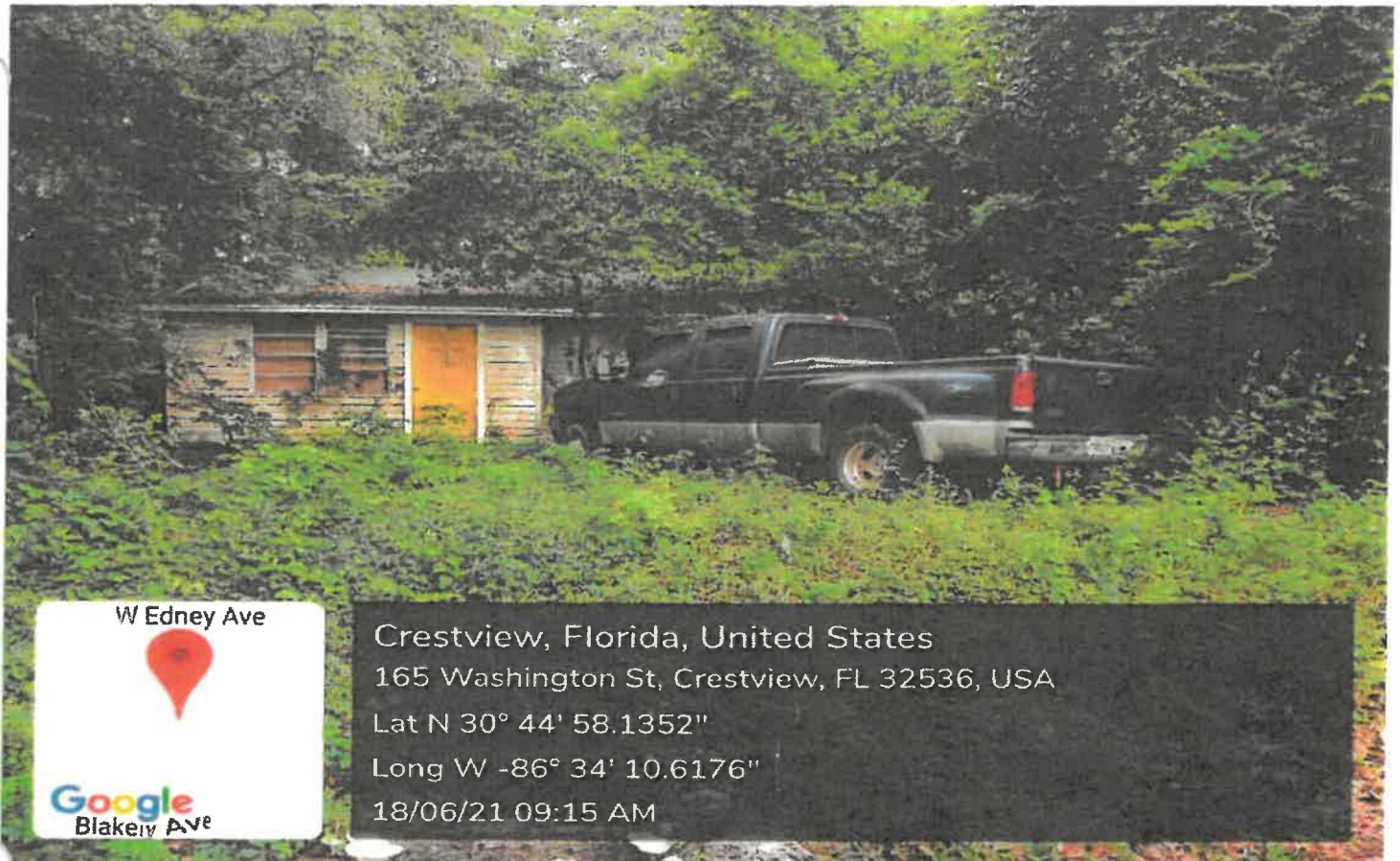


EXHIBIT # 4

EXHIBIT # A

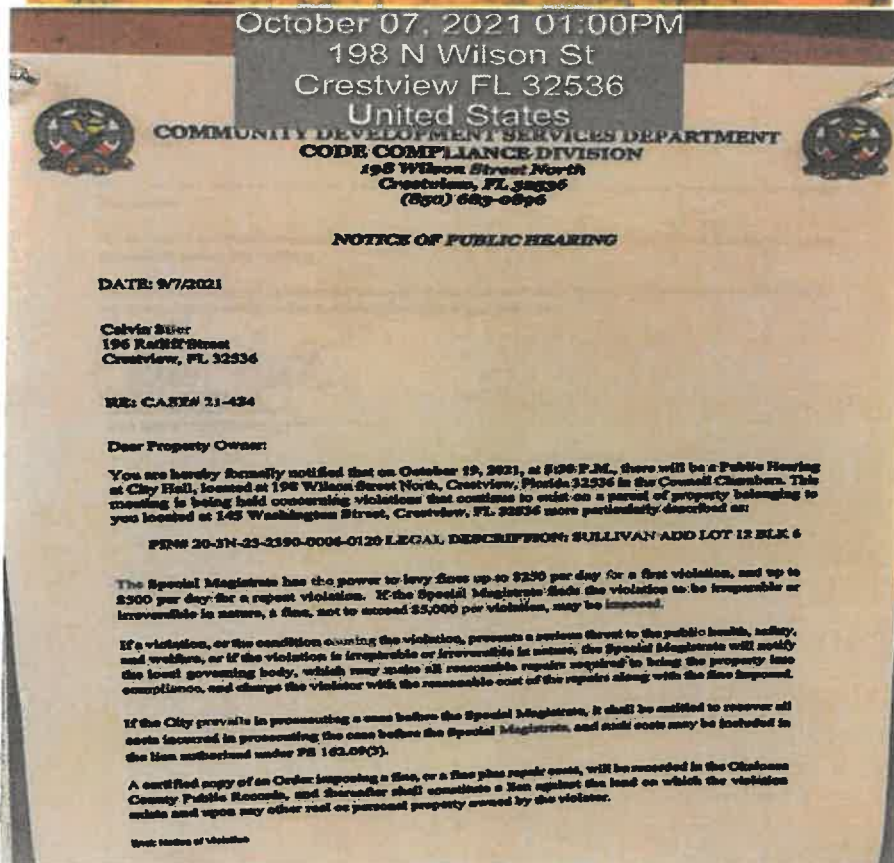
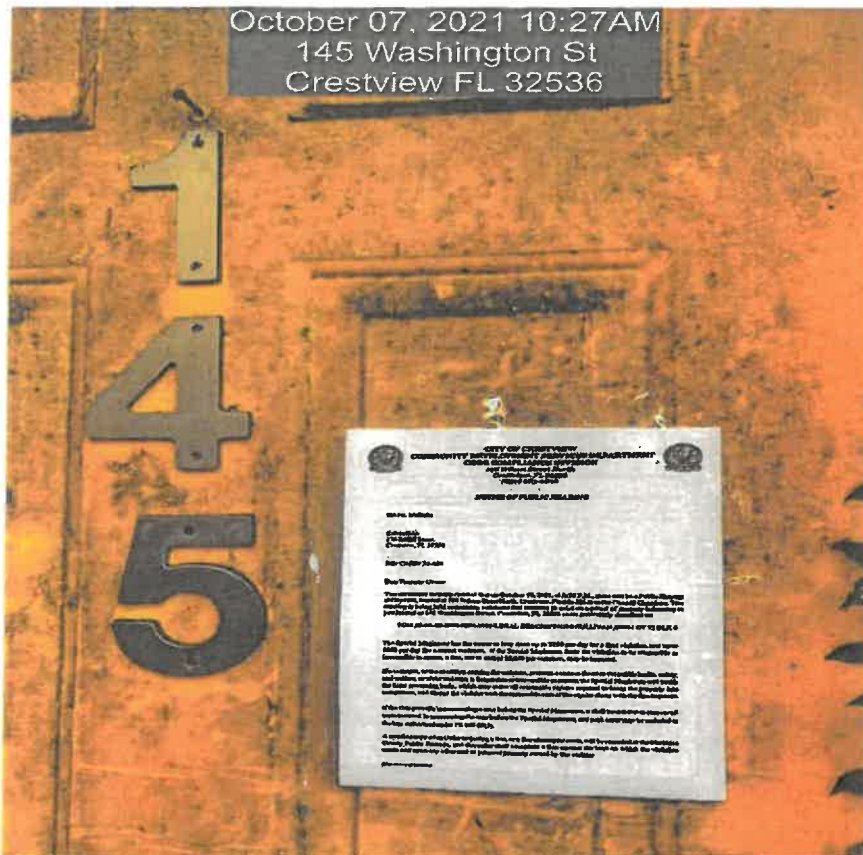


EXHIBIT # 4

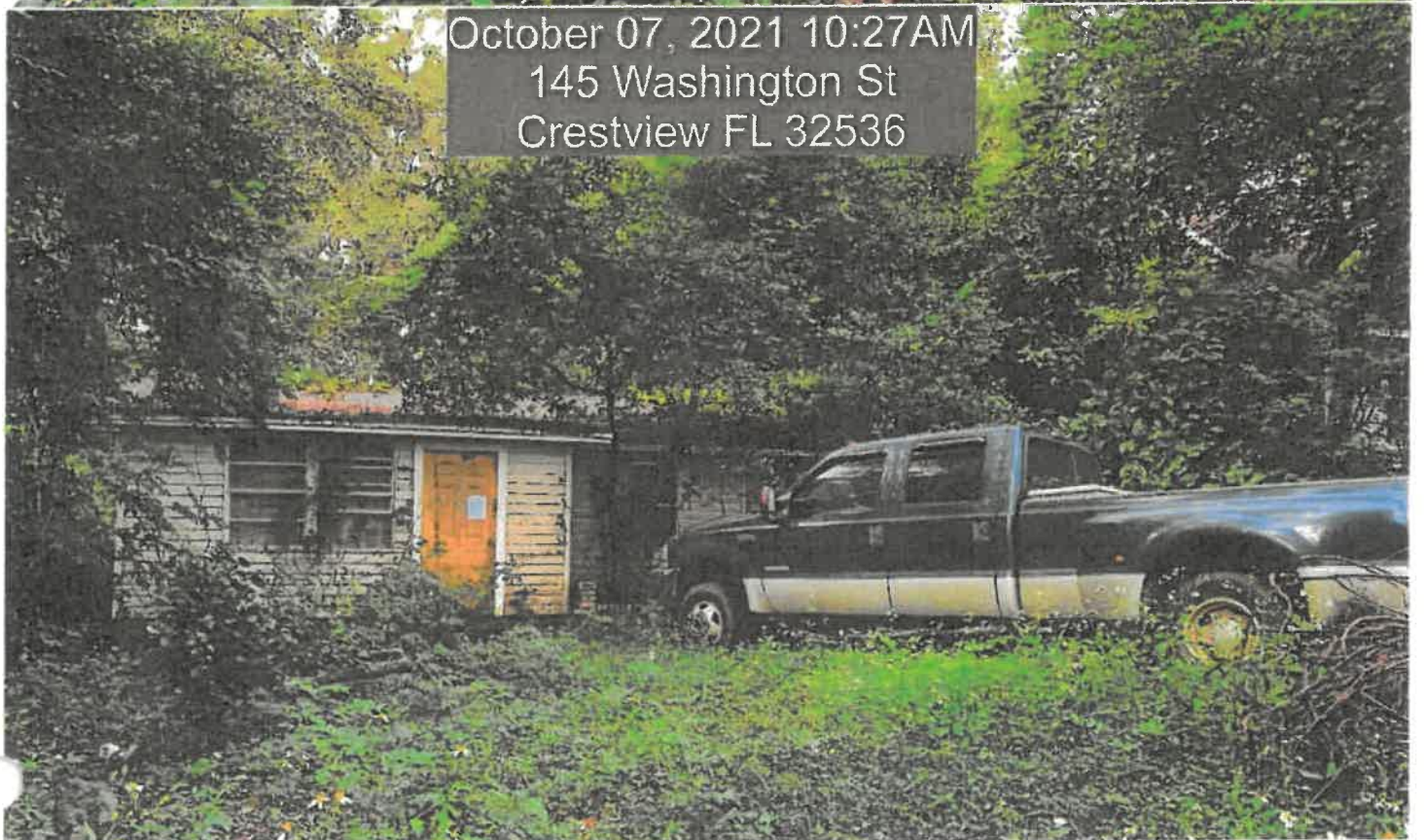
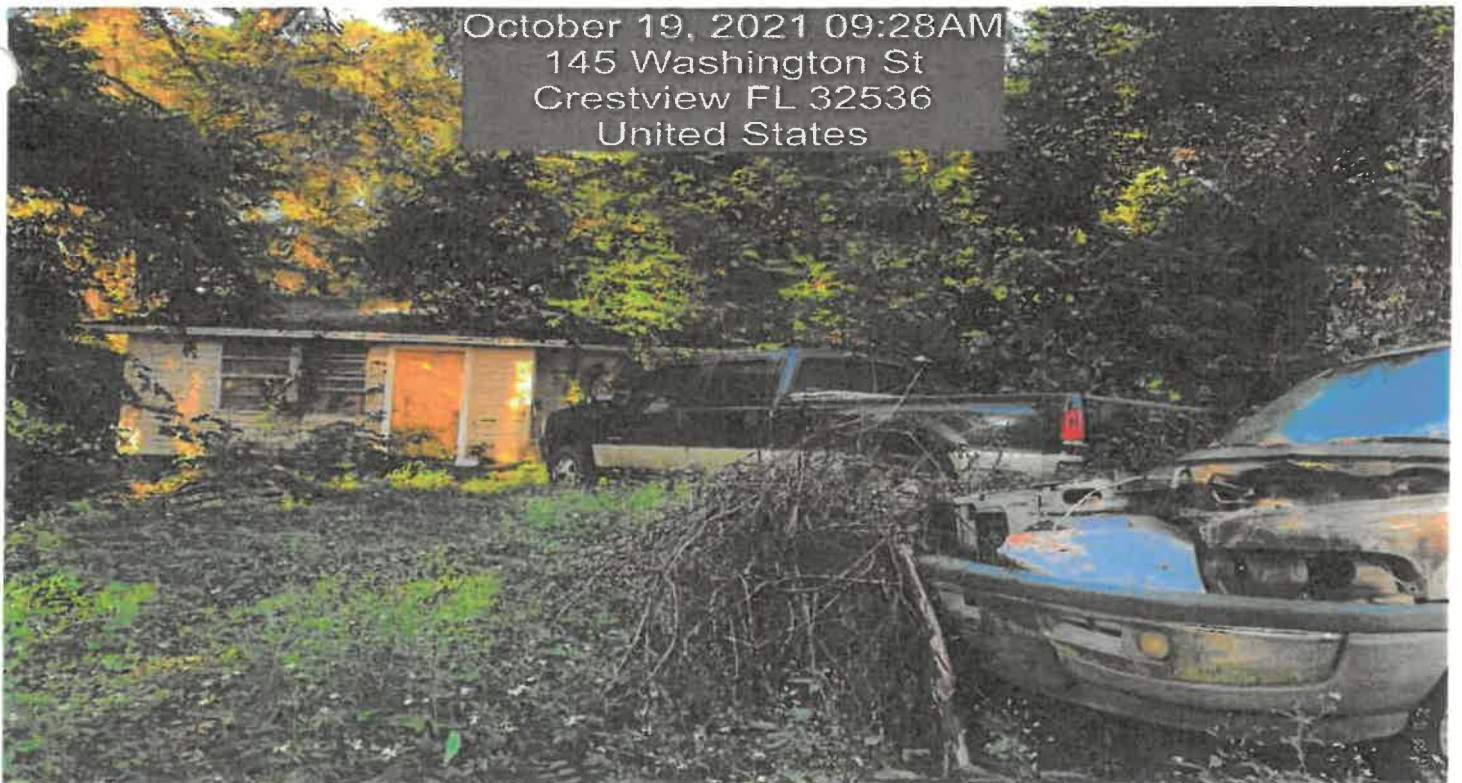
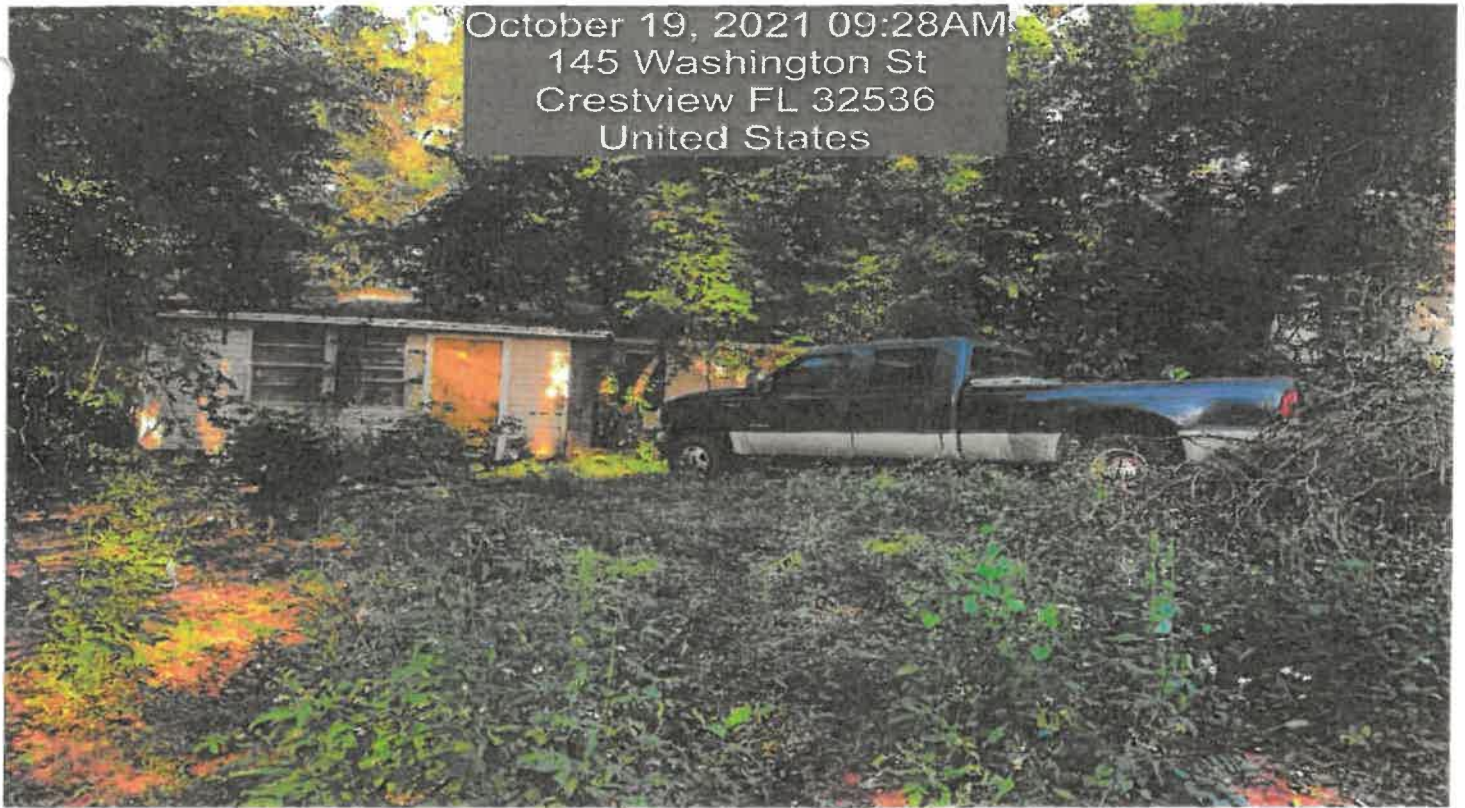


EXHIBIT # 4





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: May 27, 2021

Case #: 21-00000434

SILER CALVIN
196 RATLIFF ST
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 145 WASHINGTON ST
Tax Identification Number: 20-3N-23-2390-0006-0120
Legal: SULLIVAN ADD LOT 12 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 10, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/26/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: CH 38 SEC 18 (f) QUANTITY: 1
DESCRIPTION: OBNOXIOUS ODORS-CONDITIONS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

EXHIBIT # 4

CONTINUED

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (f) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the odors, gases, smoke, ashes, fumes, chemical diffusion, or other odors from the property.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

EXHIBIT # A

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

ORDINANCE DESCRIPTION :

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.65 - Standards for Improved Property.

(v) Exterior lighting: All outdoor lighting shall comply with the following:

(1) Non-vehicular light sources that shine into the eyes of drivers of vehicles or pedestrians which could impair safe traverse are prohibited.

(2) All lighting shall be shielded and aimed at the owner's premises, or sidewalk and street abutting the premises.

(3) Lighting shall be in safe working order, in compliance

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

ORDINANCE DESCRIPTION :
with the Florida Building Code.

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 FENCES-WALLS QUANTITY: 1
DESCRIPTION: FENCES & WALLS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :
38.19 - Duty of Property Owner.
It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(w)Fences and walls: Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the fence, or wall.

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 5/27/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof.

Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 5/27/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(b) Wood supports shall be sound and free from insect infestation and rot.

(c) Metal supports and connections shall be free from rust and the equivalent of new supports.

(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :
action(s).

Replace the wood or metal supports that are rusty or rotten.

EXHIBIT # 4

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70201290000156822083

Remove X

Your item has been delivered to the original sender at 11:15 am on June 28, 2021 in CRESTVIEW, FL 32539.

✓ Delivered, To Original Sender

June 28, 2021 at 11:15 am
CRESTVIEW, FL 32539

Feedback

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee	3.60
Return Receipt (hardcopy)	2.85
Return Receipt (electronic)	
Certified Mail Restricted Delivery	
Adult Signature Required	
Adult Signature Restricted Delivery	
Postage	0.51
Total Postage and Fees	6.96

Postmark Here
MAY 28 2021

21.434

Sent to: CALVIN SILER
196 RAYLITT ST.
CRESTVIEW, FL 32536

7020 1290 0001 5682 2083

BSS ^

EXHIBIT # 4

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: June 24, 2021
Case #: 21-00000434

SILER CALVIN
196 RATLIFF ST
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 145 WASHINGTON ST
Tax Identification Number: 20-3N-23-2390-0006-0120
Legal: SULLIVAN ADD LOT 12 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by July 08, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/26/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: CH 38 SEC 18 (f) QUANTITY: 1
DESCRIPTION: OBNOXIOUS ODORS-CONDITIONS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

EXHIBIT # 4

CONTINUED

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (f) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the odors, gases, smoke, ashes, fumes, chemical diffusion, or other odors from the property.

VIOLATION: CH 38 SEC 18 (k)
DESCRIPTION: VEGETATION-WEEDS
LOCATION:

QUANTITY: 1
DATE: 5/25/21

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

VIOLATION: CH 38 SEC 65 ROOFS
DESCRIPTION: ROOFS
LOCATION:

QUANTITY: 1
DATE: 5/25/21

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

ORDINANCE DESCRIPTION :

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set out in this title.

38.65 - Standards for Improved Property.

(v) Exterior lighting: All outdoor lighting shall comply with the following:

(1) Non-vehicular light sources that shine into the eyes of drivers of vehicles or pedestrians which could impair safe traverse are prohibited.

(2) All lighting shall be shielded and aimed at the owner's premises, or sidewalk and street abutting the premises.

(3) Lighting shall be in safe working order, in compliance

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

ORDINANCE DESCRIPTION :
with the Florida Building Code.

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 FENCES-WALLS QUANTITY: 1
DESCRIPTION: FENCES & WALLS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :
38.19 - Duty of Property Owner.
It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(w) Fences and walls: Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the fence, or wall.

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 5/27/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof.
Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 5/27/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.
It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

38.65 - Standards for Improved Property.

(b) Wood supports shall be sound and free from insect infestation and rot.
(c) Metal supports and connections shall be free from rust and the equivalent of new supports.
(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following

EXHIBIT # 4

CASE NUMBER 21-00000434
PROPERTY ADDRESS 145 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :
action(s).

Replace the wood or metal supports that are rusty or rotten.

EXHIBIT # 4

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$ **3.60**
 Extra Services & Fees (check box, add fee to certified mail fee)
☒ Return Receipt (hardcopy) \$ **2.85**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postmark
 Here!

Postage \$ **0.51**
 Total Postage and Fees \$ **6.96**

21-434

Sent To **CALVIN SILER**
 Street Address **196 RATLIFF STR**
 City/State/Zip **CRESTVIEW, FL 32536**

PS Form 3811, April 2010 (www.usps.com)

See Service for Delivery Details

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
CALVIN SILER
196 RATLIFF STR
CRESTVIEW, FL 32536



9590 9402 6373 0303 1372 77

2. Article Number (Transfer from service label)
7020 1290 0001 5682 2472

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☐ Addressee

B. Received by (Printed Name) **Calvin Siler** C. Date of Delivery **7-6-21**

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
- | | |
|--|---|
| ☒ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT # 4



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 9/7/2021

**Calvin Siler
196 Ratliff Street
Crestview, FL 32536**

RE: CASE# 21-434

Dear Property Owner:

You are hereby formally notified that on October 19, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 145 Washington Street, Crestview, FL 32536 more particularly described as:

PIN# 20-3N-23-2390-0006-0120 LEGAL DESCRIPTION: SULLIVAN ADD LOT 12 BLK 6

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

End: Notice of Violation

EXHIBIT # 4

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

EXHIBIT # A

STATEMENT OF VIOLATION

Code of Ordinance Violated: Chapter 38 Section 18 (i), (j) Inoperable vehicles

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative unusable, or discarded.

Corrective Action Required: Remove the vehicle from the property or affix a valid tag to the vehicle.

Code of Ordinance Violated: Chapter 38 Section 18 (k) Vegetation-weeds

Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

Corrective Action Required: Remove the vegetation or weeds from the property.

Code of Ordinance Violated: Chapter 38 Section 65 (f) Windows

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be either bricking the opening, block the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation.

Corrective Action Required: Obtain a building permit and repair the windows.

Code of Ordinance Violated: Chapter 38 Section 65 (k) Structural Supports

(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

Corrective Action Required: Obtain a building permit and replace the wood or metal supports that are rusty or rotten.

EXHIBIT # 4

21-434
145 Washington

Code of Ordinance Violated: Chapter 38 Section 65 (n) Roofs

Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

Corrective Action Required: Obtain a building permit and repair the roof.

Code of Ordinance Violated: Chapter 38 Section 65 (v) Exterior Lighting

All outdoor lighting shall comply with the following:

- (1) Non- vehicular light sources that shine into the eyes of driver of vehicles or pedestrians which could impair safe traverse are prohibited.
- (2) All lighting shall be shielded and aimed at the owner's premises, or sidewalk and street abutting the premises.
- (3) Lighting shall be in safe working order, in compliance with the Florida Building Code.

Corrective Action Required: Obtain a building permit and repair the exterior lighting.

Code of Ordinance Violated: Chapter 38 Section 65 (w) Fences and Walls

Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

Corrective Action Required: Obtain a building permit and repair the fence.

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70113500000091338588

Remove X

Your item departed our USPS facility in PENSACOLA FL PROCESSING CENTER on October 5, 2021 at 4:44 pm. The item is currently in transit to the destination.

Departed USPS Regional Facility

October 5, 2021 at 4:44 pm
PENSACOLA FL PROCESSING CENTER

Feedback

U.S. Postal Service
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(Domestic Mail Only: No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

Postmark Here
OCT 5 2021
PENSACOLA, FL 32509

Sent To: CALVIN SIVALL 21-434
Street, Apt. No., or PO Box No. 196 RAYF ST
City, State, ZIP+4® CRESTVIEW, FL 32536

PS Form 3800, August 2020

SS ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

EXHIBIT # 4

CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21- 434

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 7th the day of October 2021, I personally posted said Notice of Hearing at: 145 Washington St Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson

Affiant's Signature

10/7/2021

Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

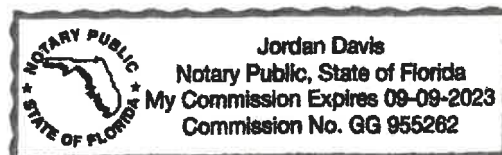
Sworn to and subscribed before me this 7 the day of Oct. 2021.

(SEAL)

NOTARY PUBLIC:

Jordan Davis

MY COMMISSION EXPIRES: _____



BUILDING OFFICIAL STRUCTURAL DETERMINATION

5/25/21

DATE

145 WASHINGTON

ADDRESS-LOCATION OF VIOLATION

21434

NATURE OF VIOLATION(S) OBSERVED

Overgrowth all around structure. Unsafe electrical. Possible roof damage

CORRECTIVE ACTION(S) REQUIRED

Permit and repair by deadline set by C.E. If no compliance I recommend removal of structure from property.

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|---|--|
| ☐ (a) FOUNDATION | ☐ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☐ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☐ (e) EXTERIOR WALLS | ☐ (q) OVERHANG EXTENSIONS |
| ☒ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☐ (s) ACCESSORY STRUCTURES |
| ☐ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☐ (j) EXTERIOR SURFACE TREATMENT | ☒ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☒ (w) FENCES AND WALLS |
| ☐ (l) PORCHES AND BALCONIES | |

COMMENTS: Appears roof damage in front. May be from leak and structural damage. Porch lighting wiring hanging out of wall unsecured and no fixture. Old fencing not maintained. Several busted windows with plywood over them.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

Ronald Raybon

5/25/21

EXHIBIT # 41A



EXHIBIT # 4A



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Calvin Siler
196 Ratliff St
Crestview, FL 32536

Respondents.

Inst. #3500471 Bk: 3583 Pg: 1904
Page 1 of 4 Recorded: 10/28/2021 9:16 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK fivy
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-434

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Calvin Siler, whose last known mailing address is 196 Ratliff St, Crestview, FL 32536, is the owner of the property located at, 145 Washington, Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0006-0120, and more particularly described as: SULLIVAN ADD LOT 12 BLK 6
2. The conditions on the property consist of consist of overgrown vegetation, an inoperable vehicle, and an unsafe structure. The violation(s) were first observed on May 5, 2021. A Notice of Violation was mailed by certified mail May 28, 2021 . The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (i), (j), (k), Chapter 38 Section 65 (f), (k), (n), (v), (w), of the City of Crestview's Code of Ordinances and requested correction of the violation by

June 10, 2021. Re inspection of the property on June 18, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (i), (j), (k), Chapter 38 Section 65 (f), (k), (n), (v), (w) , of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before November 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove the inoperable vehicle from the property or affix a valid tag to it.
 - b. Remove the vegetation from the property.
 - c. Obtain the proper permits and repair the windows, structural supports, roofs, exterior lighting, and fences. Or obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.
10. If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.

If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 19th, Day of October, 2021.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:22:45 -05'00'

CERTIFIED A TRUE CORRECT COPY
CITY OF CRESTVIEW

BY: Smide Gholly 10-27-21

**Special Magistrate
City of Crestview, Florida**

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Calvin Siler
196 Ratliff St
Crestview, FL 32536

Respondents.

Inst. #3591813 Bk: 3651 Pg: 4506
Page 1 of 4 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 21-434

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on October 19, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Calvin Siler, whose last known mailing address is 196 Ratliff St, Crestview, FL 32536, is the owner of the property located at, 145 Washington, Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0006-0120, and more particularly described as: SULLIVAN ADD LOT 12 BLK 6
2. The conditions on the property consist of consist of overgrown vegetation, an inoperable vehicle, and an unsafe structure. The violation(s) were first observed on May 5, 2021. A Notice of Violation was mailed by certified mail May 28, 2021 . The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (i), (j), (k), Chapter 38 Section 65 (f), (k), (n), (v), (w), of the City of Crestview's Code of Ordinances and requested correction of the violation by

June 10, 2021. Re inspection of the property on June 18, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Chapter 38 Section 18 (i), (j), (k), Chapter 38 Section 65 (f), (k), (n), (v), (w) , of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.

9. On or before November 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):

- a. Remove the inoperable vehicle from the property or affix a valid tag to it.
- b. Remove the vegetation from the property.
- c. Obtain the proper permits and repair the windows, structural supports, roofs, exterior lighting, and fences. Or obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.

10. If the violation(s) are not corrected by November 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.

If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 19th, Day of October, 2021.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:22:45 -05'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
DATE: 11-16-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 21-433

142 Washington Street

Owner of Record: Kenneth & Connie M Siler 497 S Wilson St, Crestview, FL 32536

Origination Date: 1/26/2021 Origination Code: Police Department Referral

Violations: Chapter 70 Solid Waste, Chapter 38 Section 18 (b) Trash/Debris, (d) Demolition of Structure, (i), (j), Inoperable Vehicles/Parts, (k) Overgrown Vegetation

Corrective Action Required:

- a.) Dispose of all tires, appliances, and all solid waste not acceptable for pick-up and dispose of at an approved facility.
- b.) Remove the inoperable vehicles, campers, and vehicle parts from the property.
- c.) Obtain a building permit to demolish the building.
- d.) Remove all overgrowth, debris, and trash from the property.

Notice Sent: 5/28/2021 Signed: 6/3/2021 Compliance Date: 6/10/2021

Inspected: 6/10/2021 Results: In Violation

Notice Sent: 6/22/2021 Signed: 7/10/2021 Compliance Date: 7/8/2021

Inspected: 7/9/2021 Results: In Violation

Public Hearing Notice Sent: 7/12/2021 Signed: 7/23/2021

Hearing Date: 08/17/2021

Property remains in violation.

Order Recorded: August 24, 2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 9/17/2021

Daily fine: \$250 Start: 9/18/2021

Fines: \$127,500 **as of February 9, 2023**

Property Value: \$6,974

Related Properties:

418 N Spring St 17-3N-23-2490-0057-0110

Case # 21-791 Hearing Date: August 17, 2021 Fines: \$127,500

Violations: Chapter 70- Solid Waste, Skirting, Overgrown Vegetation

Vacant Lot Booker St 17-3N-23-2490-0076-0120

Case # 21-385 Found in Compliance 3/17/2021

Violations: Recreational Camps

247 S Booker St 17-3N-23-2490-0079-0040

Case # 18-1373 Found in Compliance 12/17/2018

Violations: Chapter 70- Solid Waste, Debris

497 S Wilson St 17-3N-23-2490-0129-0030

Case # 22-198 Hearing Date: April 19, 2022 Fines: \$58,500

Violations: Inoperable vehicle/parts, Trash/Debris, Abandoned Appliances

257 W Bowers 17-3N-23-2490-0133-0050

Case # 16-812 Found in Compliance 12/20/2016

Violations: Bags, Fecal Smell

235 W Bowers 17-3N-23-2490-0133-006B

Case # 18-1095 Found in Compliance 8/14/2019

Violations: Working Without Permit

Case # 21-1220 Found in Compliance 2/4/2022

Violations: Trash/Debris, Recreational Camps

Case # 22-329 Found in Compliance 1/13/2022

Violations: Recreational Camps

Case # 22-710 Found in Compliance 4/27/2022

Violations: Recreational Camps

404 Beech Ave W 17-3N-23-2490-0178-0120

Case # 15- 481 Found in Compliance 8/13/2015

Violations: Chapter 70- Solid Waste

Case # 19-806 Hearing Date: 11/17/2020 Fines:\$108,500

Found in Compliance 3/10/2022 Violations: Criteria to Demolish

Vacant Lot Blakely Ave 20-3N-23-0000-0107-0020

Case # 21-782 Found in Compliance 5/21/21

Violations: Vegetation/Trash/Debris, Chapter 70- Solid Waste

CASE 21-433
142 WASHINGTON STREET
TUESDAY, AUGUST 17, 2021
EXHIBIT 1

BUILDING OFFICIAL STRUCTURAL DETERMINATION

5/25/21

DATE

142 WASHINGTON

ADDRESS-LOCATION OF VIOLATION

21-433

Overgrowth, Abandoned vehicles, Rd falling apart in yard, unsafe structure

NATURE OF VIOLATION(S) OBSERVED

Recommend Removal

CORRECTIVE ACTION(S) REQUIRED

If permitted to repair structural engineering will be required.

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|---|--|
| ☐ (a) FOUNDATION | ☐ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☐ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☐ (e) EXTERIOR WALLS | ☐ (q) OVERHANG EXTENSIONS |
| ☐ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☐ (s) ACCESSORY STRUCTURES |
| ☐ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☐ (j) EXTERIOR SURFACE TREATMENT | ☐ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☐ (w) FENCES AND WALLS |
| ☐ (l) PORCHES AND BALCONIES | |

COMMENTS: no access. Can see structural damage to rear corner from the R.O.W. Recommend removal of structure since it is unsafe. Structural Engineer Evaluation required if attempted to repair.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

5/25/21

DATE

EXHIBIT # 1

CASE # 21 – 433
142 WASHINGTON ST

AUGUST 17, 2021



EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

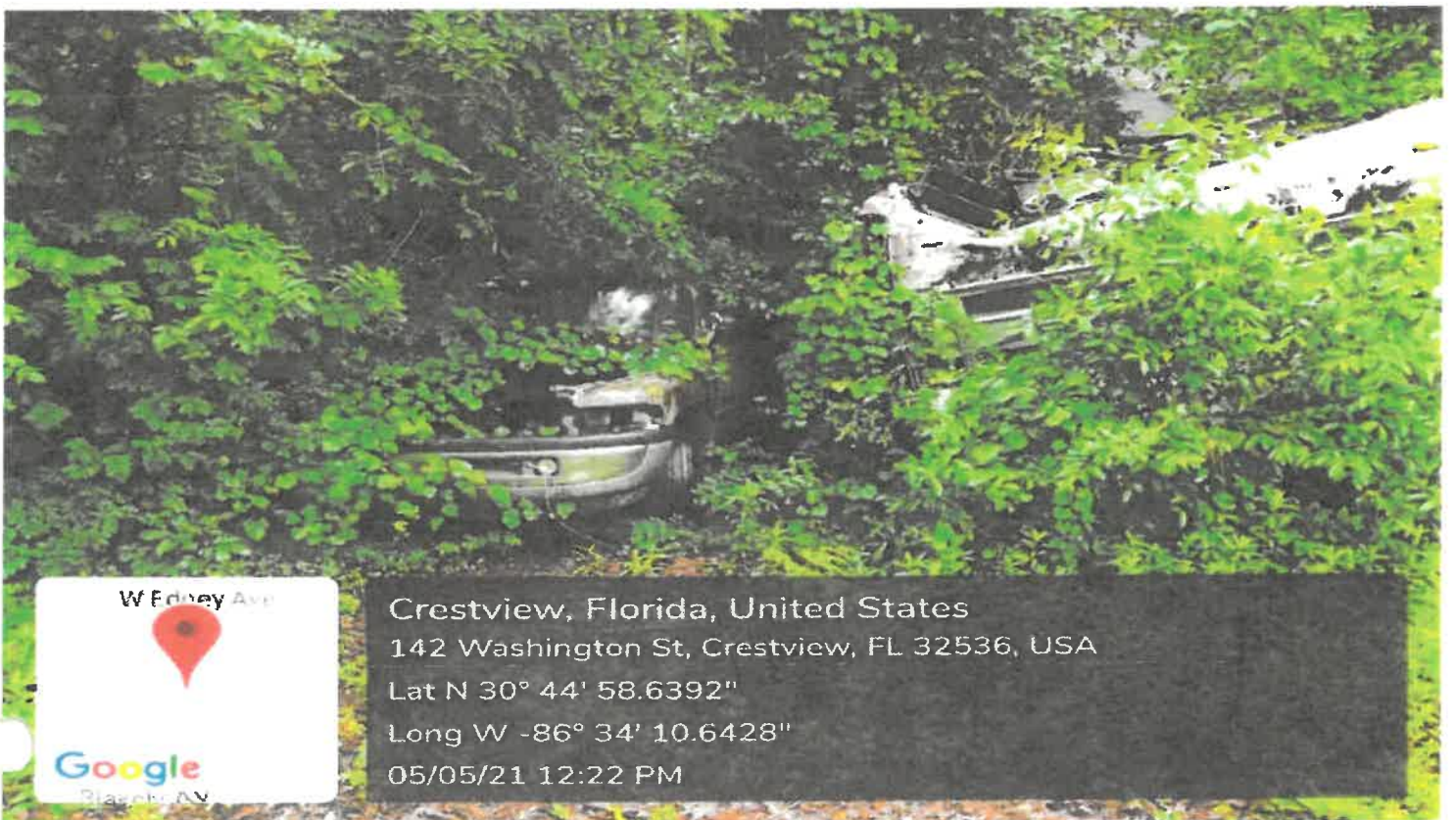


EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

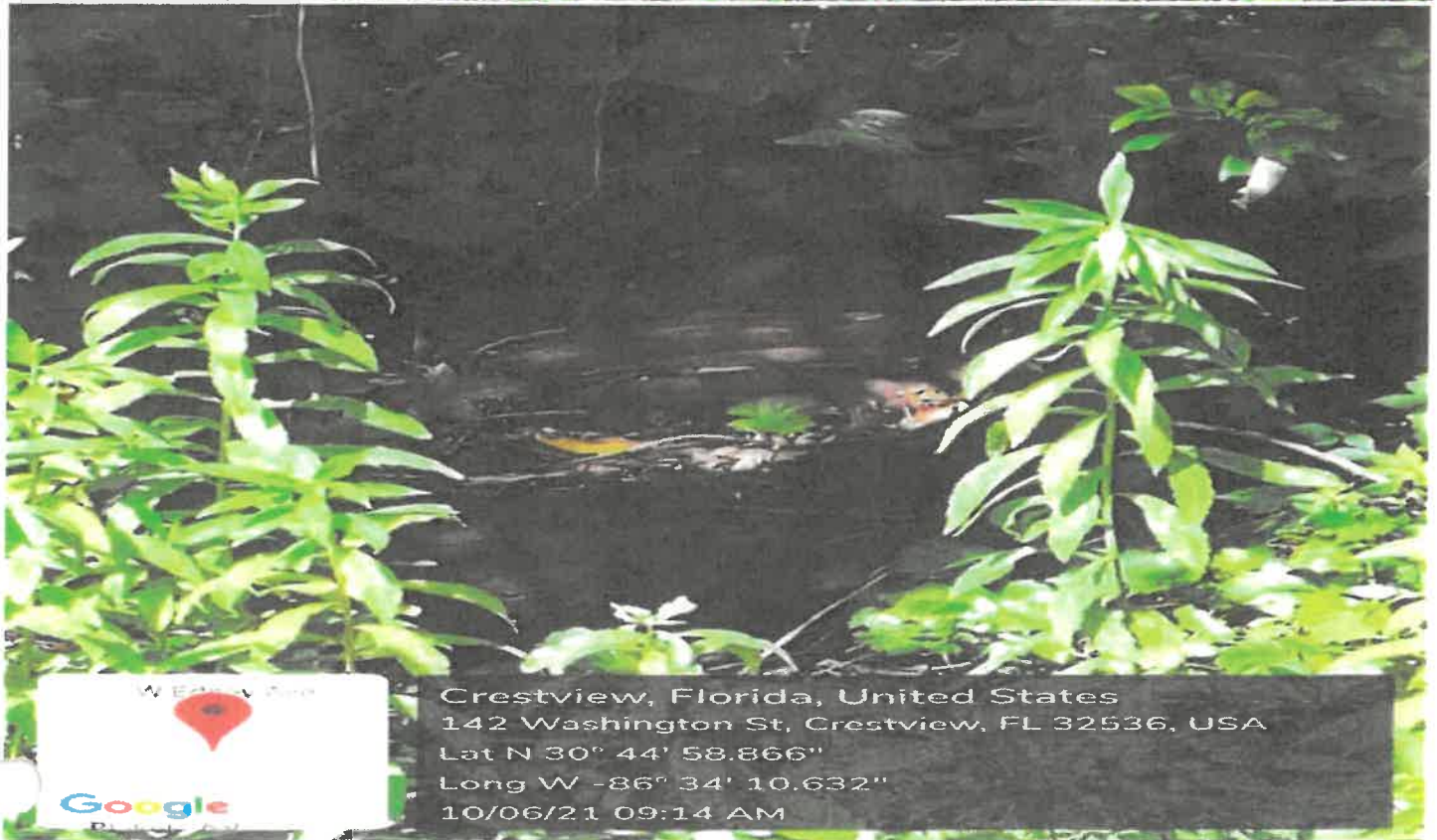
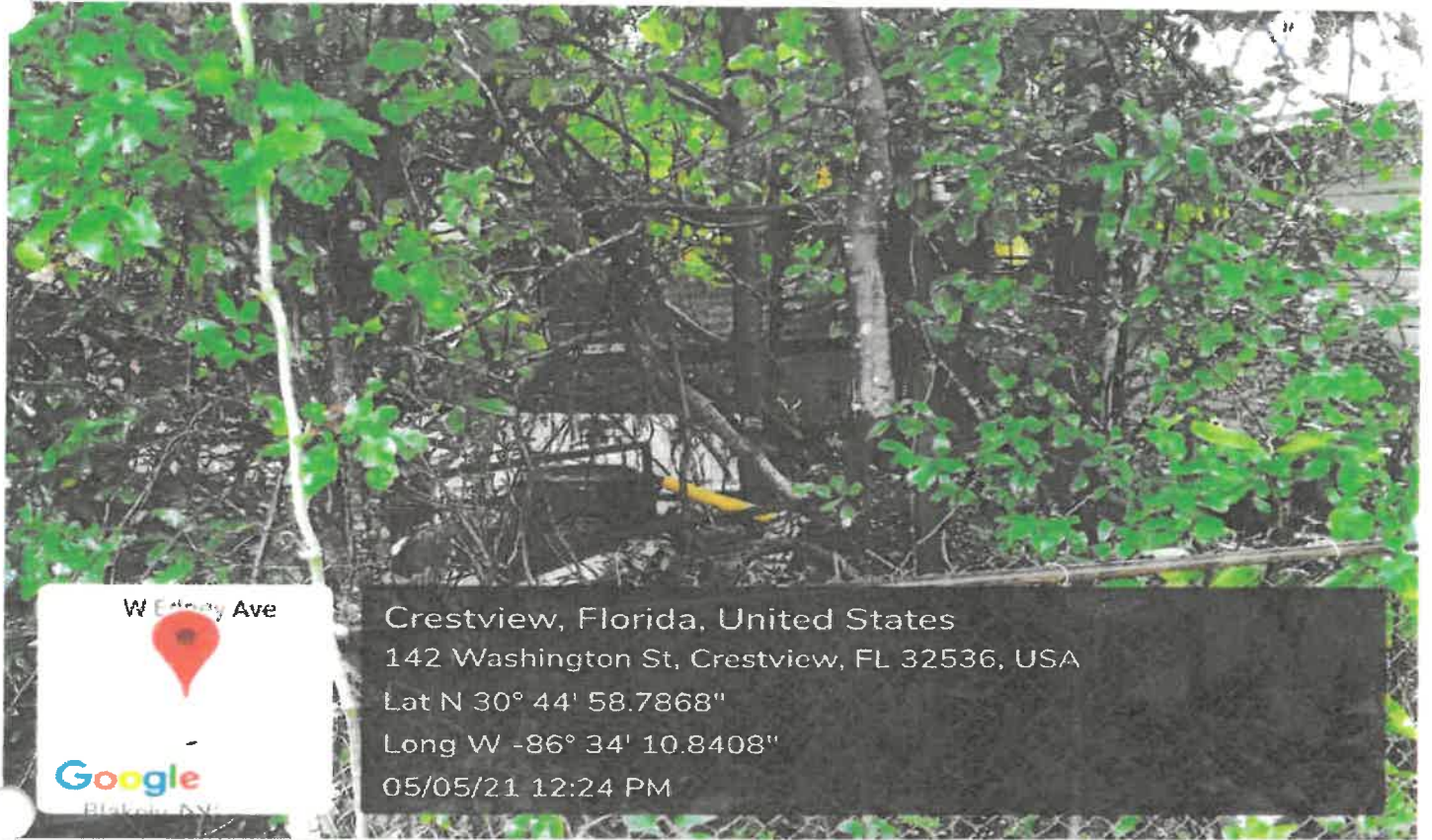


EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

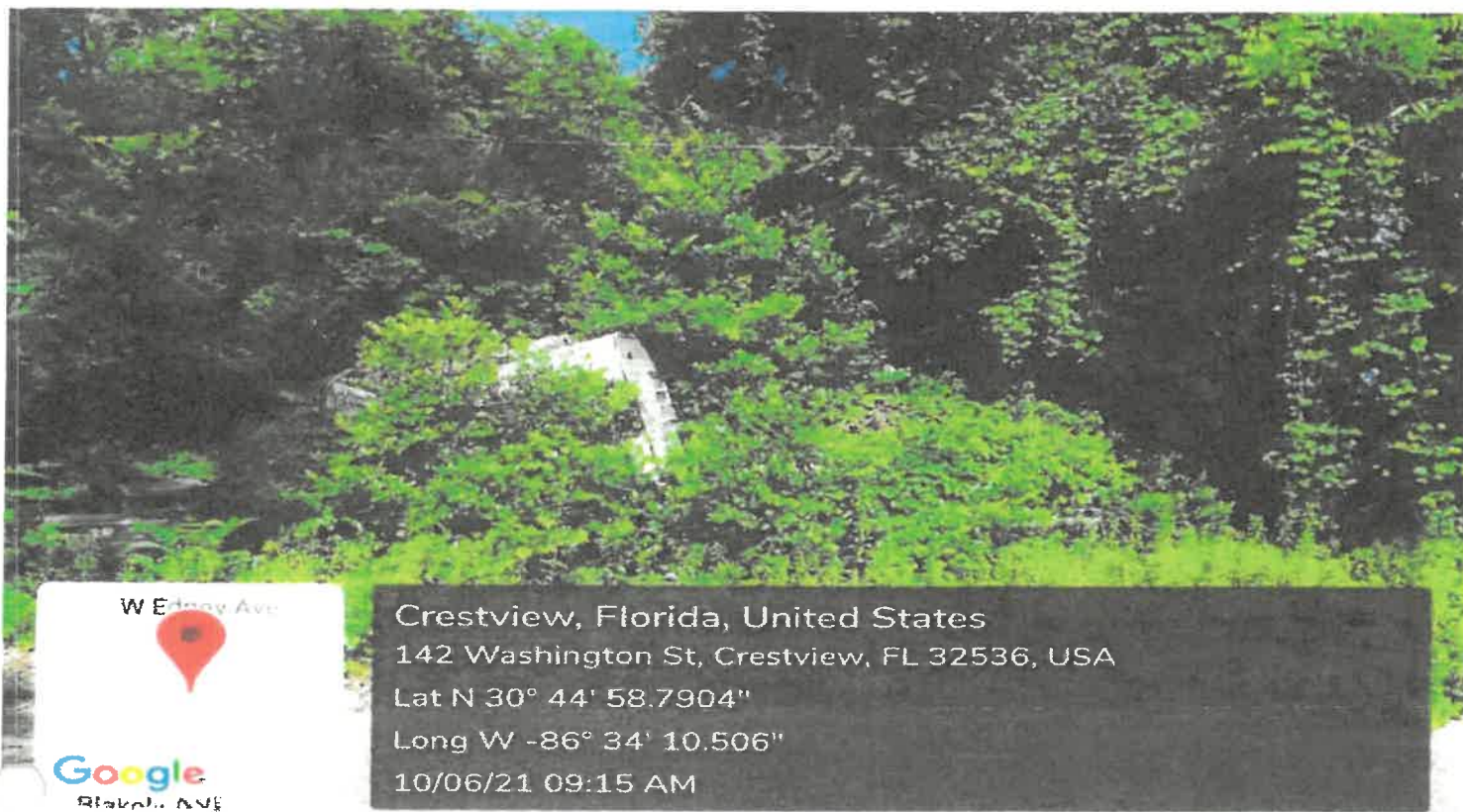
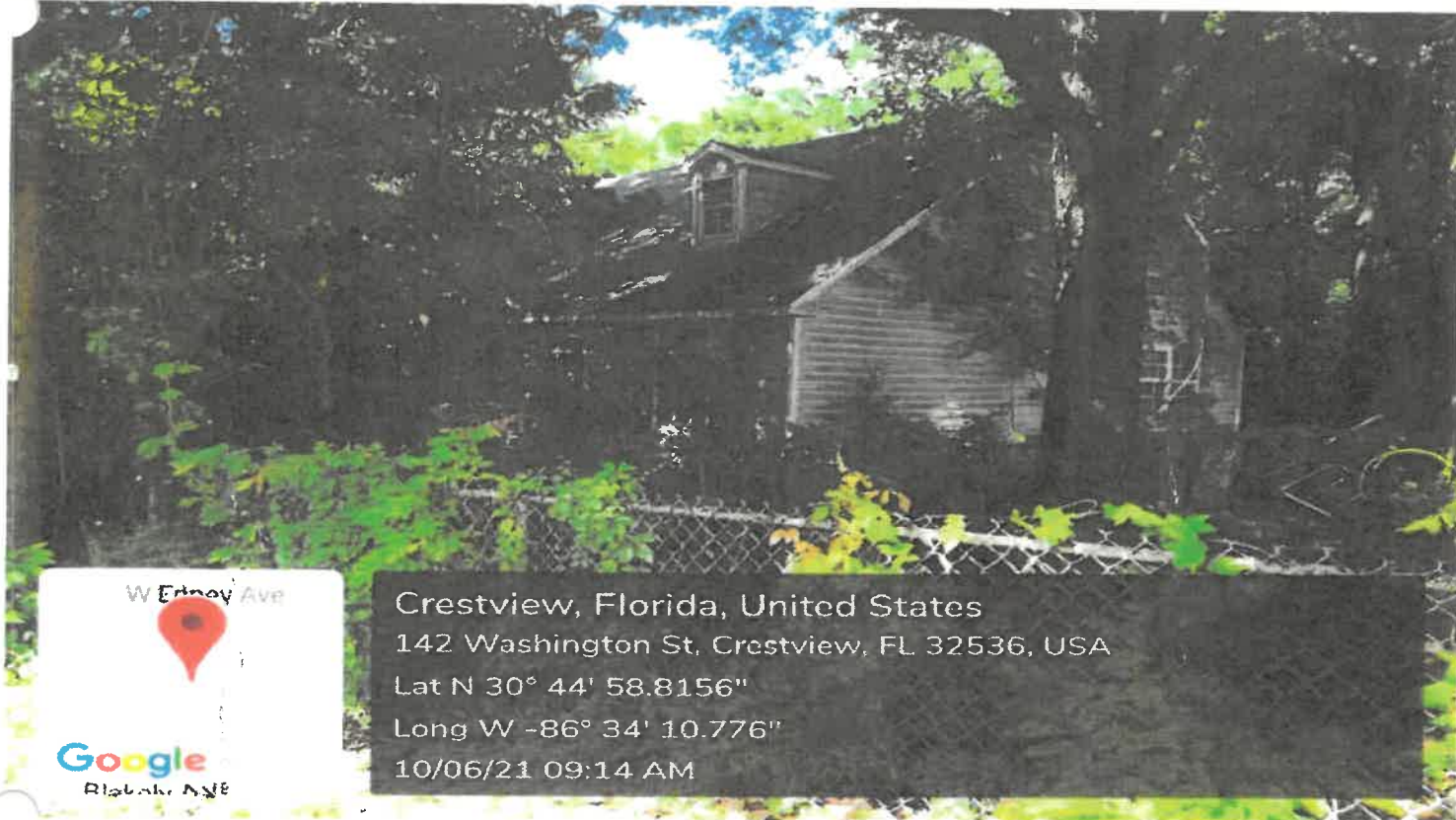


EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

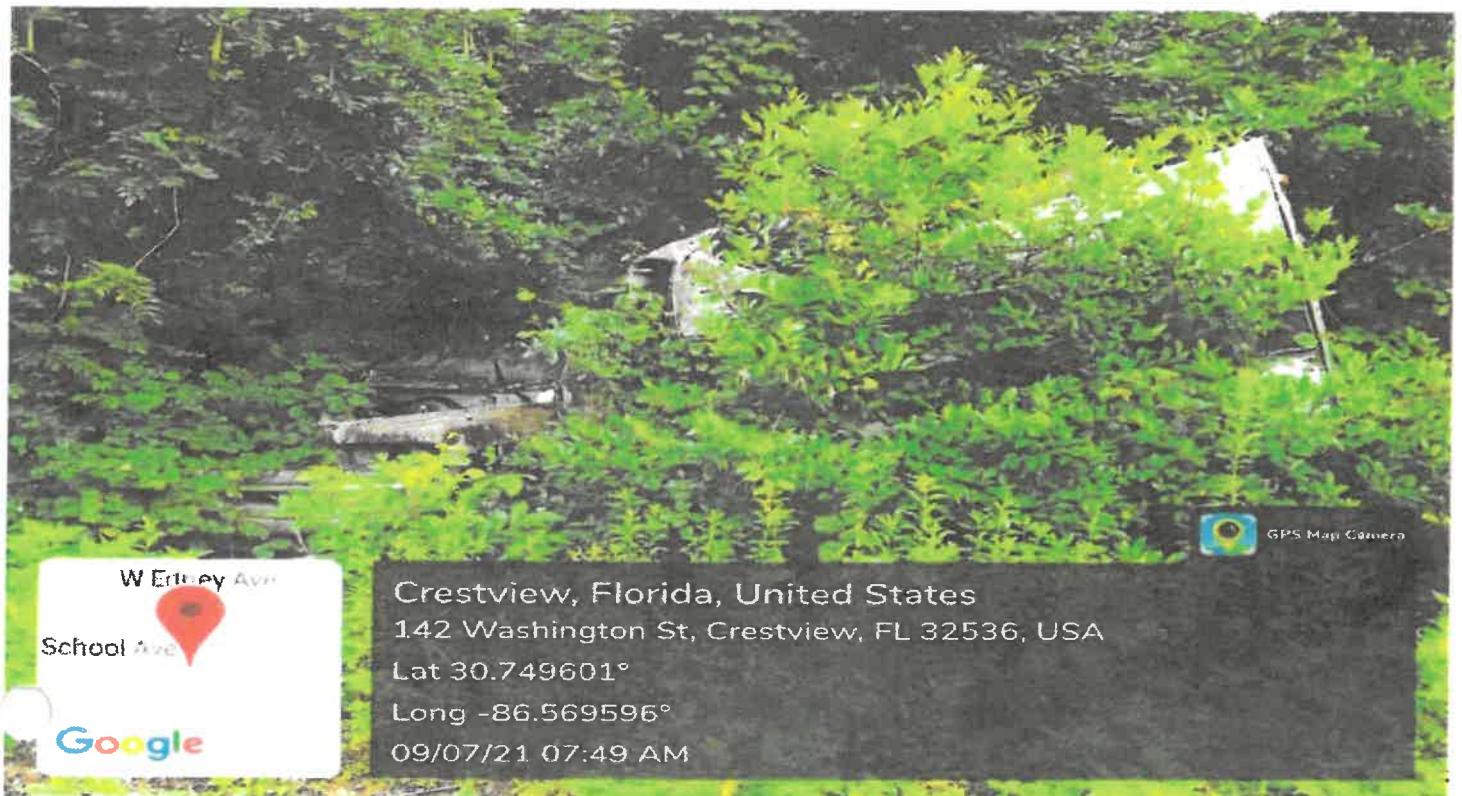
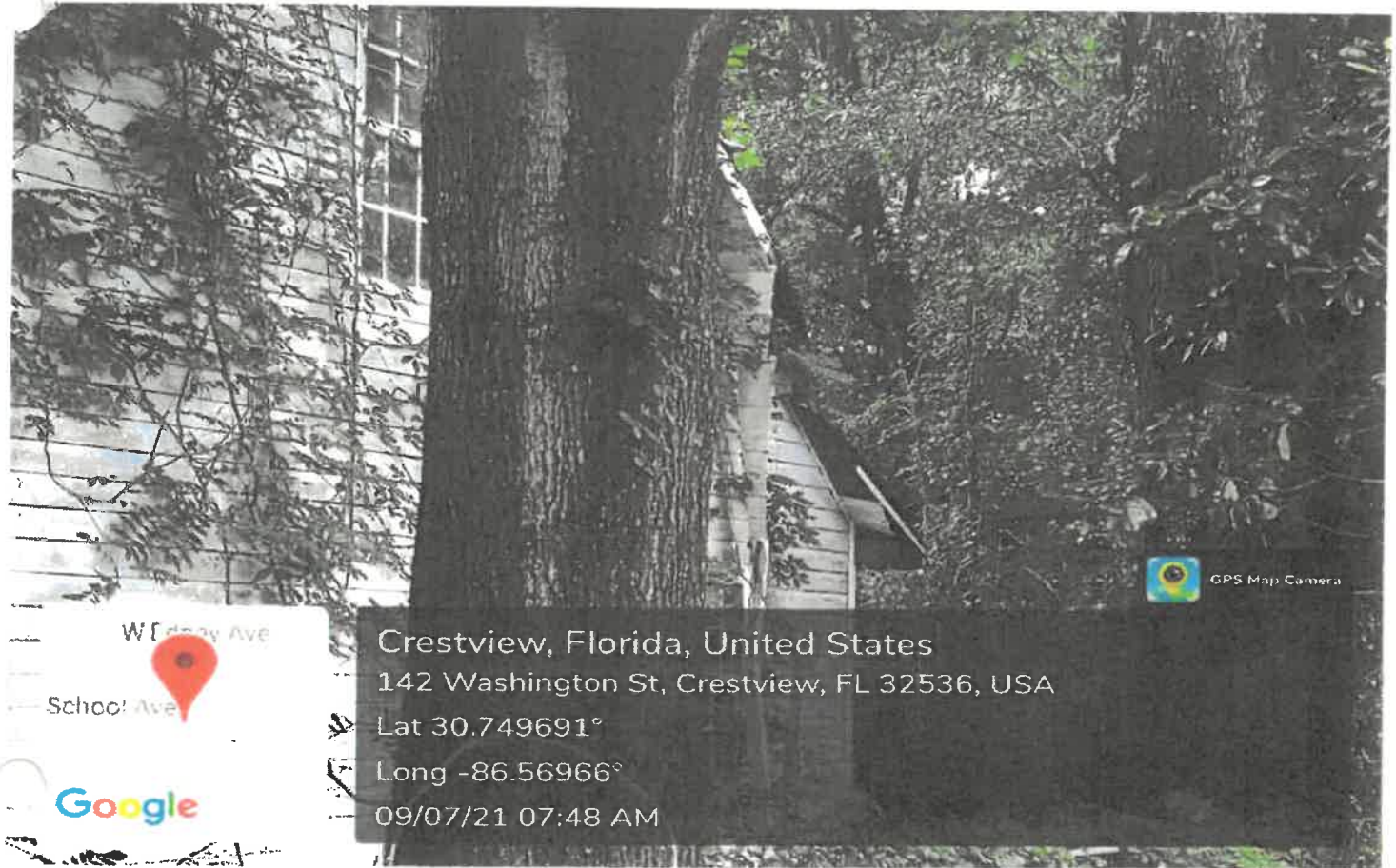


EXHIBIT 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: May 27, 2021
Case #: 21-00000433

SILER KENNETH & CONNIE M
497 S WILSON STR
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 142 WASHINGTON ST
Tax Identification Number: 20-3N-23-2390-0006-0110
Legal: SULLIVAN ADD LOT 11 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 10, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/26/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

(1) Materials which have not been prepared for collection in accordance with this article.

(2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.

(3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).

(4) Solid wastes resulting from industrial processes.

(5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.

(6) Refuse created by any private contractor as described in sections 70-35 and 70-36.

(7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

CONTINUED

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

LAND DEVELOPMENT CODE CHAPTER 7

SECTION 7.05.03 - RECREATIONAL CAMPS

A. Recreational camps are allowed by special exception in the MU, C-1, C-2 and E districts in accordance with the following standards.

B. For purposes of this subsection, "Recreational camp" or "Recreational camps" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

C. The minimum lot area within the MU, C-1, C-2 or E districts shall be 40 acres.

D. Recreational camps in the E districts may only be allowed in accordance with an approved management plan. The management plan shall be prepared at the expense of the applicant by a person or persons qualified in the appropriate fields of study and conducted according to professionally accepted standards. At a minimum, the management plan includes the following:

1. Description of goals and objectives based on type of natural resources to be managed;
2. Description of all proposed uses, including existing and any proposed physical and access improvements;
3. Description of prohibited activities, such as mowing in wetland buffers, or removal of native vegetation in protected habitat areas;
4. Descriptions of ongoing activities that will be performed to protect, restore, or enhance the natural resources to be protected. This may include:
 - a. Removal or control of invasive vegetation and debris;
 - b. Replanting with native vegetation as necessary;
 - c. Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive foraging, breeding, roosting, and nesting areas;
 - d. Fencing or other institutional controls to minimize impact of human activities on wildlife and vegetation, such as predation by pets;
 - e. Prescribed burning, thinning, or comparable activities performed in an environmentally sensitive manner to restore or maintain habitat;
 - f. Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring, and reporting;
 - g. Any additional measures determined to be necessary to protect and maintain the functions and values of conservation areas in conjunction with wildfire mitigation;
 - h. Set of schedules, estimated costs, staffing requirements, and assignments of responsibility for specific implementation activities to be performed as part of the

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

- management plan, and identification of means by which funding will be provided;
- i. Performance standards with criteria for assessing goals and objectives;
 - j. Five-year monitoring plan with schedule and responsibility;
 - k. Ownership and party responsible for management activities
 - l. Provision for changes to be reviewed and approved by the City; and
 - m. Contingency plans for corrective measures or change if goals not met, and recognition of City enforcement authority
5. The maximum density of cabins, lodges and/or tent campsites shall not exceed one per five acres. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high-water mark.
6. Cabins or lodges shall comply with the Florida Building Code and must contain a minimum of 250 square feet of floor space up to a maximum of 2,500 square feet of floor space, with a maximum occupancy of 10 per cabin or lodge. Use of mobile homes or recreational vehicles for lodging is prohibited.
7. A single permanent residence is allowed.
8. All structures, cabins and tent sites shall be setback a minimum of 200 feet from the property line.
9. Vehicular access shall be from a paved public roadway.
10. A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.
11. Sanitary facilities including showers, toilets, and sinks shall be provided. Potable water from a municipal water supply shall be used for such sanitary facilities, unless the facility is served by a private well registered, approved and tested by the Department of Health as a limited use public water system.
12. Recreational camps for five or more members of the public as defined in Section 513.01, Florida Statutes, are subject to the provisions of Chapter 513, Florida Statutes and shall not be permitted as a special exception unless the Department of Business and Professional Regulation has issued a permit for such activity and such permit remains valid and current at all times and such property meets every provision of this section not in conflict with the requirements of Chapter 513, Florida Statutes.
13. Any violation of this section, including a property owner's operating or allowing unpermitted recreational camps shall be punished as provided for in section 1-11 of the City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :
PROHIBITED

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

Building(s), structure(s), tent(s), trailer(s), or vehicle(s), or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

You may abate the violation by removing the building(s), structure(s), tent(s), trailer(s), or vehicle(s), from the property.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

EXHIBIT #

1

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only
 For delivery information, visit our website at www.usps.com™

7020 1290 0001 5682 2090

OFFICIAL USE

Certified Mail Fee **3.60**

Postage **0.51**

Total Postage and Fees **4.11**

Postmark Here
MAY 28 2021
21.483

Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy)
☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Required
☐ Adult Signature Restricted Delivery

Postage **0.51**

Total Postage and Fees **4.11**

Send to:
KENNETH SILER
497 S WILSON ST
CRESTVIEW, FL 32536

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: KENNETH SILER 497 S WILSON ST CRESTVIEW, FL 32536 2. Article Number (Transfer from service label) 7020 1290 0001 5682 2090 PS Form 3811, July 2015 PSN 7530-02-000-9053	A. Signature ☒ Agent ☐ Addressee B. Received by (Printed Name) Kenneth J Siler C. Date of Delivery 6-3-21 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 22, 2021
Case #: 21-00000433

SILER KENNETH & CONNIE M
497 S WILSON STR
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 142 WASHINGTON ST

Tax Identification Number: 20-3N-23-2390-0006-0110

Legal: SULLIVAN ADD LOT 11 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by July 08, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT #

1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/26/21
LOCATION:

ORDINANCE DESCRIPTION :

Sec. 70-27. - Refuse not acceptable for collection.

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

(1) Materials which have not been prepared for collection in accordance with this article.

(2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons and radioactive materials. The county solid waste department will handle requests for disposal of these materials.

(3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).

(4) Solid wastes resulting from industrial processes.

(5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.

(6) Refuse created by any private contractor as described in sections 70-35 and 70-36.

(7) Animal waste, dead animals or tires.

Sec. 70-35. - Building construction wastes.

The person to whom a building permit is issued shall be responsible for removing all refuse, waste matter, rubbish, garbage, trash and construction debris and C & D wastes, including, but not limited to, trees, stumps, dirt, old buildings and structures resulting from the clearing of land before the completion of the work permitted and final inspection is made or within 72 hours of completion of the work. It shall also be the responsibility of any person to whom the permit is issued to inspect the site and to remove therefrom all such materials which have been previously buried, stored, or left to remain on the site.

Sec. 70-36. - Tree surgeons, fence companies, landscape contractors, swimming pool contractors, etc., responsible for waste removal.

It shall be the responsibility of all fence companies, tree surgeons, nurseries, landscape contractors and swimming pool contractors or any company doing work on private property to remove from the premises all residue resulting from their work and deposit it in a permitted landfill. Residue shall not be placed at the curbside for pickup.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation by disposing of the debris at an approved facility.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

CONTINUED

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

LAND DEVELOPMENT CODE CHAPTER 7

SECTION 7.05.03 - RECREATIONAL CAMPS

A. Recreational camps are allowed by special exception in the MU, C-1, C-2 and E districts in accordance with the following standards.

B. For purposes of this subsection, "Recreational camp" or "Recreational camps" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

C. The minimum lot area within the MU, C-1, C-2 or E districts shall be 40 acres.

D. Recreational camps in the E districts may only be allowed in accordance with an approved management plan. The management plan shall be prepared at the expense of the applicant by a person or persons qualified in the appropriate fields of study and conducted according to professionally accepted standards. At a minimum, the management plan includes the following:

1. Description of goals and objectives based on type of natural resources to be managed;
2. Description of all proposed uses, including existing and any proposed physical and access improvements;
3. Description of prohibited activities, such as mowing in wetland buffers, or removal of native vegetation in protected habitat areas;
4. Descriptions of ongoing activities that will be performed to protect, restore, or enhance the natural resources to be protected. This may include:
 - a. Removal or control of invasive vegetation and debris;
 - b. Replanting with native vegetation as necessary;
 - c. Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive foraging, breeding, roosting, and nesting areas;
 - d. Fencing or other institutional controls to minimize impact of human activities on wildlife and vegetation, such as predation by pets;
 - e. Prescribed burning, thinning, or comparable activities performed in an environmentally sensitive manner to restore or maintain habitat;
 - f. Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring, and reporting;
 - g. Any additional measures determined to be necessary to protect and maintain the functions and values of conservation areas in conjunction with wildfire mitigation;
 - h. Set of schedules, estimated costs, staffing requirements, and assignments of responsibility for specific implementation activities to be performed as part of the

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

- management plan, and identification of means by which funding will be provided;
- i. Performance standards with criteria for assessing goals and objectives;
 - j. Five-year monitoring plan with schedule and responsibility;
 - k. Ownership and party responsible for management activities
 - l. Provision for changes to be reviewed and approved by the City; and
 - m. Contingency plans for corrective measures or change if goals not met, and recognition of City enforcement authority
5. The maximum density of cabins, lodges and/or tent campsites shall not exceed one per five acres. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high-water mark.
6. Cabins or lodges shall comply with the Florida Building Code and must contain a minimum of 250 square feet of floor space up to a maximum of 2,500 square feet of floor space, with a maximum occupancy of 10 per cabin or lodge. Use of mobile homes or recreational vehicles for lodging is prohibited.
7. A single permanent residence is allowed.
8. All structures, cabins and tent sites shall be setback a minimum of 200 feet from the property line.
9. Vehicular access shall be from a paved public roadway.
10. A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.
11. Sanitary facilities including showers, toilets, and sinks shall be provided. Potable water from a municipal water supply shall be used for such sanitary facilities, unless the facility is served by a private well registered, approved and tested by the Department of Health as a limited use public water system.
12. Recreational camps for five or more members of the public as defined in Section 513.01, Florida Statutes, are subject to the provisions of Chapter 513, Florida Statutes and shall not be permitted as a special exception unless the Department of Business and Professional Regulation has issued a permit for such activity and such permit remains valid and current at all times and such property meets every provision of this section not in conflict with the requirements of Chapter 513, Florida Statutes.
13. Any violation of this section, including a property owner's operating or allowing unpermitted recreational camps shall be punished as provided for in section 1-11 of the City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :
PROHIBITED

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

CORRECTIVE ACTION REQUIRED :

Building(s), structure(s), tent(s), trailer(s), or vehicle(s), or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for one or more resident or transient members of the public and designed and operated for recreational or other non-profit purposes.

You may abate the violation by removing the building(s), structure(s), tent(s), trailer(s), or vehicle(s), from the property.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/05/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

EXHIBIT # 1

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, or weeds from the property.

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable

CASE NUMBER 21-00000433
PROPERTY ADDRESS 142 WASHINGTON ST

ORDINANCE DESCRIPTION :

diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

EXHIBIT # 1

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70201290000156822380

Remove X

Your item was delivered at 11:43 am on July 10, 2021 in CRESTVIEW, FL 32539.

✓ **Delivered**July 10, 2021 at 11:43 am
CRESTVIEW, FL 32539

Get Updates ▾

Text & Email Updates

Tracking History

Product Information

7020 1290 0001 5682 2380

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ™.	
OFFICIAL USE	
Certified Mail Fee	3.160
Extra Services & Fees (check box, add fee to postage)	
☒ Return Receipt (hardcopy)	\$ 2.15
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	0.51
Total Postage and Fees	6.96
Sent to	KENNETH SILER
Sent to (apt, suite, or room)	497 S. WILSON ST
Sent to (city, state, ZIP+4®)	CRESTVIEW, FL 32536
PS Form 3800, April 2010 PSN 7530-02-000-9001 See Reverse for instructions	

Postmark
JUL 10 2021
FLA 32536

21-433

Feedback

See Less ^

EXHIBIT # 1

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 7/7/2021

**Siler Kenneth & Connie M
497 S Wilson Str
Crestview, FL 32536**

RE: CASE# 21-433

Dear Property Owner:

You are hereby formally notified that on August 17, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 142 Washington Str, Crestview, FL 32536 more particularly described as:

PIN# 20-3N-23-2390-0006-0110 LEGAL DESCRIPTION: SULLIVAN ADD LOT 11 BLK 6

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

EXHIBIT # 1

Encl: Notice of Violation

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 1

STATEMENT OF VIOLATION

Code of Ordinance Violated: Ch. 70 Solid waste and Recycling Sec 70-27 Refuse not acceptable for collection (1-7):

Refuse materials not acceptable for collection as enumerated in this chapter, unless specifically noted in this section, shall be disposed of by the person generating the non-acceptable refuse:

- (1) Materials which have not been prepared for collection in accordance with this article.
- (2) Hazardous materials or substances, such as poisons, acids, caustics, infected materials, explosives, batteries, hydrocarbons, and radioactive materials. The county solid waste department will handle requests for disposal of these materials.
- (3) Materials approved by FDER that are commonly referred to as "C & D waste" (see article III of this chapter).
- (4) Solid wastes resulting from industrial processes.
- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
- (6) Refuse created by any private contractor as described in sections 70-35 and 70-36.
- (7) Animal waste, dead animals, or tires.

Corrective Action: You may abate the violation by properly selecting these items and disposing of it at an approved facility.

Code of Ordinance Violated: Ch. 38 Sec 18 (I) and (J) Inoperable vehicle/Parts

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j)The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

Corrective Action: You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers or any similar material from the property.
2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

Code of Ordinance Violated: Ch 38 Sec 18 (d) Demolition of structure

- (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective action: Obtain a building permit and demolish the structure.

Code of Ordinance Violated: CH 38 SEC 18 (b) Trash, debris, garbage, refuse.

- (b) Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

Corrective action: Please select all trash, debris by category and dispose of them properly.

Code of Ordinance Violated: Ch 38 Sec 18 (k) Vegetation – weeds

- (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including

the area between the edge of the pavement in the street and the lot line.

Corrective action: Please remove all overgrown vegetation.

EXHIBIT # 1

7020 1290 0001 2346 7194

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Certified Mail Fee \$ **3.60**

Extra Services & Fees (check box, add fee)
☒ Return Receipt (hardcopy) \$ **2.85**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$ **.61**

Total Postage and Fees \$ **6.96**

Postman
Date

CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL 32536

PS Form 3800, April 2015 (2015-04-01)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL
32536

9590 9402 5522 9249 9967 85

2. Article Number (Transfer from service label)
7020 1290 0001 2346 7194

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Kenneth J. Siler* ☐ Agent ☒ Addressee

B. Received by (Printed Name)
Kenneth J. Siler

C. Date of Delivery
7-23-21

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT #



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3483013 Bk. 3569 Pg: 1018
Page 1 of 3 Recorded: 8/24/2021 10:35 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK fivy
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-433

Kenneth and Connie Siler
497 Wilson Street South
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on August 17, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenneth and Connie Siler, whose last known mailing address is 497 Wilson Street South Crestview, FL 32536, is the owner of the property located at, 142 Washington Street, Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0006-0110 , and more particularly described as:

SULLIVAN ADD LOT 11 BLK 6

2. The condition on the property consists of refuse not acceptable for collection, Inoperable Vehicles, Vehicle Parts; Trash, Debris, Garbage, Overgrowth, and an Unsafe Structure that needs to be demolished or repaired. The violation(s) were first observed on May 5th, 2021. A Notice of Violation was mailed by certified mail May 28, 2021 and received by

respondent on June 3rd, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards, Nuisance Conditions, - Sec. Sec 18(b), (d), (I), (J), (k) and Chapter 70 Sec. 27- Solid Waste and Recycling , of the City of Crestview's Code of Ordinances and requested correction of the violation by June 10,2021 . Re inspection of the property on June 10,2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards , Nuisance conditions - Sec. Sec 18(b), (d), (I), (J), (k) and Chapter 70 Sec. 27- Solid Waste and Recycling , of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The City has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account

the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before September 17, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before September 17, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Dispose of all tires, appliances, and all solid waste not acceptable for pick-up and dispose of at an approved facility.
 - b. Remove the inoperable vehicles, campers, and vehicle parts from the property.
 - c. Obtain a building permit to demolish the building.
 - d. Remove all overgrowth, debris, and trash from the property.
10. If the violation(s) are not corrected by September 17, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 17th, Day of August 2021.



Special Magistrate
City of Crestview, Florida

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3591814 Bk: 3651 Pg: 4510
Page 1 of 3 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

City of Crestview, Florida,

Petitioner,

vs.

CASE# 21-433

Kenneth and Connie Siler
497 Wilson Street South
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on August 17, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenneth and Connie Siler, whose last known mailing address is 497 Wilson Street South Crestview, FL 32536, is the owner of the property located at, 142 Washington Street, Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0006-0110 , and more particularly described as:

SULLIVAN ADD LOT 11 BLK 6

2. The condition on the property consists of refuse not acceptable for collection, Inoperable Vehicles, Vehicle Parts; Trash, Debris, Garbage, Overgrowth, and an Unsafe Structure that needs to be demolished or repaired. The violation(s) were first observed on May 5th, 2021. A Notice of Violation was mailed by certified mail May 28, 2021 and received by

respondent on June 3rd, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards, Nuisance Conditions, - Sec. Sec 18(b), (d), (I), (J), (k) and Chapter 70 Sec. 27- Solid Waste and Recycling , of the City of Crestview's Code of Ordinances and requested correction of the violation by June 10,2021 . Re inspection of the property on June 10,2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards , Nuisance conditions - Sec. Sec 18(b), (d), (I), (J), (k) and Chapter 70 Sec. 27- Solid Waste and Recycling , of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The City has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account

the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before September 17, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before September 17, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Dispose of all tires, appliances, and all solid waste not acceptable for pick-up and dispose of at an approved facility.
 - b. Remove the inoperable vehicles, campers, and vehicle parts from the property.
 - c. Obtain a building permit to demolish the building.
 - d. Remove all overgrowth, debris, and trash from the property.
10. If the violation(s) are not corrected by September 17, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 17th, Day of August 2021.


Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE
AND
CORRECT COPY



BY:  Maryanne Schneider, MMC

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this ~~DATE~~ 11-16-2022 entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 21-322

525 Brackin St

Owner of Record: Timothy & Alisca A Simpler 1344 Sexton Drive, Baker, FL

Origination Date: 5/1/2021 Origination Code: Proactive

Violations: Chapter 38 Section 18 (d) Demolition of Structure

Corrective Action Required: Obtain a building permit to demolish the unsafe structure and remove all demolition debris from the property. Or, Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.

Notice Sent: 5/26/2021 Signed: Returned to Sender Compliance Date: 6/8/2021

Inspected: 6/30/2021 Results: In Violation

Notice Sent: 6/30/2021 Signed: Returned to Sender Compliance Date: 7/14/2021

Inspected: 7/16/2021 Results: In Violation

Public Hearing Notice Sent: 8/19/2021 Signed: Returned to Sender

Hearing Date: 09/21/2021

Property remains in violation.

Order Recorded: 9/29/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 10/22/2021

Daily fine: \$250 Start: 10/22/2021

Fines: \$119,000 **as of February 9, 2023 (not including interest)**

Property Value: \$20,513

Related Properties:

1344 Sexton Dr, Baker, FL 32531- Homestead property, Timothy Simpler

CASE # 21-322
525 BRACKIN STREET
TUESDAY, SEPTEMBER 21, 2021
EXHIBIT 2

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/24/21

DATE

525 BRACKIN

ADDRESS-LOCATION OF VIOLATION

21-322

☐ (a) FOUNDATION

☒ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☒ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☒ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☒ (l) PORCHES AND BALCONIES

☐ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☐ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☒ (u) RODENT HARBORAGE

☒ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S):

This structure is unsafe and I recommend removal of structure from property. The whole back half of roof system and walls has collapsed.

If the structure were to be repaired, A complete set of fully engineered drawings will be required. Due to the extensive amount of damage beyond 50% of the structure I recommend removal from property. The electrical system is unsafe as well.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

5/24/21

DATE

EXHIBIT #

2

21-322

EXHIBIT 2

July 15, 2021 01:21PM
525 Brackin St
Crestview FL 32539



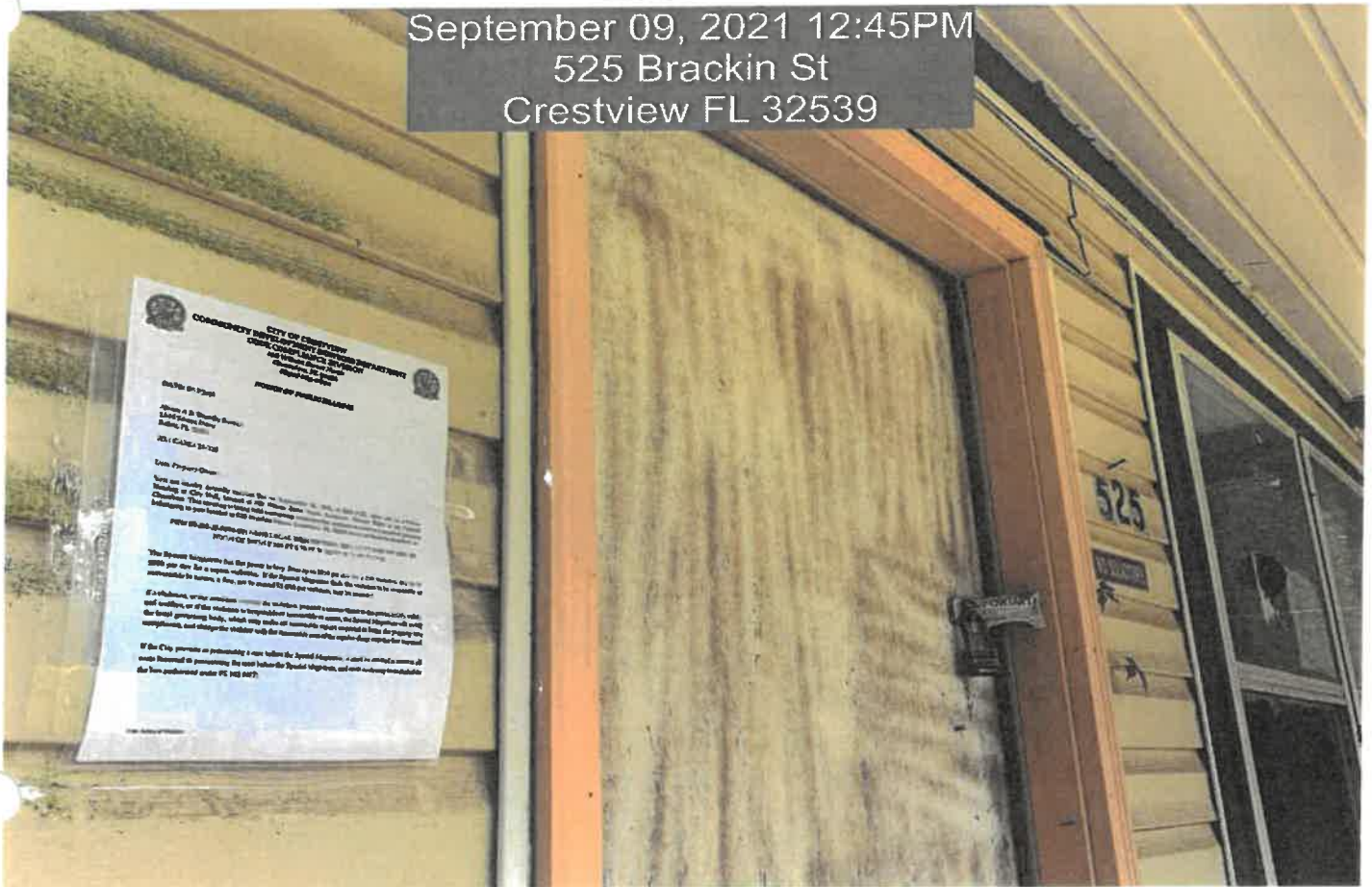
Jun 29, 2021 at 2:59:24 PM
525 Brackin St
Crestview FL 32539
United States



21-322

EXHIBIT 2

September 09, 2021 12:45PM
525 Brackin St
Crestview FL 32539



21-322
EXHIBIT 2

SEPTEMBER 21, 2021





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: May 25, 2021

Case #: 21-00000322

TIMOTHY & ALISCA A SIMPLER
1344 SEXTON DRIVE
BAKER, FL 32531

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 525 BRACKIN ST

Tax Identification Number: 09-3N-23-0000-0017-0000

Legal: BEG 310 FT S OF NW COR OF, NW1/4 OF SW1/4 E 200 FT S 70, FT W 200 FT N 70 FT TO

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 08, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Deborah Lawson

Code Compliance Officer

850.306.3702/850.612.9714

EXHIBIT # 2

CASE NUMBER 21-00000322
PROPERTY ADDRESS 525 BRACKIN ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 2

CASE NUMBER 21-00000322
PROPERTY ADDRESS 525 BRACKIN ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

EXHIBIT #

2



City of Crestview
Community Development Services
P. O. Box 1209
Crestview, Florida 32536

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Timothy & Alisca A Simpler
1344 Sexton Drive
Baker, FL
32531

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- REFUSED
UNABLE TO FORWARD

REF 8C: 32536120903 *2633-04350-23-37

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EXHIBIT #

2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 30, 2021
Case #: 21-00000322

TIMOTHY & ALISCA A SIMPLER
1344 SEXTON DRIVE
BAKER, FL 32531

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 525 BRACKIN ST

Tax Identification Number: 09-3N-23-0000-0017-0000

Legal: BEG 310 FT S OF NW COR OF, NW1/4 OF SW1/4 E 200 FT S 70, FT W 200 FT N 70 FT TO

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **July 14, 2021**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to **\$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties** as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Lawson".

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

CASE NUMBER 21-00000322
PROPERTY ADDRESS 525 BRACKIN ST

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

It shall be the duty of the owners, or other persons in control of property within the City to maintain their lot, tract or parcel and the abutting right-of-way but not including that area which is paved as roadway consistent with the standards set forth.

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

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- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

EXHIBIT #

2

CASE NUMBER 21-00000322
PROPERTY ADDRESS 525 BRACKIN ST

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

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CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: 8/18/2021

Alisca A & Timothy Simpler
1344 Sexton Drive
Baker, FL 32531

RE: CASE# 21-322

Dear Property Owner:

You are hereby formally notified that on September 21, 2021, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 525 Brackin Street, Crestview, FL 32539 more particularly described as:

**PIN# 09-3N-23-0000-0017-0000 LEGAL DESCRIPTION: BEG 310 FT S OF NW COR OF
NW1/4 OF SW1/4 E 200 FT S 70 FT W 200 FT N 70 FT TO POB**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

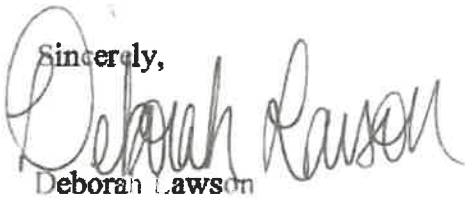
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.306.3702/850.612.9714

EXHIBIT #

2

STATEMENT OF VIOLATION

Case # 21-322

525 Brackin

Code of Ordinance Violated: Chapter 38 Section 18 (d) Demolition of Structure

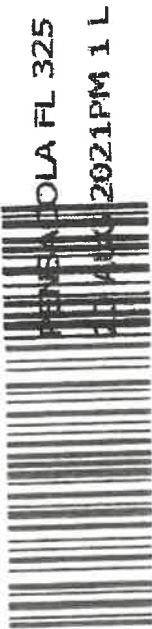
Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

Corrective Action Required:

- a. Obtain a building permit to demolish the structure and remove all demo debris from the property.
- b. Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.

CERTIFIED MAIL[®]

City of Crestview
Community Development Ser
P. O. Box 1209
Crestview, Florida 32536



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Alisa + Timothy Simpler
1344 Senter Dr
Baker, FL 32531

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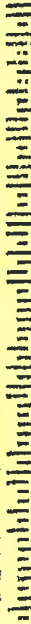


EXHIBIT #

2

**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536**

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 21-322

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 9 the day of September 2021, I personally posted said Notice of Hearing at: 525 Brackin Street and 198 Wilson St N. Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson
Affiant's Signature

9/9/2021
Date

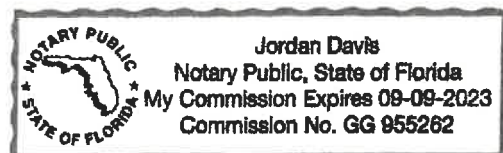
Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 9 the day of Sept. 2021.

(SEAL)

NOTARY PUBLIC: Jordan Davis

MY COMMISSION EXPIRES: _____



BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/24/21

DATE

525 BRACKIN

ADDRESS-LOCATION OF VIOLATION

☐ (a) FOUNDATION

☐ (m) STAIRS

☒ (b) WOOD SUPPORTS

☒ (n) ROOFS

☐ (c) METAL SUPPORTS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (d) SKIRTING

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (e) EXTERIOR WALLS

☒ (q) OVERHANG EXTENSIONS

☒ (f) WINDOWS

☐ (r) INSECT SCREENS

☐ (g) SHUTTERS

☐ (s) ACCESSORY STRUCTURES

☒ (h) EXTERIOR DOORS

☐ (t) SWIMMING POOLS

☒ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (u) RODENT HARBORAGE

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (v) EXTERIOR LIGHTING

☒ (k) STRUCTURAL SUPPORTS

☐ (w) FENCES AND WALLS

☒ (l) PORCHES AND BALCONIES

☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S): This structure is unsafe and I
recommend removal of structure from property. The whole back half
of roof system and walls has collapsed.

If the structure were to be repaired, A complete set of fully
engineered drawings will be required. Due to the extensive amount
of damage beyond 50% of the structure I recommend removal
from property. The electrical system is unsafe as well.


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

5/24/21
DATE

EXHIBIT 2A
525 BRACKIN



EXHIBIT 2A
525 BRACKIN



EXHIBIT 2A
525 BRACKIN





CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3492881 Bk: 3577 Pg: 798
Page 1 of 3 Recorded: 9/29/2021 3:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

vs.

CASE# 21-322

Timothy & Alisca A Simpler
1344 Sexton Drive
Baker, FL 32531

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on September 21, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Timothy & Alisca A Simpler, whose last known mailing address is 1344 Sexton Dr Baker, FL 32531-8008, is the owner of the property located at, 525 Brackin Street Crestview, FL 32539, AKA PIN# 09-3N-23-0000-0017-0000, and more particularly described as: BEG 310 FT S OF NW COR OF NW1/4 OF SW1/4 E 200 FT S 70 FT W 200 FT N 70 FT TO POB
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on May 1, 2021. A Notice of Violation was mailed by certified mail May 26, 2021, and the respondent refused the notice. A second Notice of Violation was mailed certified mail return receipt on June 30, 2021 and was also refused by the respondent. Pursuant to Florida Statue 162.12, the property located at 525 Brackin Street and 198 Wilson Street North were posted on September 9, 2021. The Notice stated that the

condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (d), of the City of Crestview's Code of Ordinances and requested correction of the violation by June 8, 2021. Re inspection of the property on June 30, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-18 (d), of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before October 22, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before October 22, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain a building permit to demolish the unsafe structure and remove all debris from the property.
 - b. Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.
10. If the violation(s) are not corrected by October 22, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 21st, Day of September 2021.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2021.09.28 18:05:15
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**Special Magistrate
City of Crestview, Florida**

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

198 Wilson Street North
Crestview, FL 32536



Inst. #3591817 Bk: 3651 Pg: 4519
Page 1 of 3 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-322

Timothy & Alisca A Simpler
1344 Sexton Drive
Baker, FL 32531

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on September 21, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Timothy & Alisca A Simpler, whose last known mailing address is 1344 Sexton Dr Baker, FL 32531-8008, is the owner of the property located at, 525 Brackin Street Crestview, FL 32539, AKA PIN# 09-3N-23-0000-0017-0000, and more particularly described as: BEG 310 FT S OF NW COR OF NW1/4 OF SW1/4 E 200 FT S 70 FT W 200 FT N 70 FT TO POB
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on May 1, 2021. A Notice of Violation was mailed by certified mail May 26, 2021, and the respondent refused the notice. A second Notice of Violation was mailed certified mail return receipt on June 30, 2021 and was also refused by the respondent. Pursuant to Florida Statue 162.12, the property located at 525 Brackin Street and 198 Wilson Street North were posted on September 9, 2021. The Notice stated that the

condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (d), of the City of Crestview's Code of Ordinances and requested correction of the violation by June 8, 2021. Re inspection of the property on June 30, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-18 (d), of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before October 22, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before October 22, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
- Obtain a building permit to demolish the unsafe structure and remove all demo debris from the property.
 - Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.
10. If the violation(s) are not corrected by October 22, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 21st, Day of September 2021.

**Samuel B.
Taylor**

Special Magistrate
City of Crestview, Florida

Digitally signed by Samuel
B. Taylor
Date: 2021.09.28 18:05:15
-05'00'

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
city clerk
DATE: 11-16-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Deborah Lawson

From: Deborah Lawson
Sent: Thursday, January 5, 2023 4:54 PM
To: Joshua Grace
Cc: Madeline Tatom
Subject: 868 Bay

Josh,

I talked to Roderick Ford, the owner of 868 Bay Street. Mr. Ford stated that he had spoken with Mr. Holloway a year or so ago about donating the property. He has no interest in keeping the property and stated that he is not willing to pay the fines associated with the previous Code case or the current Code case. According to Mr. Ford, there is an issue with the deed.

Can we look into this? I'll be happy to contact Mr. Ford, but if you need to, his number is (702)275-0464.

Thanks,



Deborah Lawson
Code Compliance Officer
City of Crestview
850.306.3702 office
850.612.9714 cell

Case # 21-257

868 Bay

Owner of Record: Roderick L Ford Sr Et AL 100 Pine Trace Lane Kathleen, GA 31047

Origination Date: 12/15/2020 Origination Code: Proactive

Violations: Chapter 38 Section 4 (4) Trash/Vegetation/Debris/Junk

Corrective Action Required: Remove the vegetation, trash/debris, junk off the property.

Notice Sent: 12/16/2020 Signed: 12/22/2020 Compliance Date: 12/28/2020

Inspected: 12/29/2020 Results: In Violation

Notice Sent: 12/30/2020 Signed: 1/04/2021 Compliance Date: 1/6/2021

Inspected: 1/8/2021 Results: In Violation

Public Hearing Notice Sent: 4/9/2021 Signed: 4/16/2021

Hearing Date: 5/10/2021

Property remains in violation.

Order Recorded: 5/26/2021 **Re-recorded with wet stamp 12/13/2022**

Hearing fee: \$250 Due by 6/19/2021

Daily fine: \$250 Start: 6/19/2021

Fines: \$150,250 **as of February 9, 2023 (not including interest)**

Property Value: \$51,673

Related Properties:

Case #23-187: 868 Bay, Active case.

Violations: Trash/Debris, Overgrown Vegetation, Solid Waste, Overhang, Exterior Door, Porch, Roof, Structural Supports, Windows

21-257
868 BAY STREET
EXHIBIT 4



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: December 15, 2020

Case #: 21-00000257

FORD RODERICK L SR ET AL
1915 BLUE RIBBON DR
LAS VEGAS, NV 89142

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 868 BAY ST

Tax Identification Number: 20-3N-23-0000-0056-0000

Legal: BEG 564 FT E & 157.5 FT SE OF, NW COR OF SW1/4 OF NE 1/4 SE, 127.5 FT SW 210 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **December 28, 2020**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Code Compliance Officer

EXHIBIT #

4

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROBERICK FORD
100 PINE TRACE LN.
KATHLEEN, GA 31047



9590 9402 5896 0049 4826 78

2. Article Number (Transfer from service label)

7019 2970 0000 9142 0993
PS Form 3811, July 97

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

JPW 12/6/2019 ☒ Agent ☐ Addressee

B. Received by (Printed Name)

CBH

C. Date of Delivery

12/22/2019

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT #

4



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: December 30, 2020
Case #: 21-00000257

FORD RODERICK L SR ET AL
100 PINE TRACE LANE
KATHLEEN, GA 31047

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 868 BAY ST

Tax Identification Number: 20-3N-23-0000-0056-0000

Legal: BEG 564 FT E & 157.5 FT SE OF, NW COR OF SW1/4 OF NE 1/4 SE, 127.5 FT SW 210 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by January 06, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

A handwritten signature in cursive script, appearing to read "Florine Alcolin".

Code Compliance Officer

EXHIBIT #

4

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**FORD, RODERICK
100 PINE TRACE LN.
KATHLEEN, GA 31047**



9590 9402 5896 0049 5040 66

2. Article:

PS Form

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *TRACER*

- ☒ Agent
- ☒ Addressee

B. Received by (Printed Name)

CB

C. Date of Delivery

01/04/20

D. Is delivery address different from item 1? If YES, enter delivery address below:

- ☒ Yes
- ☒ No

- ☒ Service Type
- ☒ Adult Signature
- ☒ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☒ Certified Mail Restricted Delivery
- ☒ Collect on Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise

Confirmation™
Confirmation
Delivery

Return Receipt



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 12, 2021

Case #: 21-00000257

FORD RODERICK L SR ET AL

100 Pine Trace Ln

KATHLEEN, GA 31047

Dear FORD RODERICK L SR ET AL,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 868 BAY ST

Tax Identification Number: 20-3N-23-0000-0056-0000

Legal: BEG 564 FT E & 157.5 FT SE OF, NW COR OF SW1/4 OF NE 1/4 SE, 127.5 FT SW 210 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by January 18, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

A handwritten signature in black ink, appearing to read "Thorena O'Connell".

Code Compliance Officer

EXHIBIT #

4

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, on the front if space permits.

1. Article Addressed to:

FORD ROBERICK
100 PINE TRACE LN.
KATHLEEN, GA 31047



9590 9402 5896 0049 5040 42

2. Article Number (Transfer from service label)

7019 2970 0000 9142 1129

PS Form 3811, July 2015 PSN 7530-02-000-9000

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *WPC2EAT* ☒ Agent ☐ Addressee

B. Received by (Printed Name)

CBL

C. Date of Delivery

11/15/21

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| ☒ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☒ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Return Receipt for Merchandise |
| ☐ Collect on Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Insured Mail | |
| ☐ Insured Mail Restricted Delivery | |

Domestic Return Receipt

EX-111 4



CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: 4/9/2021

Roderick Ford Sr
100 Pine Trace Ln.
Kathleen, GA 31047

RE: CASE# 21-257

Dear Property Owner:

You are hereby formally notified that on May 18, 2021 at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North Crestview, Florida in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 868 Bay Str, Crestview, FL 32536 more particularly described as:

PIN# 20-3N-23-0000-0056-0000 LEGAL DESCRIPTION: BEG 564 FT E & 157.5 FT SE OF NW COR OF SW1/4 OF NE 1/4 SE 127.5 FT SW 210 FT NW 127.5 FT NE 210 FT TO POB 1056-469

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

Encl: Notice of Violation

EXHIBIT #

A

STATEMENT OF VIOLATION

1. Code of Ordinance Violated: CHAPTER 38-4

SECT. 38-4 The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited, and declared to be a public nuisance.

2. Corrective Action: Remove all vegetation, debris, rubbish, trash, garbage, garden trash or junk, from the property.

DATE: 4

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROBELICK FORD &
100 PINE TRACE LN.
KATHLEEN, GA 31047



9590 9402 5523 9249 0072 20

2. Article Number (Transfer from service label)

7020 1290 0001 2346 7934

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature **X** 7/2/2019 ☒ Agent ☐ Addressee
- B. Received by (Printed Name) CPG C. Date of Delivery 7/1/19
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below: ☐ Yes ☐ No

3. Service Type
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☐ Certified Mail
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery
 - ☐ Priority Mail Express®
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☐ Return Receipt for Merchandise
 - ☐ Signature Confirmation™
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT #

CASE # 21- 257

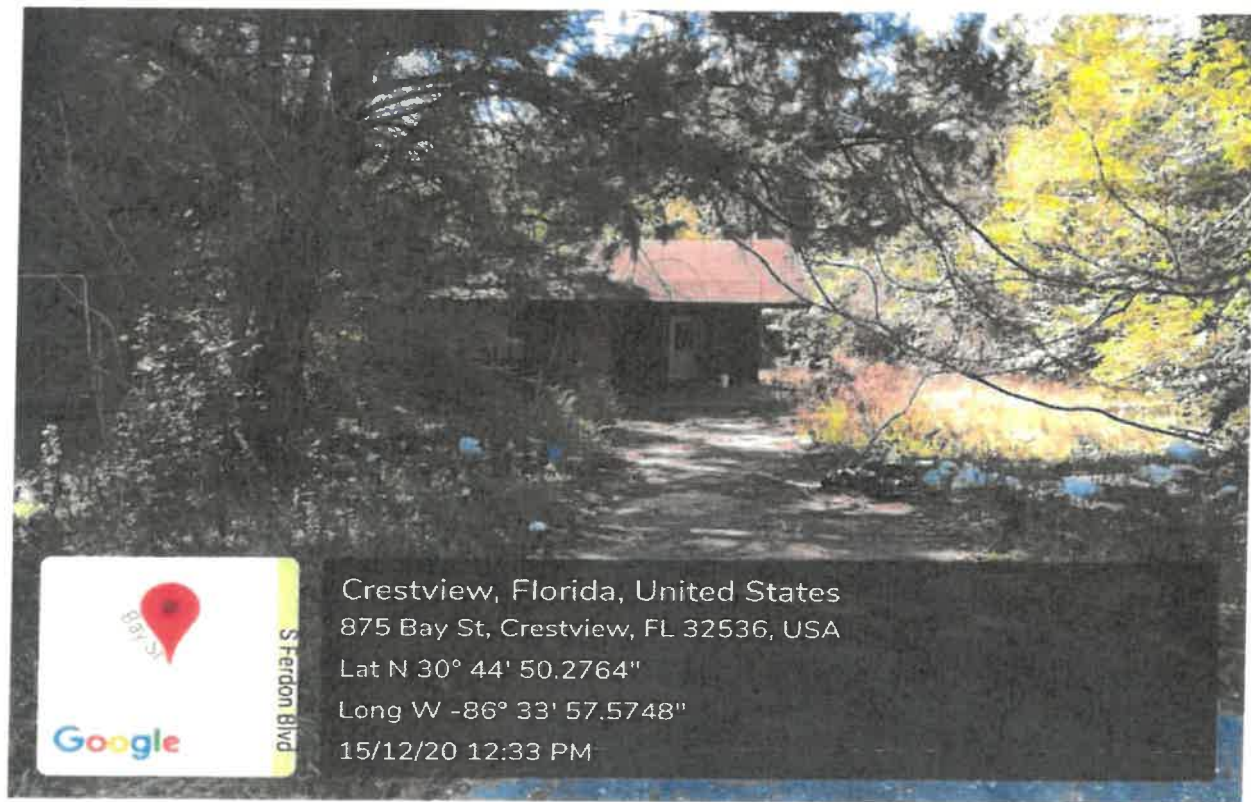
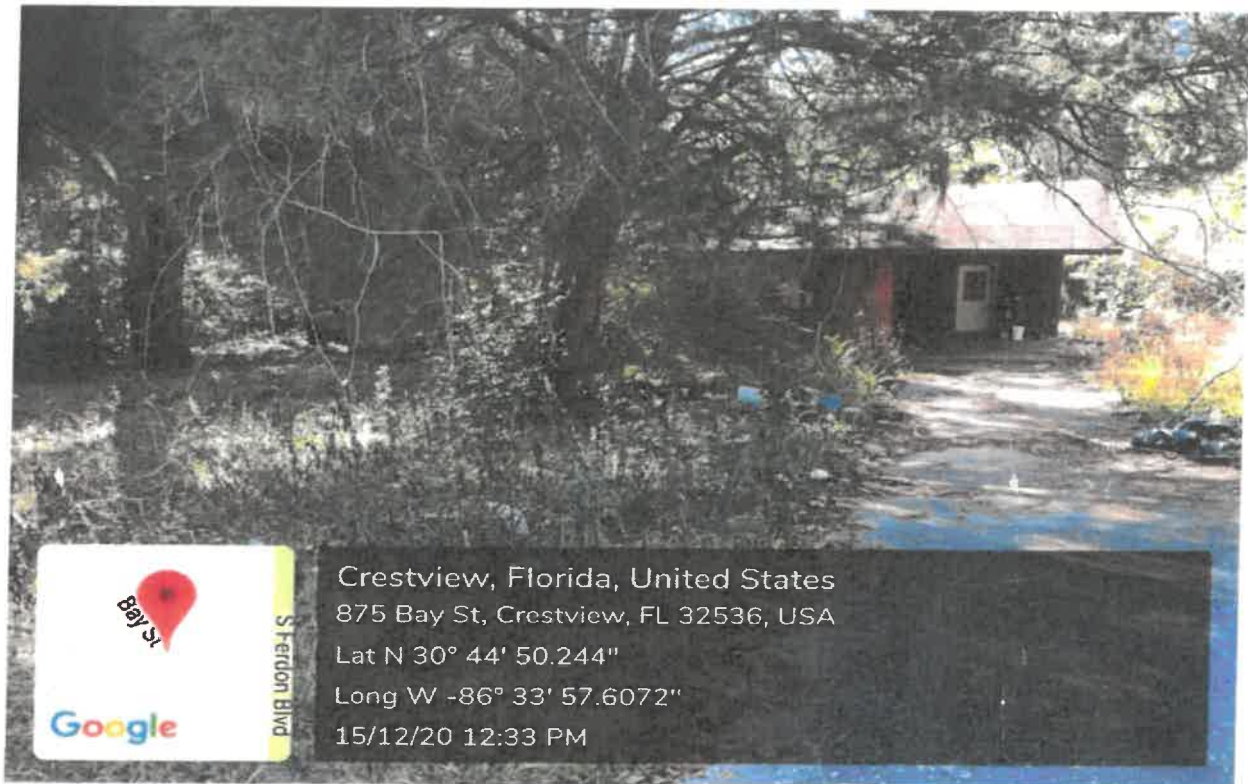


EXHIBIT 4

CASE # 21- 257

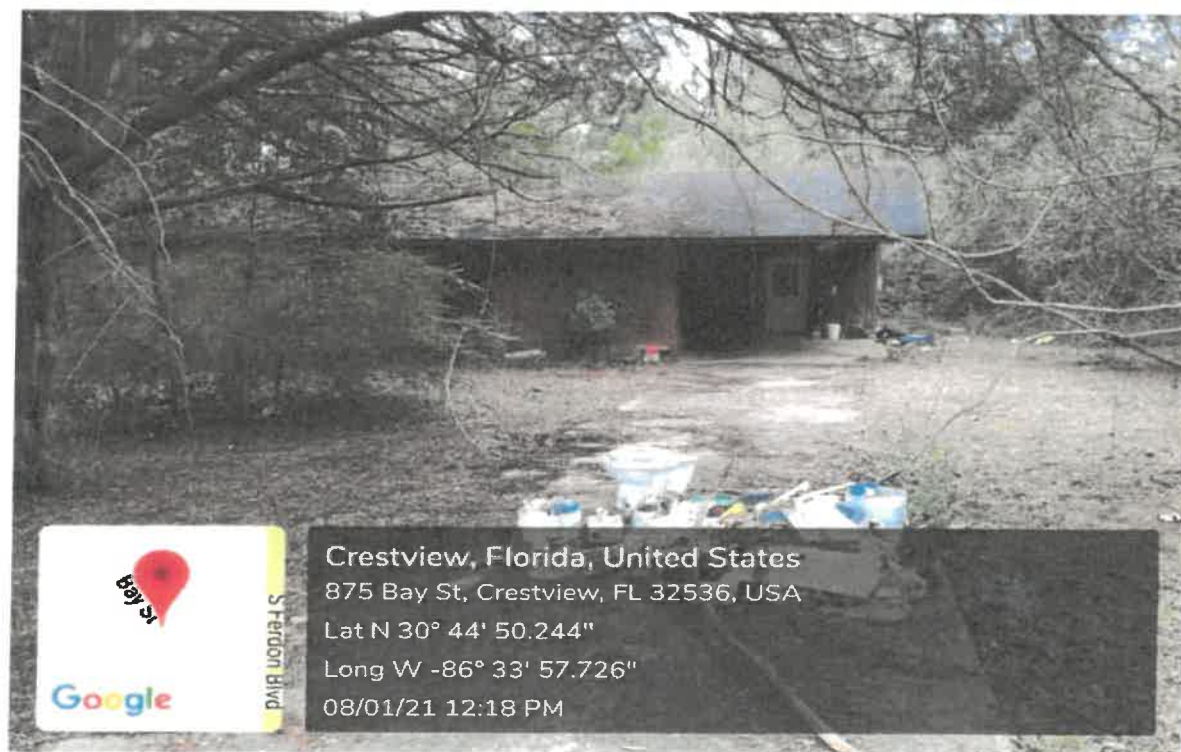
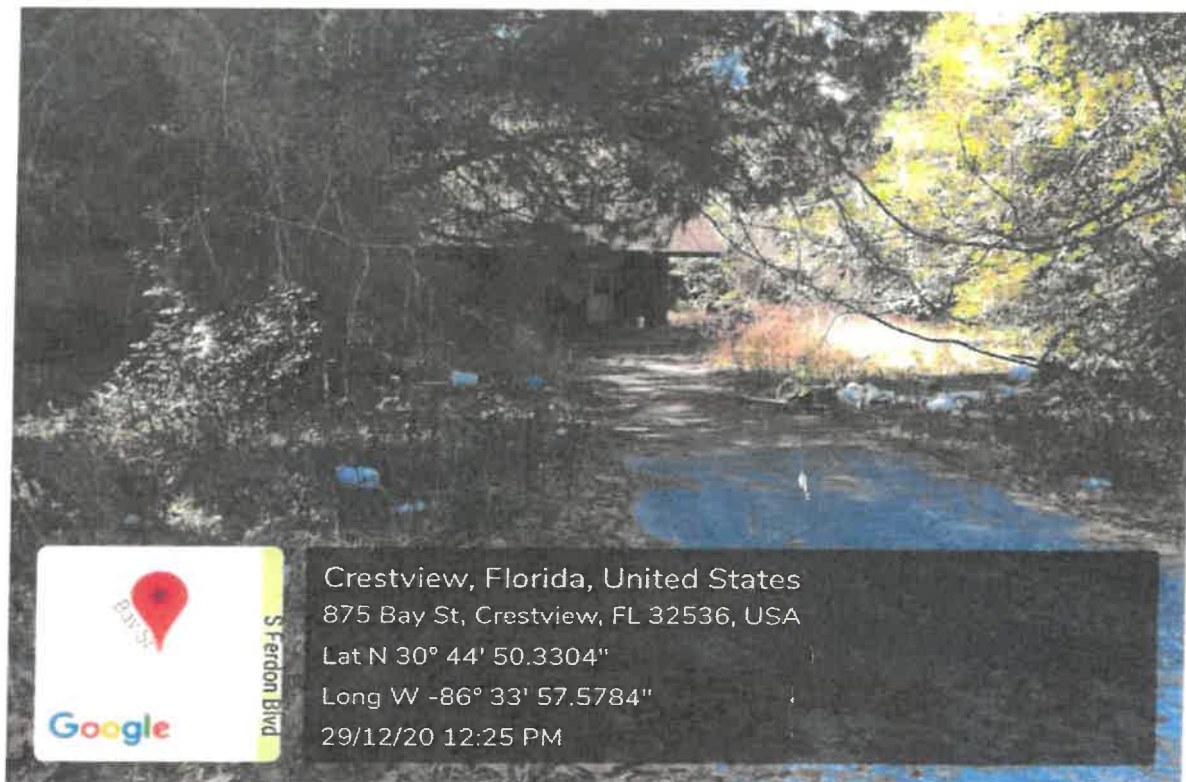


EXHIBIT 4

CASE # 21- 257

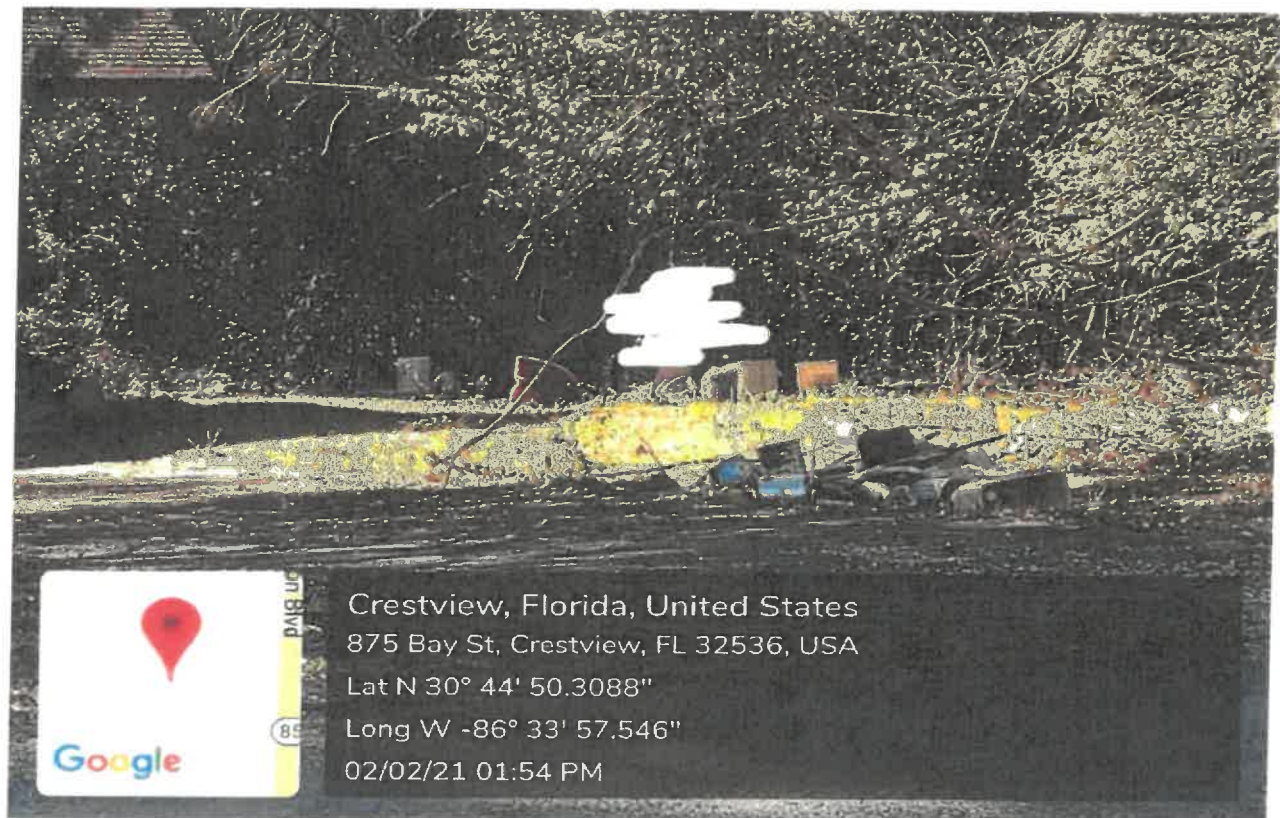
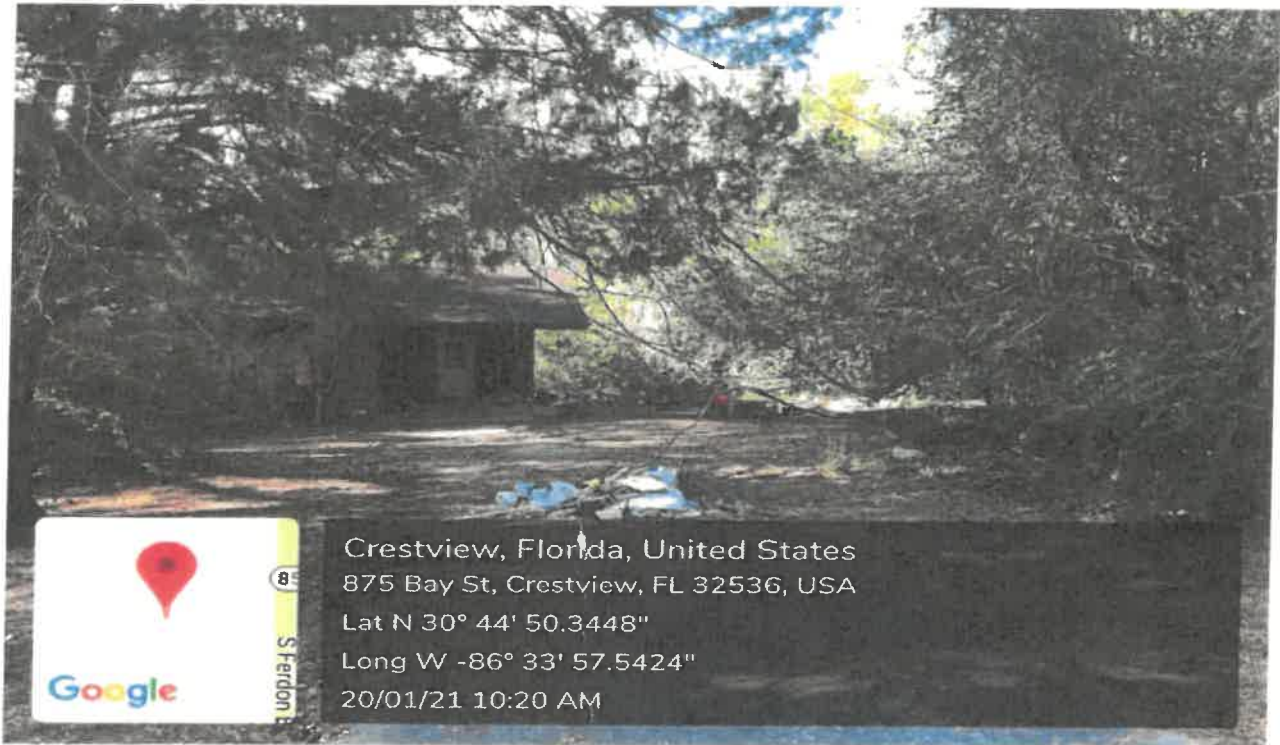


EXHIBIT 4

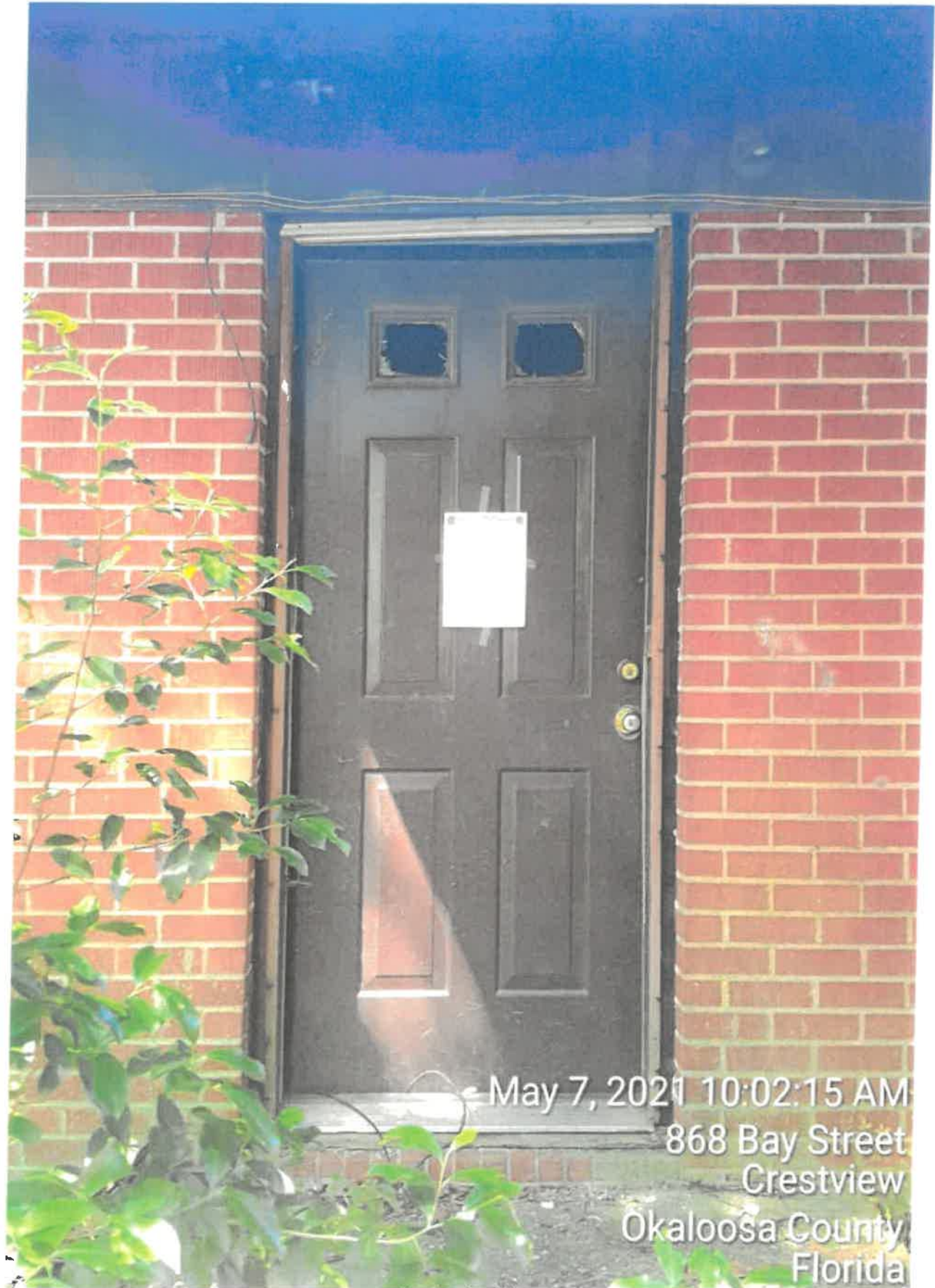


EXHIBIT 4



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION**
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: 4/9/2021

Roderick Ford Sr
100 Pine Trace Ln.
Kathleen, GA 31047

RE: CASE# 21-257

Dear Property Owner:

You are hereby formally notified that on May 18, 2021 at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North Crestview, Florida in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 868 Bay Str, Crestview, FL 32536 more particularly described as:

PIN# 20-3N-23-0000-0056-0000 LEGAL DESCRIPTION: BEG 164 FTE & 157.5 FT SE OF NW COR OF SW 1/4 OF NE 1/4 SE 127.5 FT SW 210 FT NW 127.5 FT NE 210 FT TO POB 1056-469

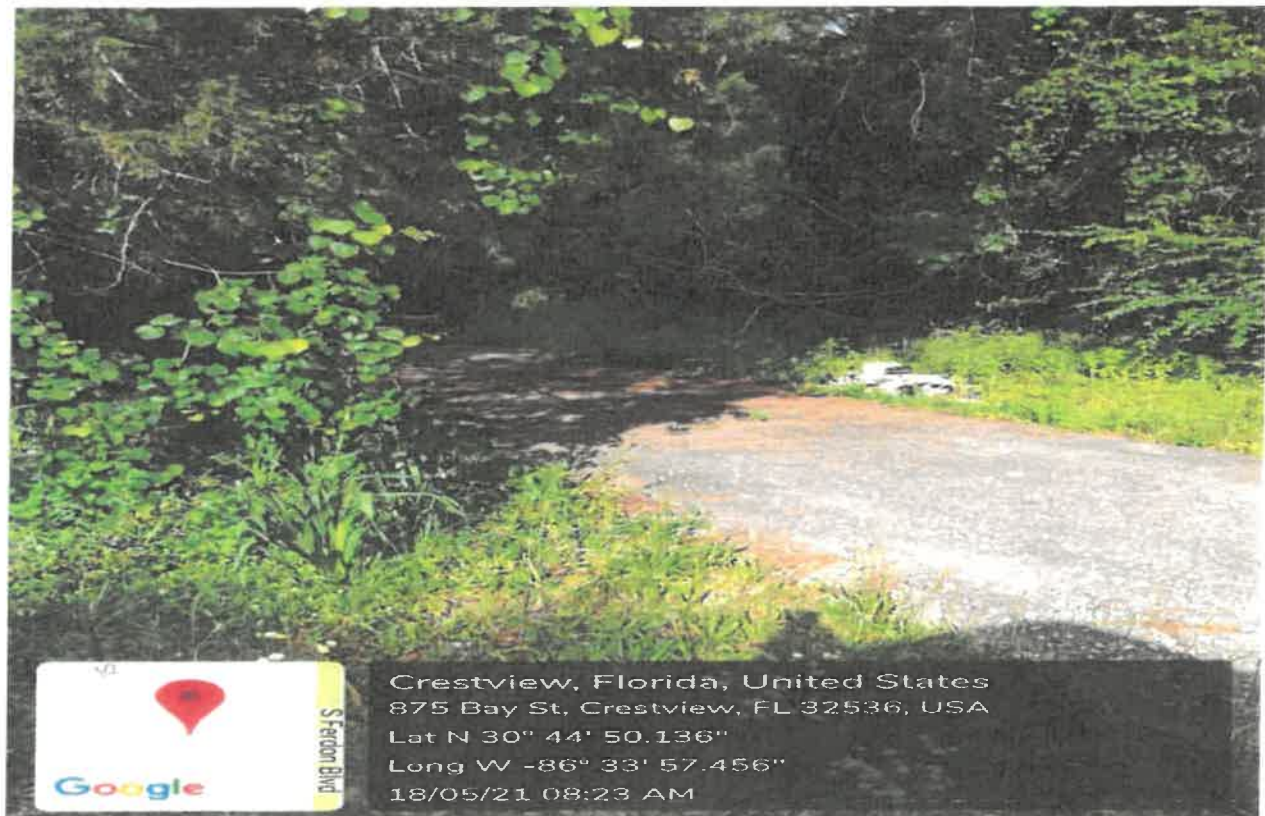
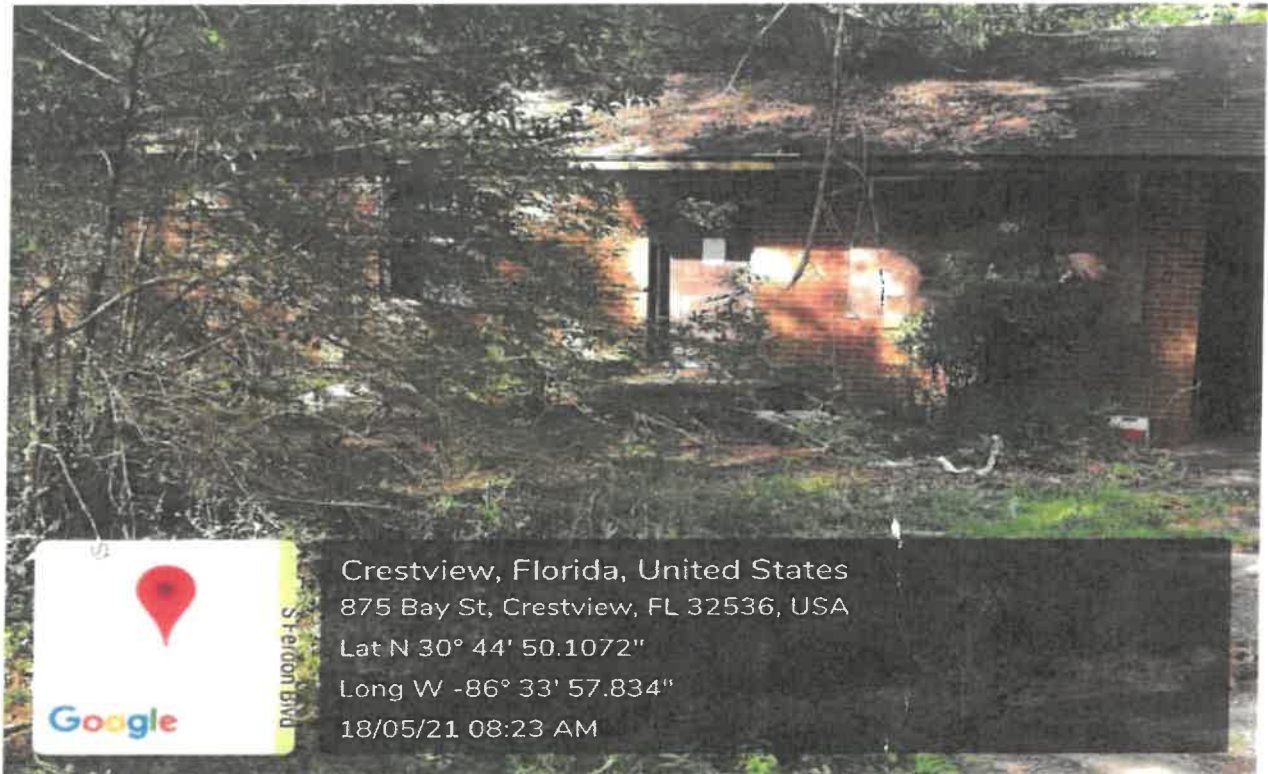
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

Encl: Notice of Violation

May 7, 2021 9:16:55 AM
198 Wilson Street North
Crestview
Okaloosa County
Florida





**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
198 Wilson Street North
Crestview, FL 32536



Inst. #3458482 Bk: 3549 Pg: 1748
Page 1 of 3 Recorded: 5/26/2021 10:14 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK sivy
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-257

Roderick Ford Sr
100 Pine Trace Ln.
Kathleen, GA 31047

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on May 18th, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Roderick Ford Sr, whose last known mailing address is 100 Pine Trace Ln., Kathleen, GA 31047, is the owner of the property located at, 868 Bay Str, Crestview, FL 32536, AKA PIN#20-3N-23-0000-0056-0000, and more particularly described as: BEG 564 FT E & 157.5 FT SE OF NW COR OF SW1/4 OF NE 1/4 SE 127.5 FT SW 210 FT NW 127.5 FT NE 210 FT TO POB 1056-469.
2. The conditions on the property consist of vegetation, trash/debris, junk. The violation(s) were first observed on December 15, 2020. A Notice of Violation was mailed by certified mail December 16, 2020 and received by respondent on December 22, 2020. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards -

Sec. 38-4 (4). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by December 28, 2020. Re inspection of the property on February 2nd, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-4 (4). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The City has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before June 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before June 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s): removing the vegetation, trash/debris, junk off the property.
10. If the violation(s) are not corrected by June 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 18th day of May, 2021.


Special Magistrate
City of Crestview, Florida

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3595741 Bk: 3654 Pg: 3379
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 21-257

Roderick Ford Sr
100 Pine Trace Ln.
Kathleen, GA 31047

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on May 18th, 2021. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Roderick Ford Sr, whose last known mailing address is 100 Pine Trace Ln., Kathleen, GA 31047, is the owner of the property located at, 868 Bay Str, Crestview, FL 32536, AKA PIN#20-3N-23-0000-0056-0000, and more particularly described as: BEG 564 FT E & 157.5 FT SE OF NW COR OF SW1/4 OF NE 1/4 SE 127.5 FT SW 210 FT NW 127.5 FT NE 210 FT TO POB 1056-469.
2. The conditions on the property consist of vegetation, trash/debris, junk. The violation(s) were first observed on December 15, 2020. A Notice of Violation was mailed by certified mail December 16, 2020 and received by respondent on December 22, 2020. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-4 (4). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by

December 28, 2020. Re inspection of the property on February 2nd, 2021, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-4 (4). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The City has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before June 19, 2021, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before June 19, 2021, the Respondent is to correct the violation(s) by conducting the following action(s): removing the vegetation, trash/debris, junk off the property.

10. If the violation(s) are not corrected by June 19, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.

Done and Ordered on the 18th day of May, 2021.

Samuel B.
Taylor

Digitally signed by Samuel B.
Taylor
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Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 12-13-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 22-827, 22-828 221 S Booker St

Owner of Record: Kenny Siler 497 S Wilson St, Crestview, FL 32536

Origination Date: April 19, 2022 Origination Code: Police Dept Referral

Violations: Trash/debris- inoperable vehicles - litter - unsafe accessory structure- work completed without required permits.

Corrective Action Required: 22-827: a.) Remove the accumulation or open storage of trash, debris, garbage, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or refuse from the property.

b.) Remove the inoperable vehicles and parts, machinery, trailers, or boats from the property or bring them into an operable state.

c.) Remove the litter from the property.

d.) Obtain a demolition permit, demolish the structure and remove all demolition debris from the property or obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable applications, documents and pay associated fees.

22-828: a.) Obtain the necessary permit for the shed or remove it from the property.

Notice Sent: 04/29/2022 Signed: No tracking available Compliance Date: 05/10/2022

Inspected: 05/11/2022 Results: In Violation

Notice Sent: 05/12/2022 Signed: 05/14/2022 Compliance Date: 05/20/2022

Inspected: 5/25/2022 Results: In Violation

Public Hearing Notice Sent: 6/1/2022 Signed: 6/2/2022

Hearing Date: 7/19/2022

Property remains in violation.

Order Recorded: 07/26/2022 **Re-recorded with wet stamp 12/13/2022**

Case # 22-827, 22-828 221 S Booker St

22-827

Hearing fee: \$250 Due by 11/21/2022

Daily fine: \$250 Start: 11/21/2022

Fines: \$29,750 **as of March 20, 2023 (not including interest)**

Property Value: \$7,919

22-828

Hearing fee: \$250 Due by 10/19/2022

Daily fine: \$250 Start: 10/19/2022

Fines: \$38,000 **as of March 20, 2023 (not including interest)**

Related Properties:

338 S Booker St 17-3N-23-2490-0080-0130

Case # 23-46 Active Case

Violations: Accessory Structures

Case # 19-1098 Closed

Violations: Solid Waste

385 S Booker St 17-3N-23-2490-0081-0050

Case # 23-112 Closed

Violations: Trash/Debris

Case # 22-829 Hearing Date: July 19, 2022 Fines: \$10,000

Violations: Building Permit Required

Case # 21-436 Hearing Date: July 19, 2022 Fines: \$14,500

Violations: Vegetation/Debris, Exterior door, Overhang, Windows, Structural Supports, Roofs

Case # 22-827, 22-828 221 S Booker St

Case # 19-1097

Closed

Violations: Debris, Inoperable Vehicles, Overgrown Vegetation

Vacant Lot Booker St 17-3N-23-2490-0084-0190 No Case History

Vacant Lot Booker St 17-3N-23-2490-0084-0200 No Case History

22-827
221 S Booker
July 19, 2022
Exhibit 5

BUILDING OFFICIAL STRUCTURAL DETERMINATION

4/25/22

DATE

221 S Booker St

ADDRESS-LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

Accessory structure needs to be repaired or removed
from property

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

☒ (a) FOUNDATION

☐ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☐ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☐ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☐ (l) PORCHES AND BALCONIES

☐ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☐ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☒ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☐ (u) RODENT HARBORAGE

☐ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

COMMENTS: Metal roofing not secured in areas. Signs of deterioration along bottom edges of siding. Foundation support missing under corner of structure. Structural supports around outer perimeter are showing signs of deterioration.

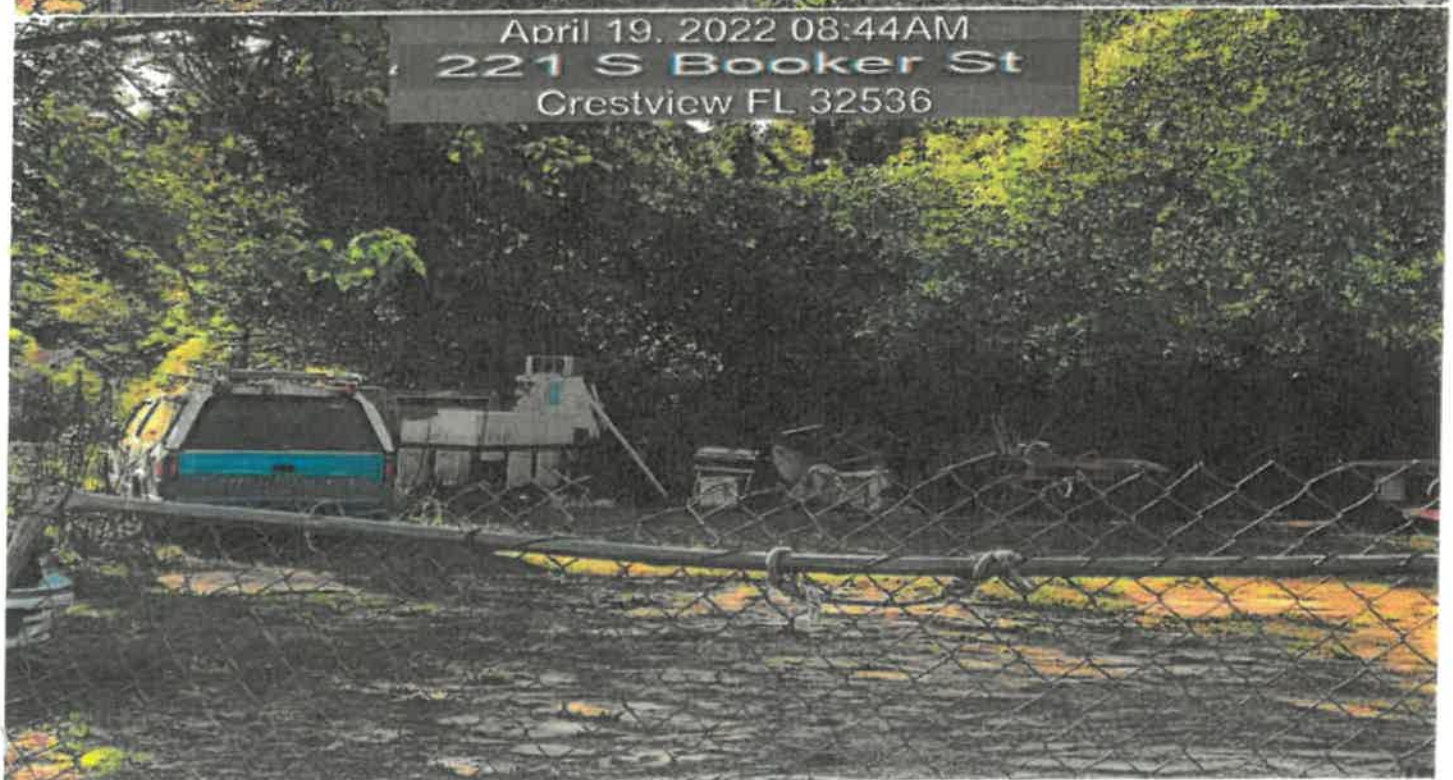
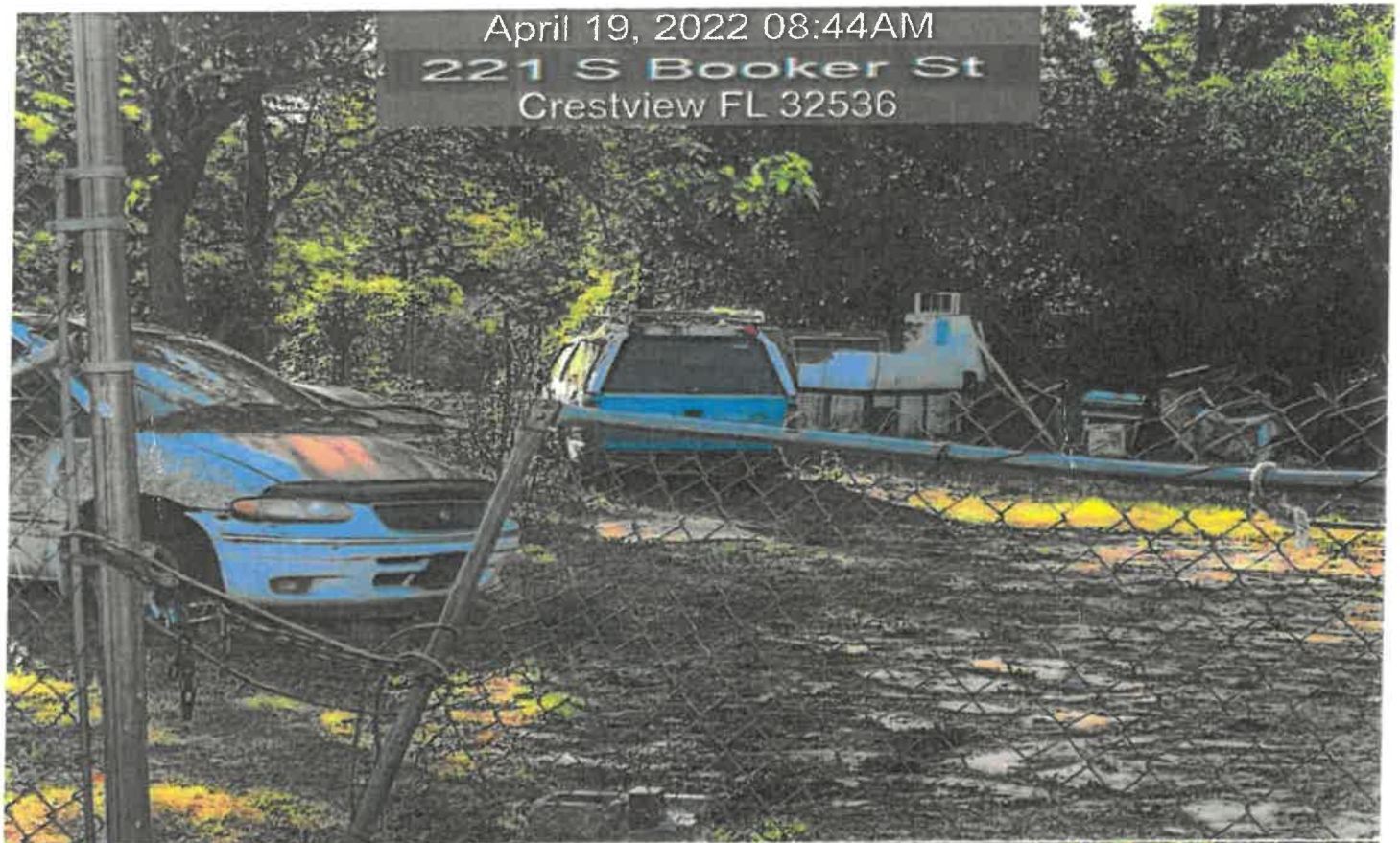
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL Ronald Rayton

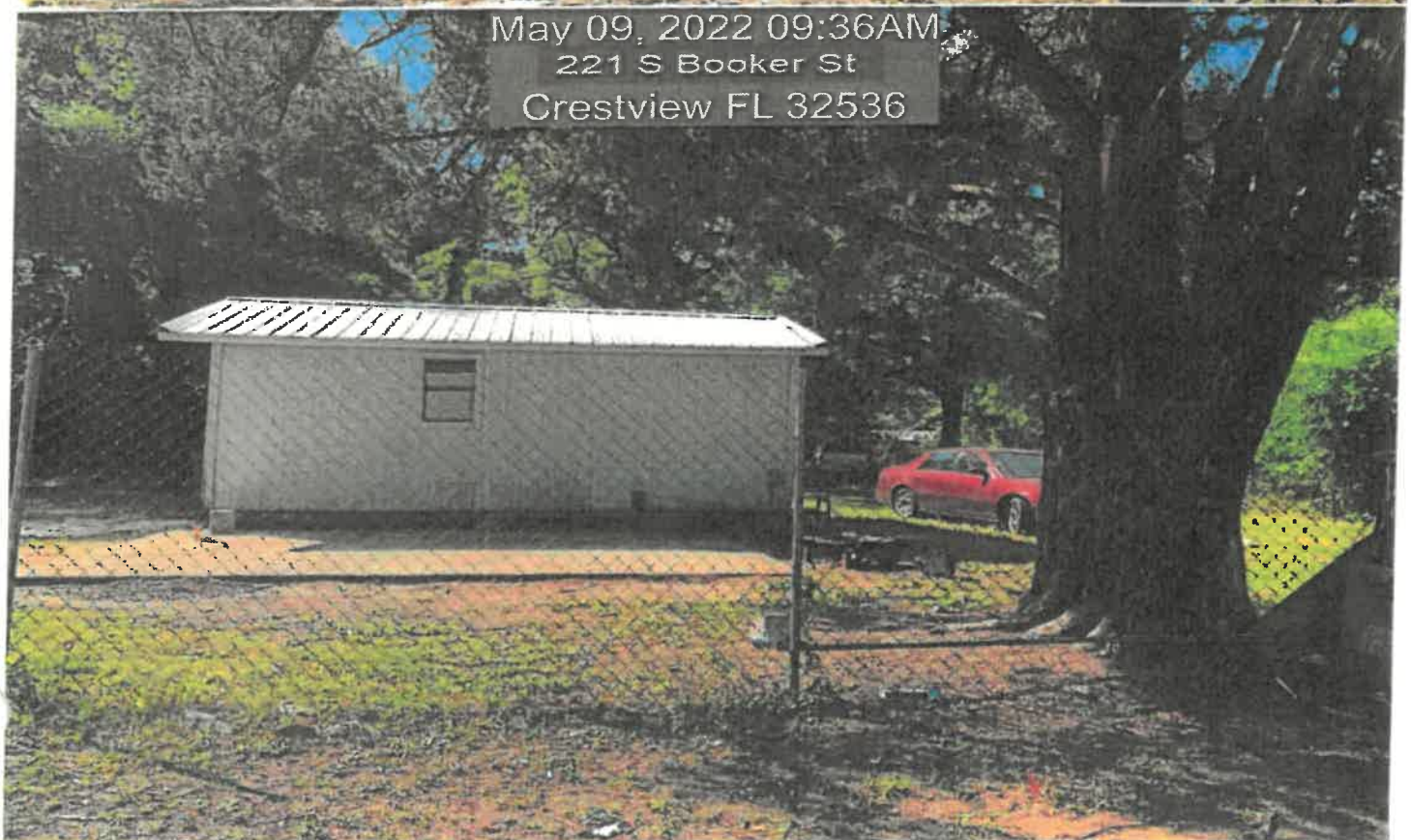
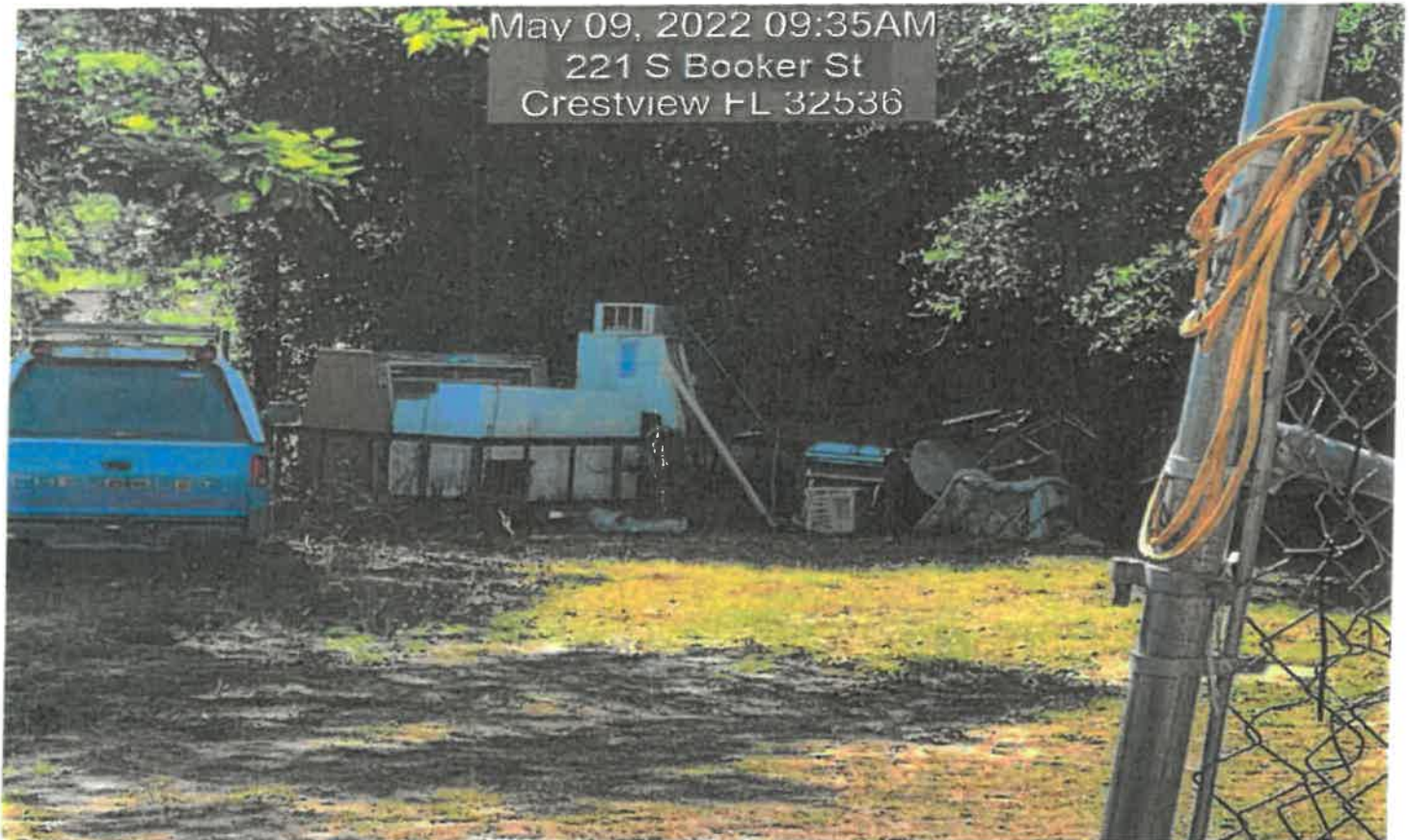
DATE 4/28/2022

EXHIBIT # 5







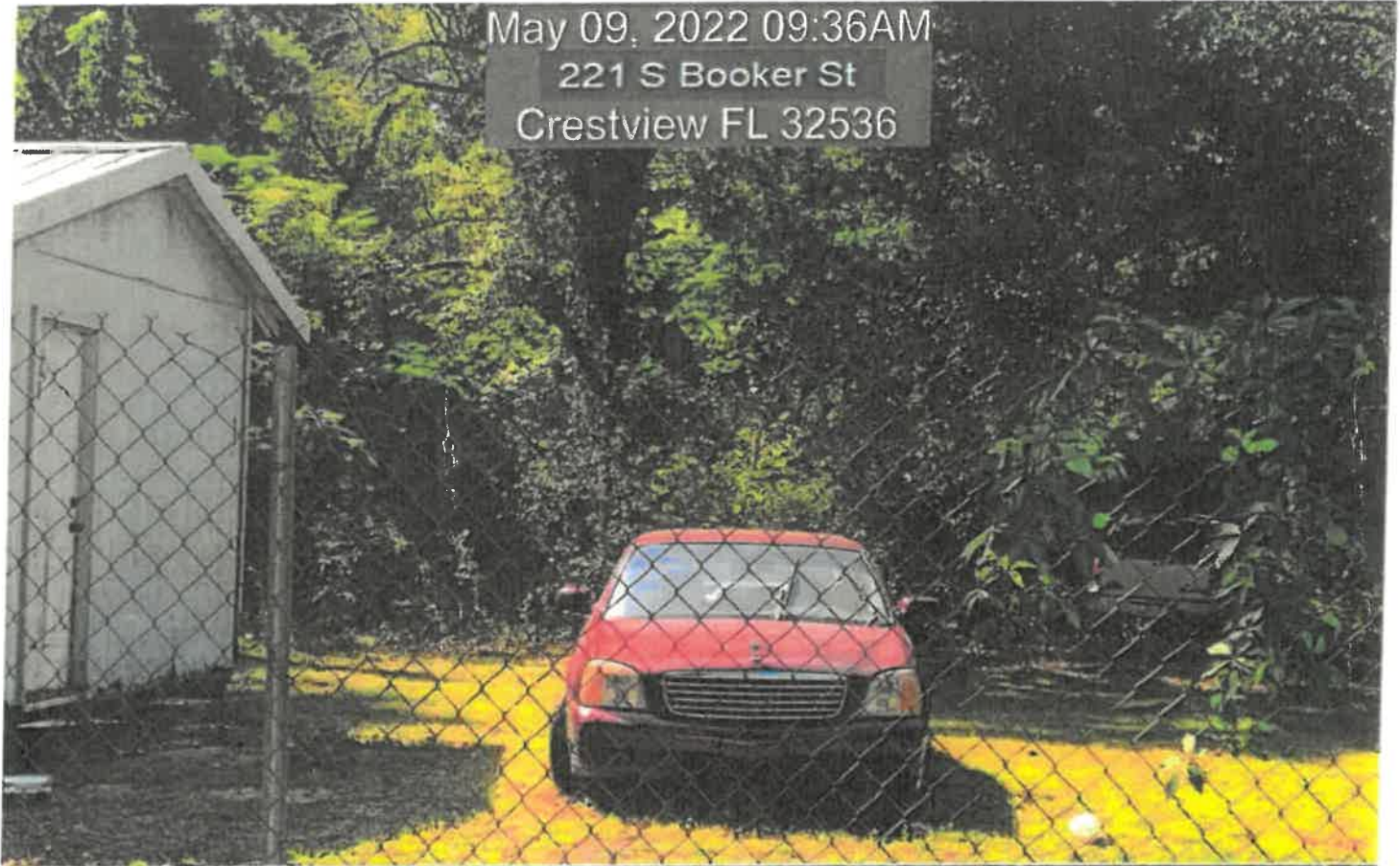


Case # 22-827

221 S Booker

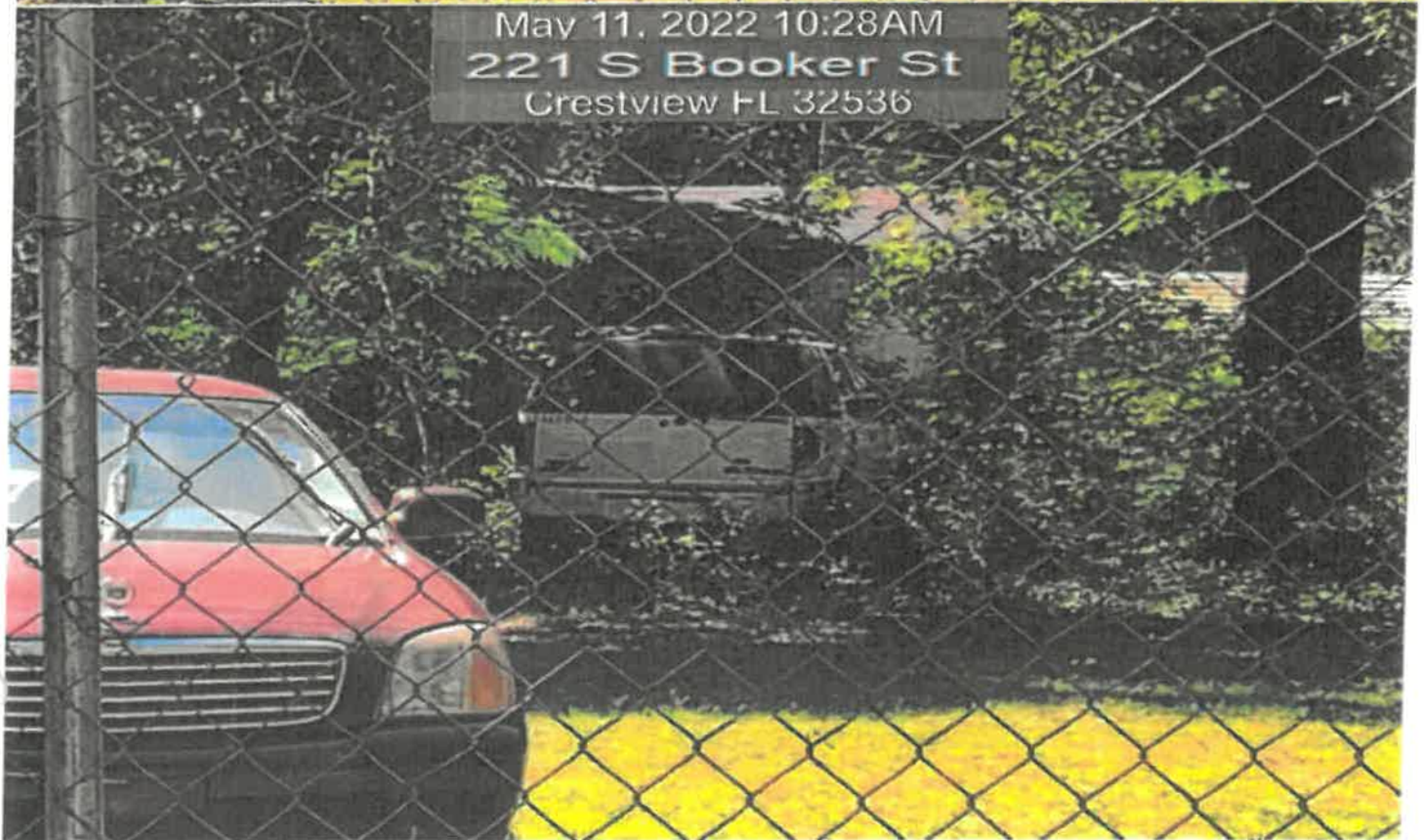
May 09, 2022 09:36AM

221 S Booker St
Crestview FL 32536

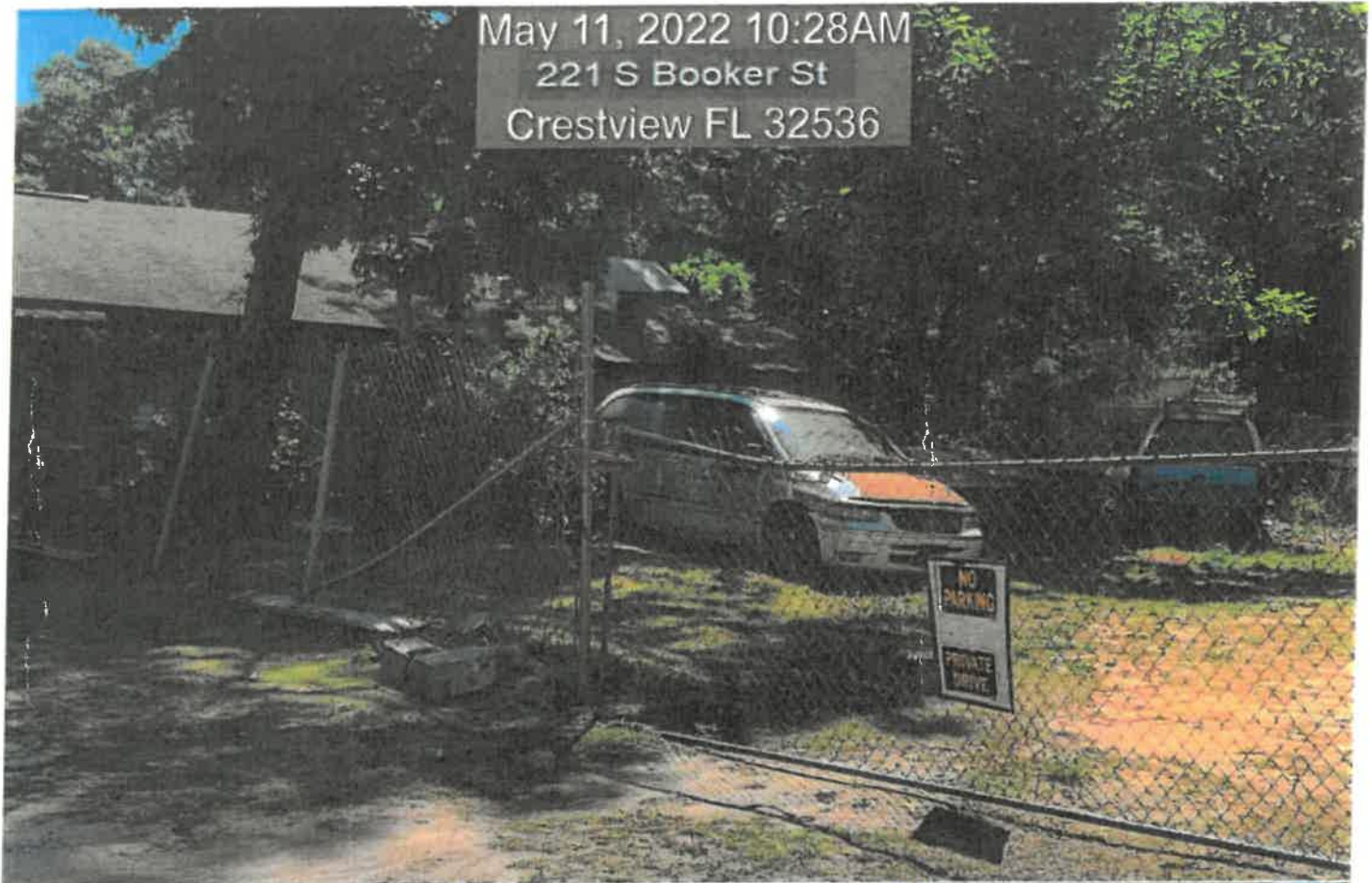


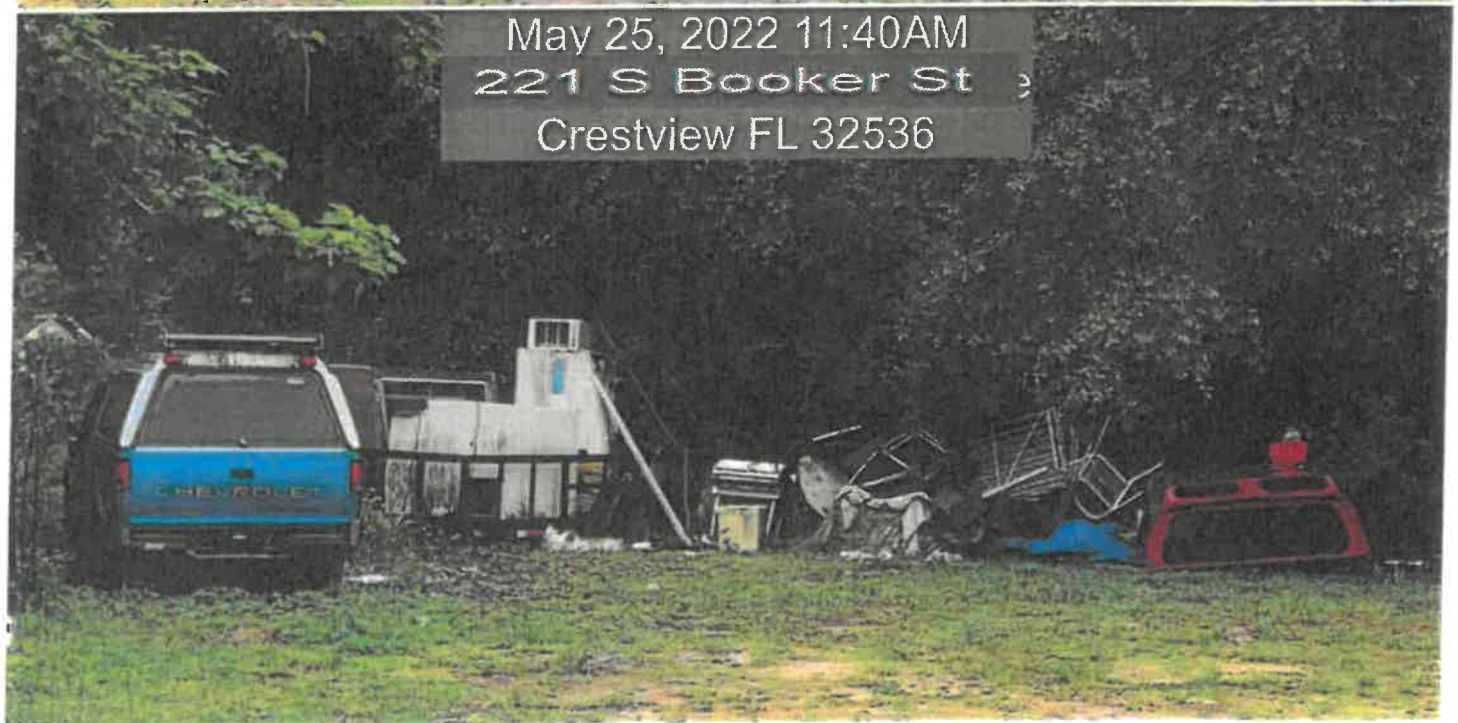
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221 S Booker St
Crestview FL 32536

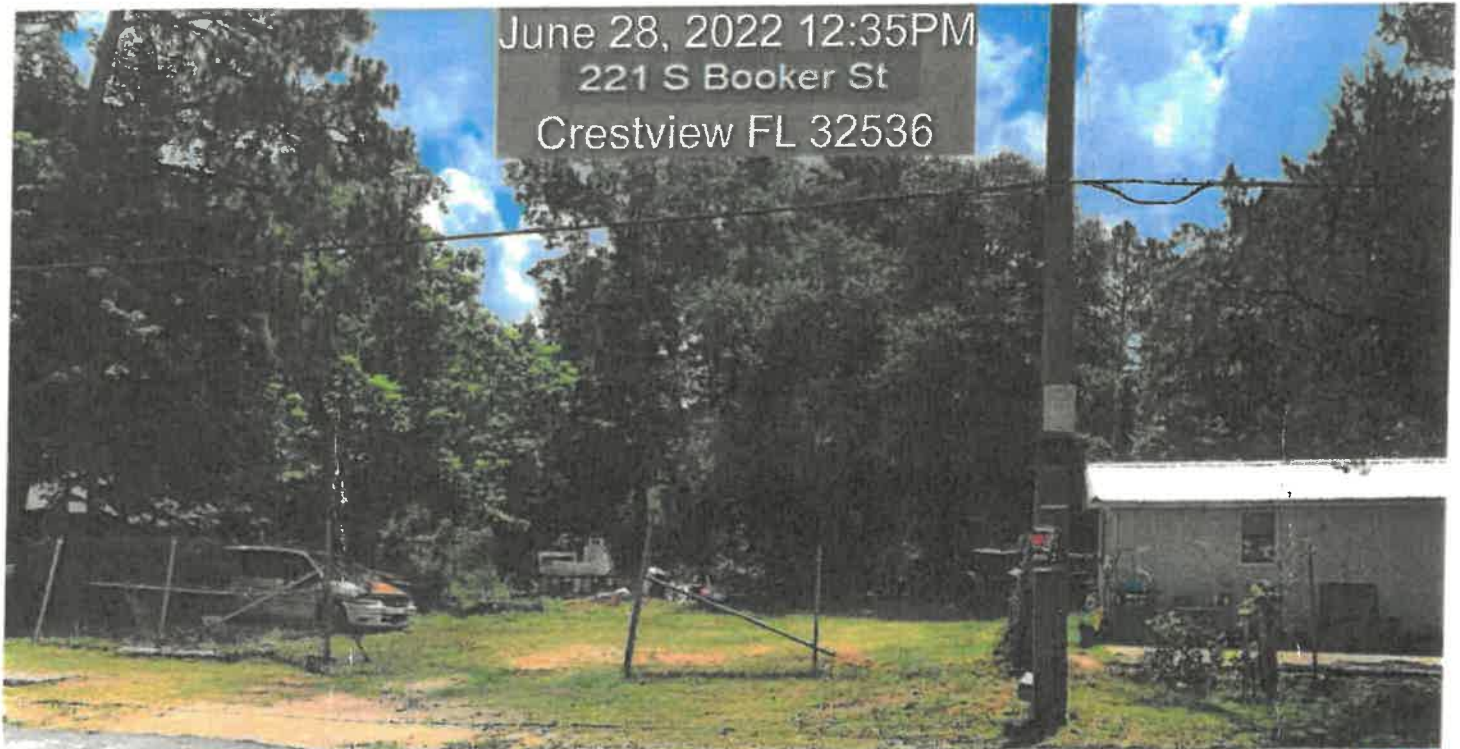


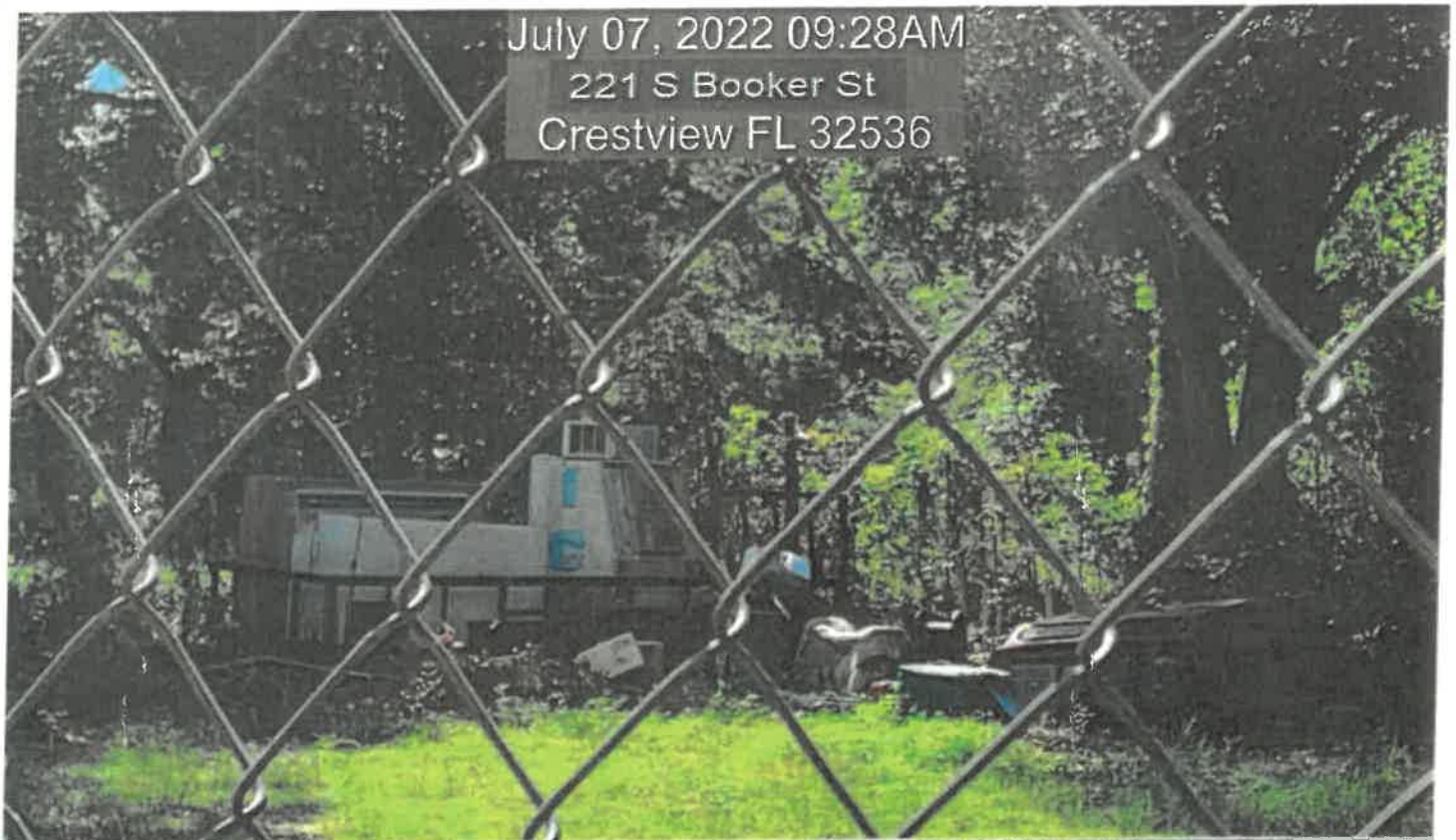








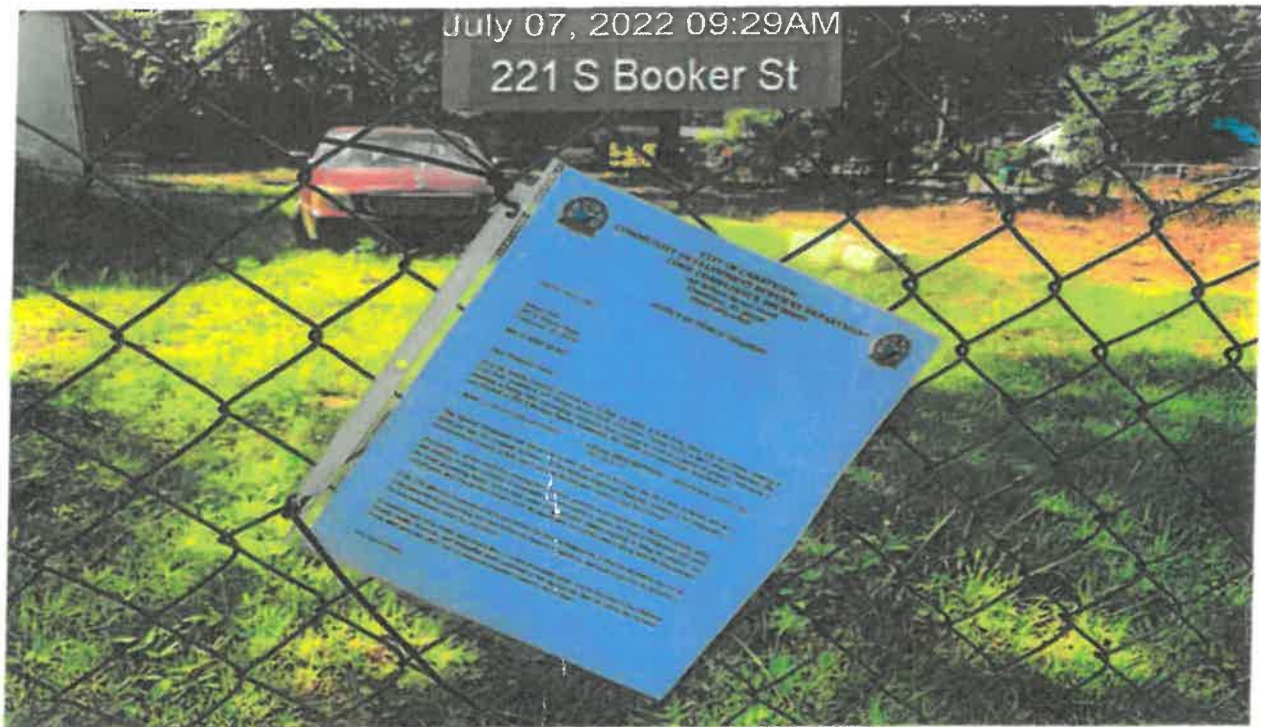






Case # 22-827

221 S Booker



July 07, 2022 11:33AM

198 N Wilson St

(850) 683-0896

NOTICE OF PUBLIC HEARING

DATE: 05/31/2022

Kenny Siler
497 S Wilson Street
Crestview, FL 32536

RE: CASE# 22-827

Dear Property Owner:

You are hereby formally notified that on July 19, 2022, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 221 S Booker Street, Crestview, FL 32539 more particularly described as:

FIN# 17-3N-23-2490-0079-0010

**LEGAL DESCRIPTION: CRESTVIEW LOTS 1 TO 3
INC BLK 79**

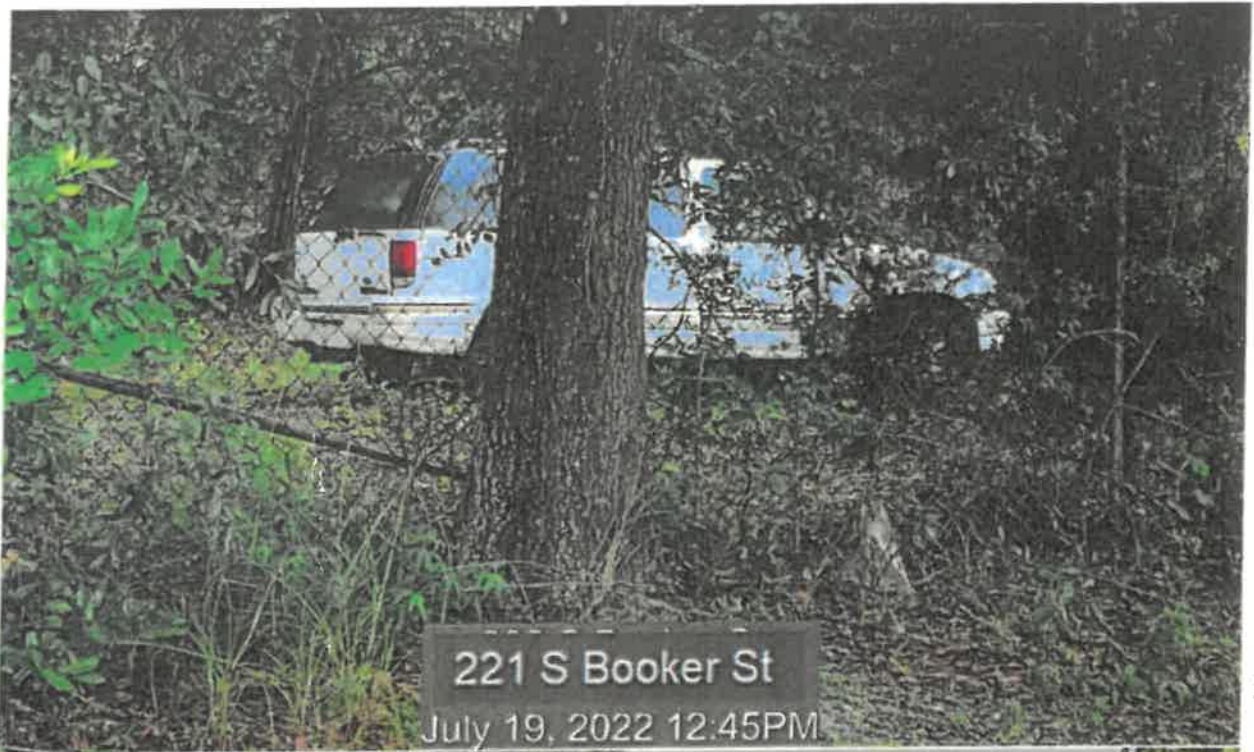
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreparable in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

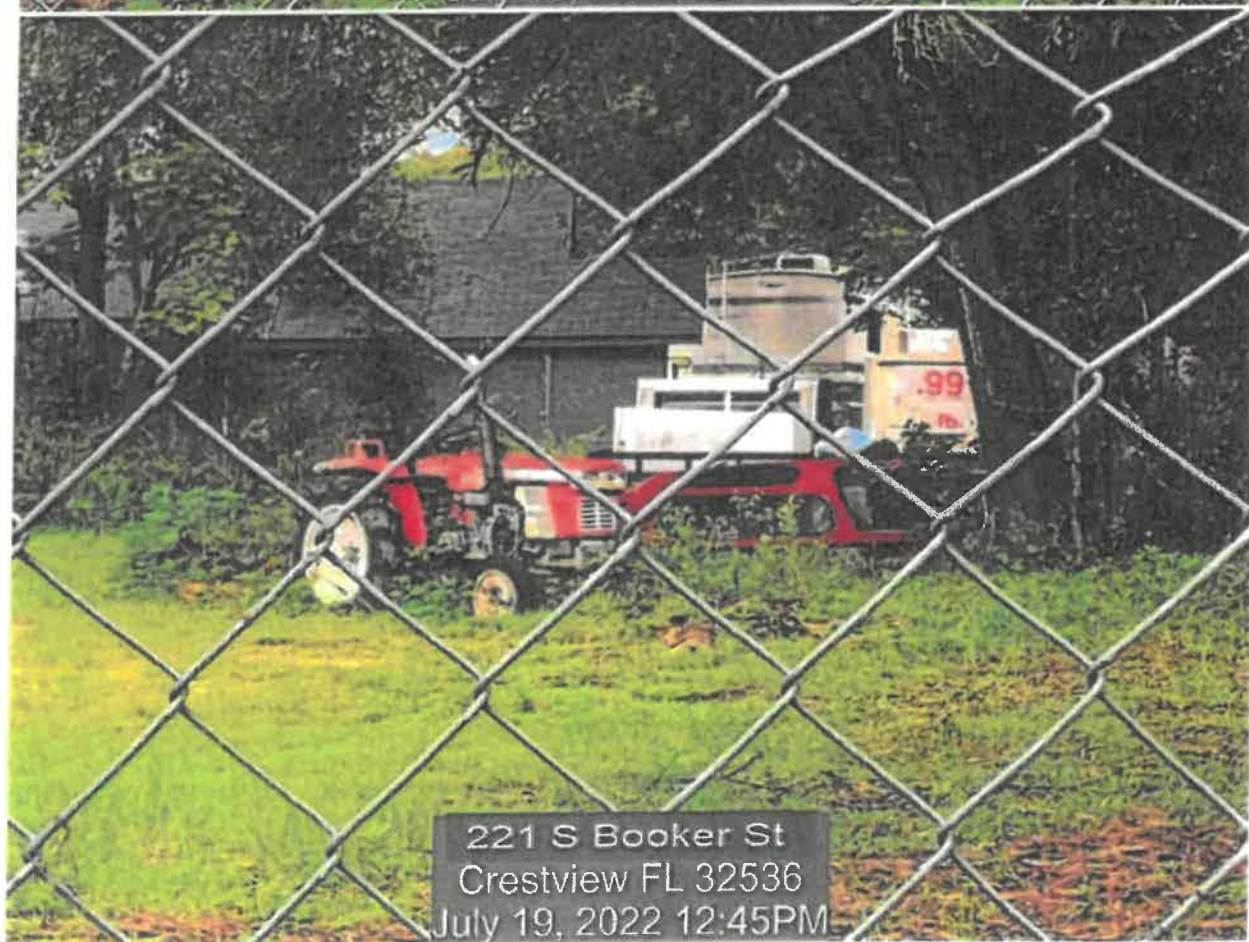
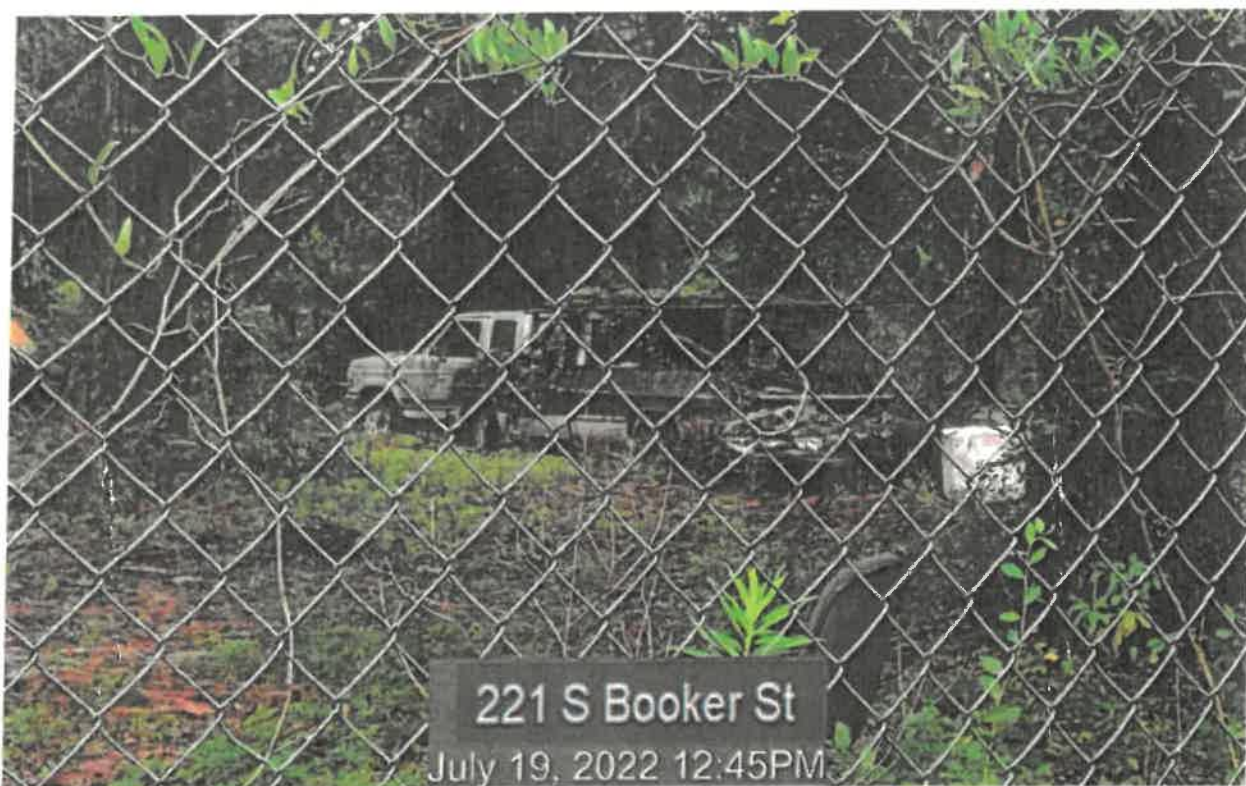
If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreparable in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

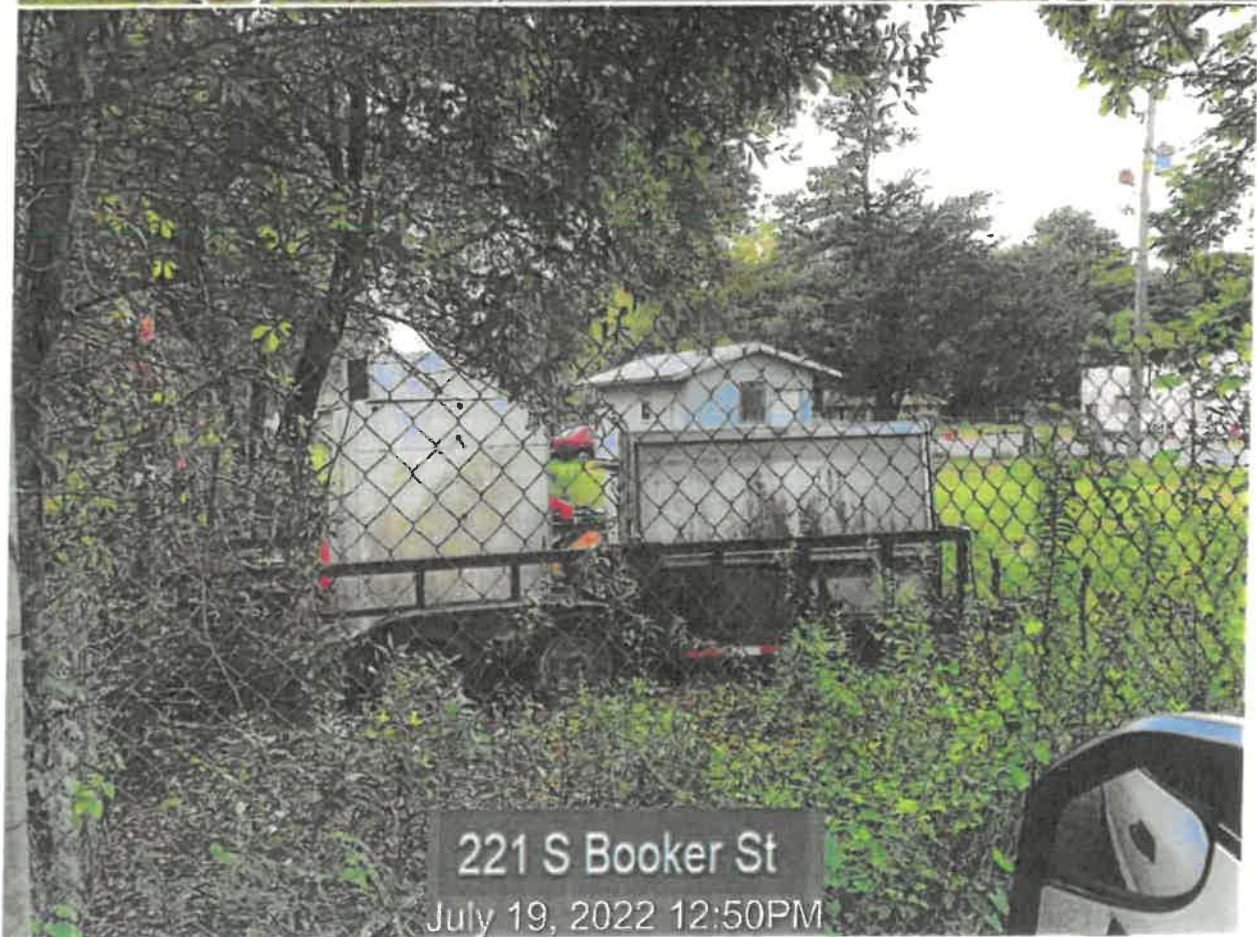
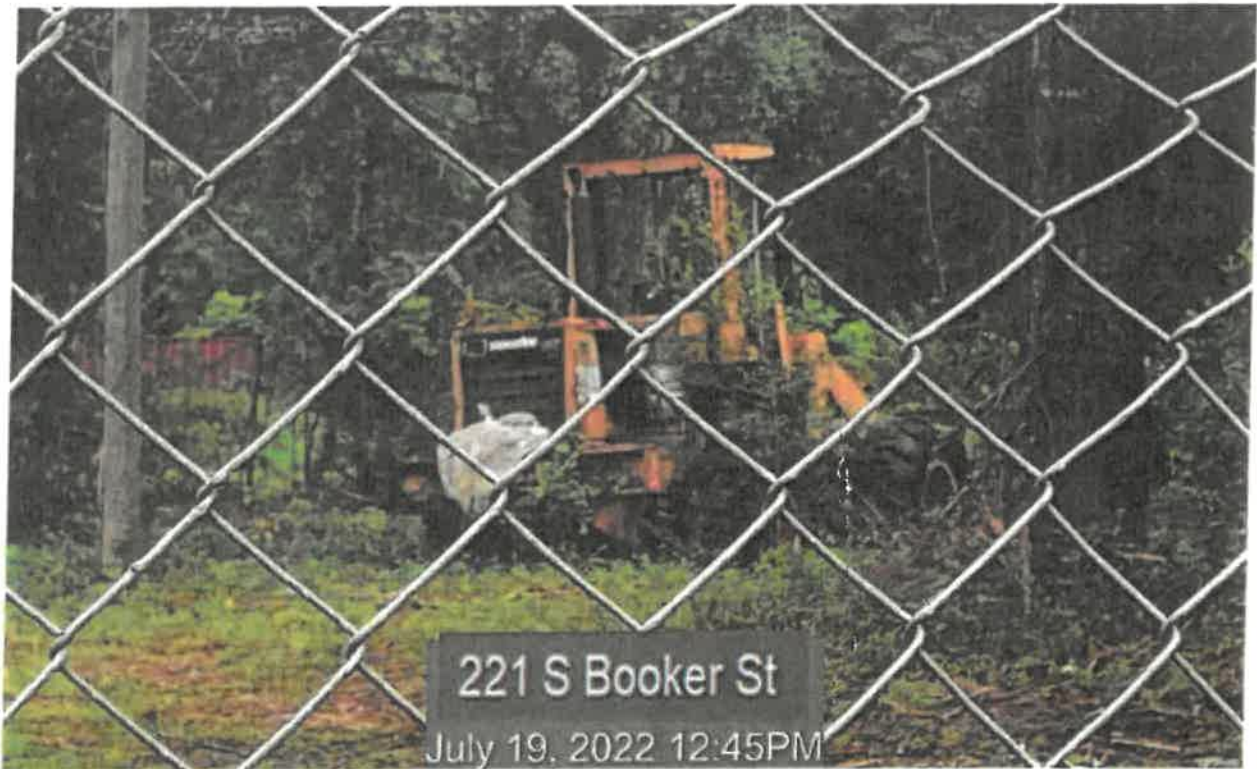
If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

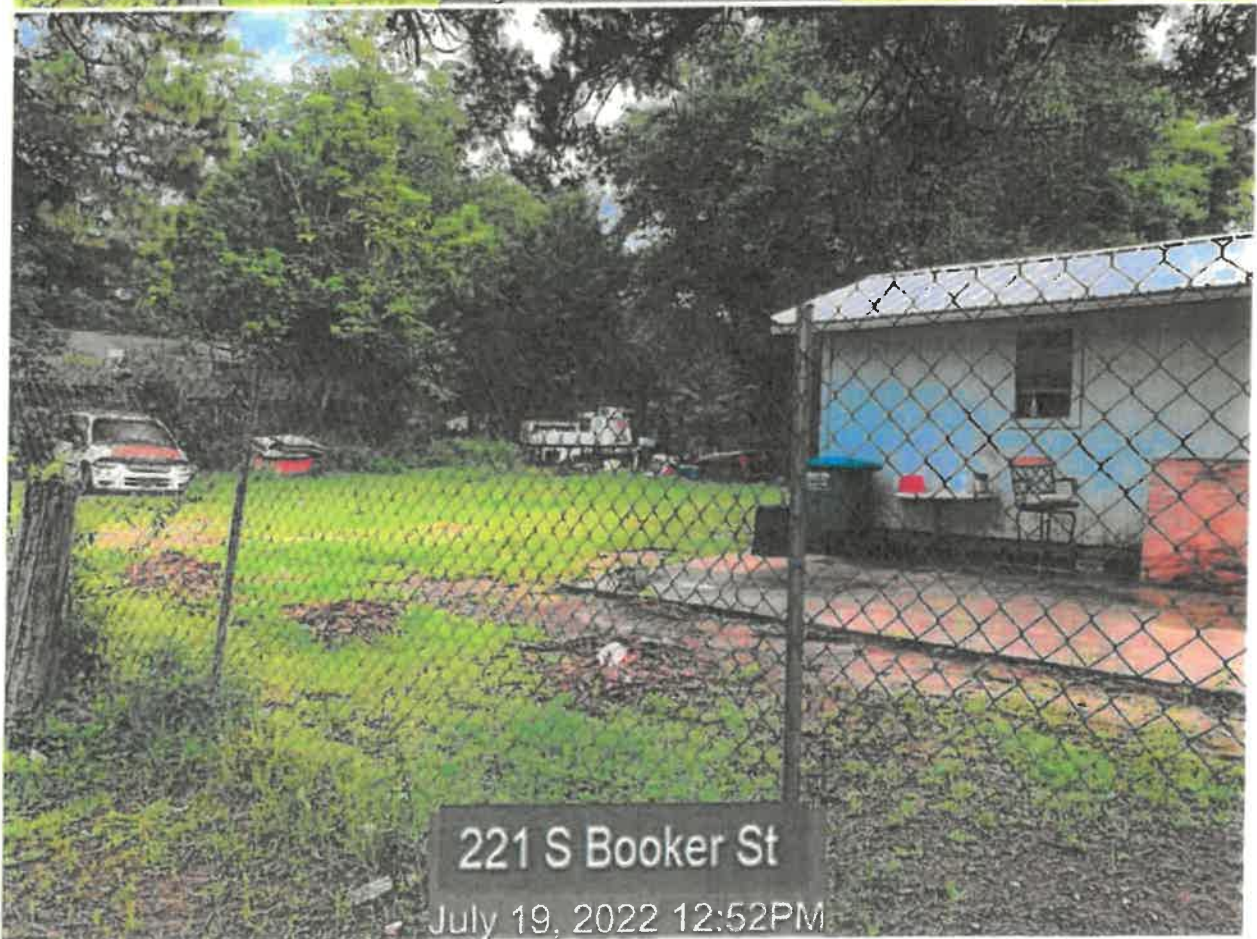
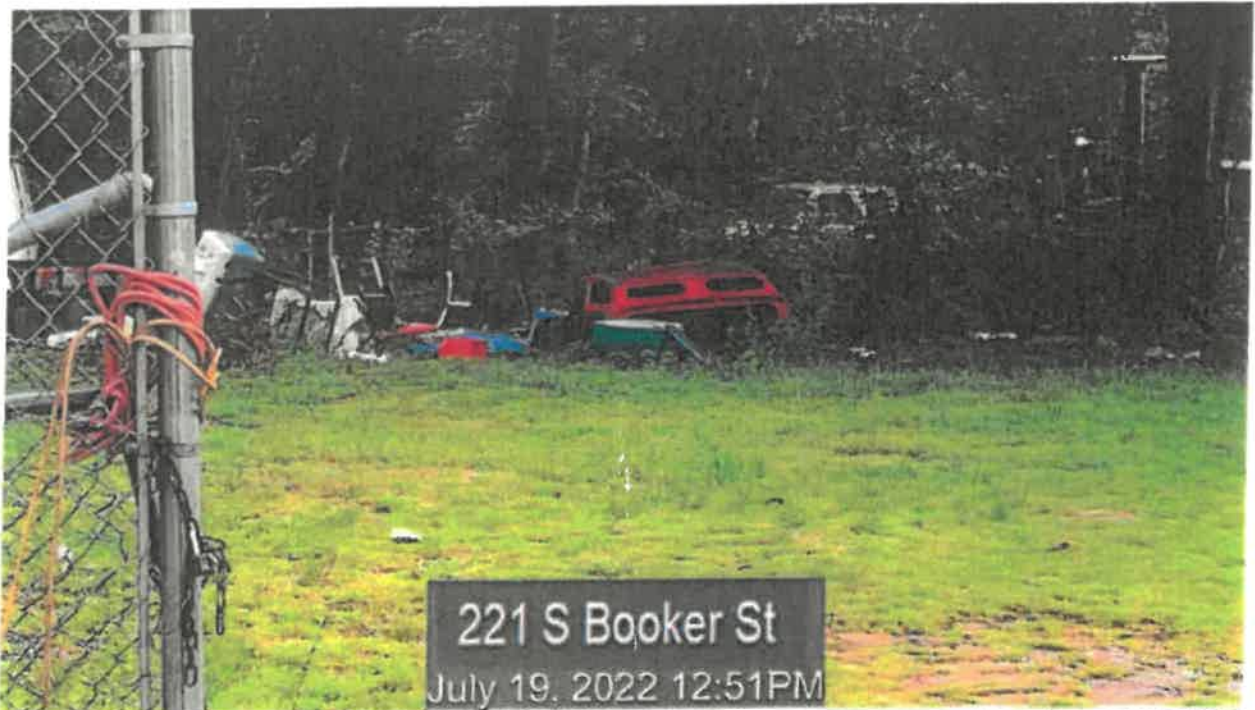
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

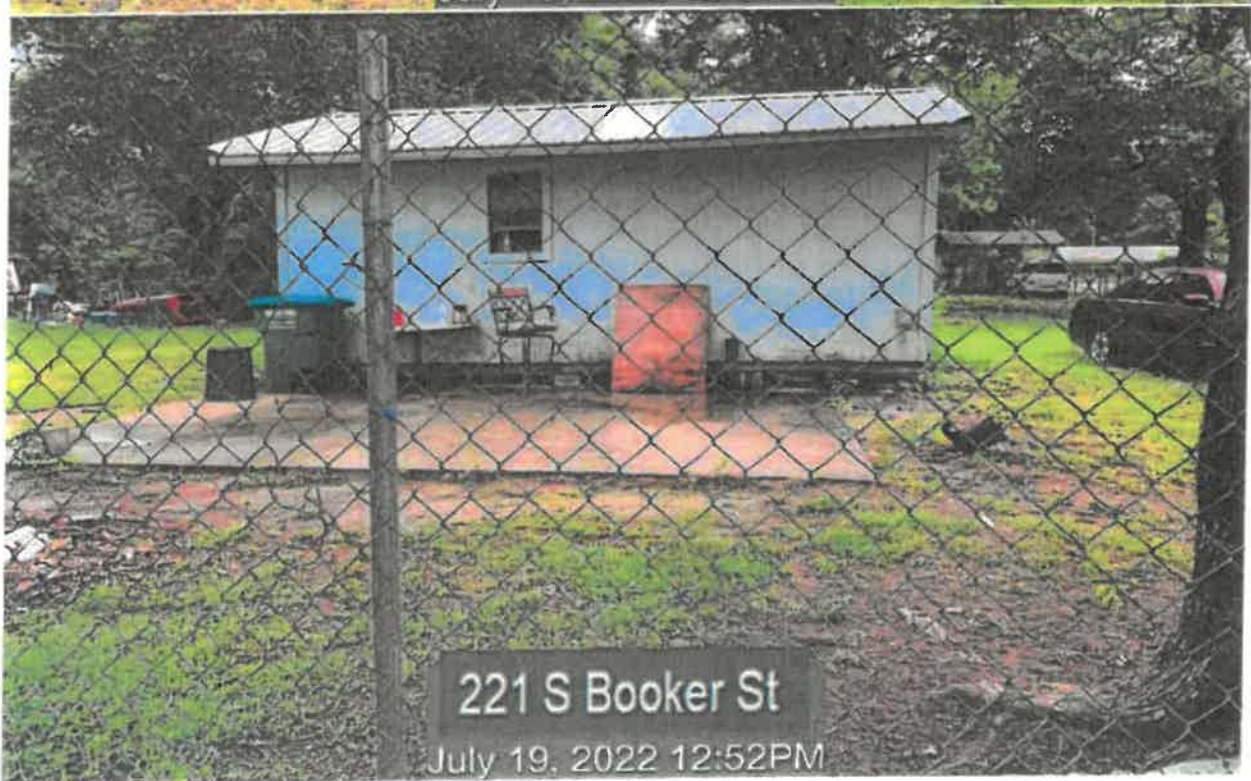
Encl. Notice of Violation













CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: April 27, 2022

Case #: 22-00000827

SILER KENNY
497 S WILSON ST
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 221 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0079-0010
Legal: CRESTVIEW LOTS 1 TO 3 INC BLK, 79,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **May 10, 2022**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 4/25/22
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (b)

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 4/25/22
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials,

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

machinery, boats, or part thereof, trailers or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: CH 38 SEC 42 QUANTITY: 1
DESCRIPTION: LITTER DATE: 4/25/22
LOCATION:

ORDINANCE DESCRIPTION :

38-42 - Storage of Litter.

(a) All commercial businesses shall store litter in containers to eliminate wind-driven debris. The number and size of receptacles for each commercial business shall be that number required to maintain a clean, neat, and sanitary premises. Spillage and overflow of litter around containers is a violation.

(b) Commercial businesses shall provide and maintain litter containers adequate to contain litter generated from such business at its loading and unloading zones.

(c) Commercial businesses open to the public shall provide and maintain containers adequate to contain litter generated from such business.

(d) Every person in possession or in control of any place, public or private, where litter is accumulated or generated shall provide and maintain adequate and suitable containers capable of holding such litter until proper final disposal is accomplished.

(e) Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance, and is prohibited. Failure to remove the accumulation by the property owner, tenant, manager, or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

38.47 - Responsibility for Surrounding Areas.

Each operator owner, or operator of any business, industry, or institution, private or public, profit or nonprofit, shall keep the adjacent and surrounding areas clean of wind-driven litter generated from such business, industry, or institution. These areas include public property, roads, rights-of-way, grounds, parking lots, loading, and unloading areas and vacant lots owned or leased by such business, industry, or institution.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the litter.

VIOLATION: CH 38 SEC 65 ACC STR-POOL QUANTITY: 1
DESCRIPTION: ACC STR-POOLS-SPAS DATE: 4/27/22
LOCATION: EVIDIT # 5

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(s) Accessory structures: Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.

(t) Swimming pools: No person owning, operating, or having possession of any property within the city shall allow the accumulation of stagnant water. All swimming pools, spas, architectural pools, ponds, or bodies of water shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted. Pools and spas shall be kept in working order, and the water quality shall be such that it does not create a breeding ground for mosquitoes or other insects. Roofs or other structures, or improvements designed for the retention of water are exempt from this section but shall be subject to the design capabilities of a said roof, structure, or improvement or other governing codes.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

ACCESSORY STRUCTURES:

1. Repair, replace, or remove the accessory structure.

For further information, please contact the City of Crestview Permitting Department @ 850-689-1618 ext. 254 or 261.

POOLS & SPAS

1. Pools and spas shall be kept in working order, so that pool, or spa water remains free and clear of pollutants and debris, and the water quality shall be such that it does not create a breeding ground for mosquitoes or other insects.

2. If a swimming pool has been converted to a fishpond, there must be adequate filtration to ensure the water does not become stagnant, and the water quality shall be such that it does not create a breeding ground for mosquitoes or other insects.

3. No person owning, operating, or having possession of any

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

property within the city shall allow the accumulation of stagnant water.

VIOLATION: CH 38 SEC 65 EXT. SURFACE QUANTITY: 1
DESCRIPTION: EXTERIOR WALLS/SURFACE DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(e) Exterior walls: Exterior walls of buildings shall be:
(1) Maintained free from holes, breaks, and loose or rotting materials: and maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

(j) Exterior surface treatment: All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences, and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(k) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair or paint the exterior walls of the building that contains any of the following.

- (1) Holes, breaks, and loose or rotting materials.
- (2) Repair or replace any decorative features such as cornices, belt courses, corbels, trim, wall

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

facings and similar decorative features.

(3) Remove, repaint, any graffiti on the building to match existing surfaces.

(4) Repair, replace or repaint, the exterior surface of the building, to include, doors, window frames, cornices, porches, decks, trim, balconies, fences, and docks. All stairs shall be

maintained safe and free from tripping hazards

(5) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings.

Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

VIOLATION: CH 38 SEC 65 FOUNDATION
DESCRIPTION: FOUNDATION
LOCATION:

QUANTITY: 1
DATE: 4/27/22

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(a) Foundation: The building foundation system shall be adequately maintained and capable of supporting the load for which it was designed.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Correct the building foundation system so that it's capable of supporting the load for which it was designed.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261 for further information.

VIOLATION: CH 38 SEC 65 ROOFS
DESCRIPTION: ROOFS
LOCATION:

QUANTITY: 1
DATE: 4/27/22

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

CONTINUED

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: STRUCTUAL SUPPORTS DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :
38.65 - Standards for Improved Property.

(b) Wood supports shall be sound and free from insect infestation and rot.
(c) Metal supports and connections shall be free from rust and the equivalent of new supports.
(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :
Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a building permit to replace the wood or metal supports that are rusty or rotten.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :

EXHIBIT # 5

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof. Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

Please contact the Permitting Department @ 850-689-1618 ext.

EXHIBIT # 5

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
254 or 261, for further information.

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :
38.66 - Accessory structures.

Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition. Structures attached or unattached, to the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the Building Official. Maintenance of accessory structures shall comply with the following:

(a) The exterior of the building and premises to include but not limited to parking areas and landscaped areas shall be maintained in a sound, clean and neat condition.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by obtaining a building permit and repairing, or removing the accessory structure from the property.

You may contact the permitting department @ 850-689-1619 ext. 254 or 261.

EXHIBIT # 5

Track Another Package +

Tracking Number: 70113500000091334108

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

USPS Tracking Plus® Available ✓

In Transit to Next Facility

May 4, 2022

Feedback

7011 3500 0000 9133 4108

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CERTIFIED MAIL® RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

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Postage	\$	.58	
Certified Fee		3.75	
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$	4.33	

Sent to **KENNY SILER #22-827**
 Street, Apt. No., or PO Box No. **497 S WILSON ST**
 City, State, ZIP+4® **CRESTVIEW, FL 32530**

See Less ^

EXHIBIT # 5



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: May 11, 2022
Case #: 22-00000827

SILER KENNY
497 S WILSON ST
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 221 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0079-0010
Legal: CRESTVIEW LOTS 1 TO 3 INC BLK, 79,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by May 20, 2022, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,


Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

CASE NUMBER 22-00000827
 PROPERTY ADDRESS 221 S BOOKER ST

 VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
 DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 4/25/22
 LOCATION:

ORDINANCE DESCRIPTION :
 Nuisance Conditions - 38 - 18 (b)

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

 VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
 DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 4/25/22
 LOCATION:

ORDINANCE DESCRIPTION :
 Nuisance Conditions - 38 - 18.

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials,

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

machinery, boats, or part thereof, trailers or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: CH 38 SEC 42 QUANTITY: 1
DESCRIPTION: LITTER DATE: 4/25/22
LOCATION:

ORDINANCE DESCRIPTION :

38-42 - Storage of Litter.

(a) All commercial businesses shall store litter in containers to eliminate wind-driven debris. The number and size of receptacles for each commercial business shall be that number required to maintain a clean, neat, and sanitary premises. Spillage and overflow of litter around containers is a violation.

(b) Commercial businesses shall provide and maintain litter containers adequate to contain litter generated from such business at its loading and unloading zones.

(c) Commercial businesses open to the public shall provide and maintain containers adequate to contain litter generated from such business.

(d) Every person in possession or in control of any place, public or private, where litter is accumulated or generated shall provide and maintain adequate and suitable containers capable of holding such litter until proper final disposal is accomplished.

(e) Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance, and is prohibited. Failure to remove the accumulation by the property owner, tenant, manager, or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

38.47 - Responsibility for Surrounding Areas.

Each operator owner, or operator of any business, industry, or institution, private or public, profit or nonprofit, shall keep the adjacent and surrounding areas clean of wind-driven litter generated from such business, industry, or institution. These areas include public property, roads, rights-of-way, grounds, parking lots, loading, and unloading areas and vacant lots owned or leased by such business, industry, or institution.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the litter.

VIOLATION: CH 38 SEC 65 ACC STR-POOL QUANTITY: 1
DESCRIPTION: ACC STR-POOLS-SPAS DATE: 4/27/22
LOCATION:

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(s) Accessory structures: Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.

(t) Swimming pools: No person owning, operating, or having possession of any property within the city shall allow the accumulation of stagnant water. All swimming pools, spas, architectural pools, ponds, or bodies of water shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted. Pools and spas shall be kept in working order, and the water quality shall be such that it does not create a breeding ground for mosquitoes or other insects. Roofs or other structures, or improvements designed for the retention of water are exempt from this section but shall be subject to the design capabilities of a said roof, structure, or improvement or other governing codes.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

ACCESSORY STRUCTURES:

1. Repair, replace, or remove the accessory structure.

For further information, please contact the City of Crestview Permitting Department @ 850-689-1618 ext. 254 or 261.

POOLS & SPAS

1. Pools and spas shall be kept in working order, so that pool, or spa water remains free and clear of pollutants and debris, and the water quality shall be such that it does not create a breeding ground for mosquitoes or other insects.

2. If a swimming pool has been converted to a fishpond, there must be adequate filtration to ensure the water does not become stagnant, and the water quality shall be such that it does not create a breeding ground for mosquitoes or other insects.

3. No person owning, operating, or having possession of any

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

property within the city shall allow the accumulation of stagnant water.

VIOLATION: CH 38 SEC 65 EXT. SURFACE QUANTITY: 1
DESCRIPTION: EXTERIOR WALLS/SURFACE DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(e) Exterior walls: Exterior walls of buildings shall be:
(1) Maintained free from holes, breaks, and loose or rotting materials: and maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

(j) Exterior surface treatment: All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences, and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(k) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair or paint the exterior walls of the building that contains any of the following.

- (1) Holes, breaks, and loose or rotting materials.
- (2) Repair or replace any decorative features such as cornices, belt courses, corbels, trim, wall

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

facings and similar decorative features.

(3) Remove, repaint, any graffiti on the building to match existing surfaces.

(4) Repair, replace or repaint, the exterior surface of the building, to include, doors, window frames, cornices, porches, decks, trim, balconies, fences, and docks. All stairs shall be maintained safe and free from tripping hazards

(5) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

VIOLATION: CH 38 SEC 65 FOUNDATION
DESCRIPTION: FOUNDATION
LOCATION:

QUANTITY: 1
DATE: 4/27/22

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(a) Foundation: The building foundation system shall be adequately maintained and capable of supporting the load for which it was designed.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Correct the building foundation system so that it's capable of supporting the load for which it was designed.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261 for further information.

VIOLATION: CH 38 SEC 65 ROOFS
DESCRIPTION: ROOFS
LOCATION:

QUANTITY: 1
DATE: 4/27/22

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

CONTINUED

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: STRUCTUAL SUPPORTS DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :
38.65 - Standards for Improved Property.

(b) Wood supports shall be sound and free from insect infestation and rot.
(c) Metal supports and connections shall be free from rust and the equivalent of new supports.
(k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :
Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a building permit to replace the wood or metal supports that are rusty or rotten.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof. Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

Please contact the Permitting Department @ 850-689-1618 ext.

CASE NUMBER 22-00000827
PROPERTY ADDRESS 221 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
254 or 261, for further information.

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES DATE: 4/27/22
LOCATION:

ORDINANCE DESCRIPTION :
38.66 - Accessory structures.

Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition. Structures attached or unattached, to the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the Building Official. Maintenance of accessory structures shall comply with the following:

(a) The exterior of the building and premises to include but not limited to parking areas and landscaped areas shall be maintained in a sound, clean and neat condition.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by obtaining a building permit and repairing, or removing the accessory structure from the property.

You may contact the permitting department @ 850-689-1619 ext. 254 or 261.

Track Another Package +

Tracking Number: 70201290000123469976

Remove X

Your item was delivered to an individual at the address at 3:52 pm on May 14, 2022 in CRESTVIEW, FL 32536.

USPS Tracking Plus® Available ∨

✓ Delivered, Left with Individual

May 14, 2022 at 3:52 pm
CRESTVIEW, FL 32536

Feedback

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☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	.58
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Send To	KENNY SILVER
Street or P.O. Box No.	497 S WILSON ST
City, State, ZIP+4®	CRESTVIEW, FL 32536

PS Form 3800, April 2015 edition
See Reverse for Instructions

See Less ^

EXHIBIT # 5



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 05/31/2022

**Kenny Siler
497 S Wilson Street
Crestview, FL 32536**

RE: CASE# 22-827

Dear Property Owner:

You are hereby formally notified that on July 19, 2022, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 221 S Booker Street, Crestview, FL 32539 more particularly described as:

PIN# 17-3N-23-2490-0079-0010

**LEGAL DESCRIPTION: CRESTVIEW LOTS 1 TO 3
INC BLK 79**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

City of Crestview

850.306.3702/850.612.9714

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 18 (b)

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

Corrective Action Required: Remove the accumulation or open storage of trash, debris, garbage, bottles, paper, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber, or refuse from the property.

Code of Ordinance Violated: Chapter 38 Section 18 (i), (j)

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

Corrective Action Required: Remove the worn-out, scrapped, or inoperable vehicles from the property, or bring them to an operable state.

Code of Ordinance Violated: Chapter 38 Section 42 (d), (e)

(d) Every person in possession or in control of any place, public or private, where litter is accumulated or generated shall provide and maintain adequate and suitable containers capable of holding such litter until proper final disposal is accomplished.

(e) Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance, and is prohibited. Failure to remove the accumulation by the property owner, tenant, manager, or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

Corrective Action Required: Remove the litter from the property.

Code of Ordinance Violated: Chapter 38 Section 65 (a), (f), (j), (k), (n), (s)

(a) Foundation: The building foundation system shall be adequately maintained and capable of supporting the load for which it was designed.

Statement of Violation

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation.

(j) Exterior surface treatment: All exterior surfaces, including by way or example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences, and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(k) Structural supports: every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

(s) Accessory structures: Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.

Corrective Action Required: Obtain the necessary permits and repair or replace the foundation, windows, exterior surface treatment, structural supports, roof and accessory structure, or remove the structure from the property.

Code of Ordinance Violated: Chapter 38 Section 66

Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition. Structures attached or unattached, to the principal structure, which are found by the Building Official to be structurally deficient, shall be repaired or demolished within the timeframe set by the Building Official. Maintenance of accessory structures shall comply with the following:

(a) The exterior of the building and premises to include but not limited to parking areas and landscaped areas shall be maintained in a sound, clean and neat condition.

Corrective Action Required: The violation may be abated by obtaining the necessary permits and repairing the accessory structure or removing it from the property.

7020 1290 0001 5682 0638

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Domestic Mail Only

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☐ Return Receipt (electronic)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Required
☐ Adult Signature Restricted Delivery

Postmark: JUN 17 2020

Address:
KENNY SILER
497 S WILSON ST
CRESTVIEW FL 32530

#22-827 PHN

PS Form 3800, April 2015 PSN 7530-02-000-8053 See Reverse for instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>Camel 19</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>K. Siler</i> C. Date of Delivery <i>6.2.20</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: KENNY SILER 497 S WILSON ST CRESTVIEW, FL 32530 9590 9402 6685 1060 6864 06	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail[®] ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Mail Restricted Delivery ☐ Priority Mail Express[®] ☐ Registered Mail[™] ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation[™] ☐ Signature Confirmation Restricted Delivery #22-827 PHN
2. Article Number (Transfer from service label) 7020 1290 0001 5682 0638	

PS Form 3811, July 2020 PSN 7530-02-000-8053 Domestic Return Receipt

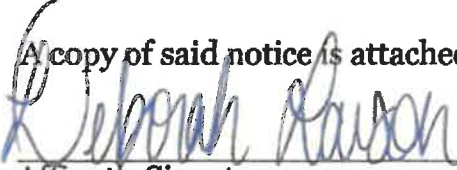
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 22-827

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 7th day of July 2022, I personally posted said Notice of Hearing at: 221 S Booker Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

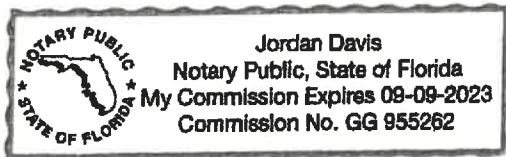

Affiant's Signature

7/7/2022
Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 7th day of July 2022.

(SEAL)



NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 9-9-23

BUILDING OFFICIAL STRUCTURAL DETERMINATION

4/25/22

DATE

221 S Booker St

ADDRESS-LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

Accessory structure needs to be repaired or removed
from property

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

☒ (a) FOUNDATION

☐ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☐ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☐ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☒ (j) EXTERIOR SURFACE TREATMENT

☒ (k) STRUCTURAL SUPPORTS

☐ (l) PORCHES AND BALCONIES

☐ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☐ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☒ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☐ (u) RODENT HARBORAGE

☐ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

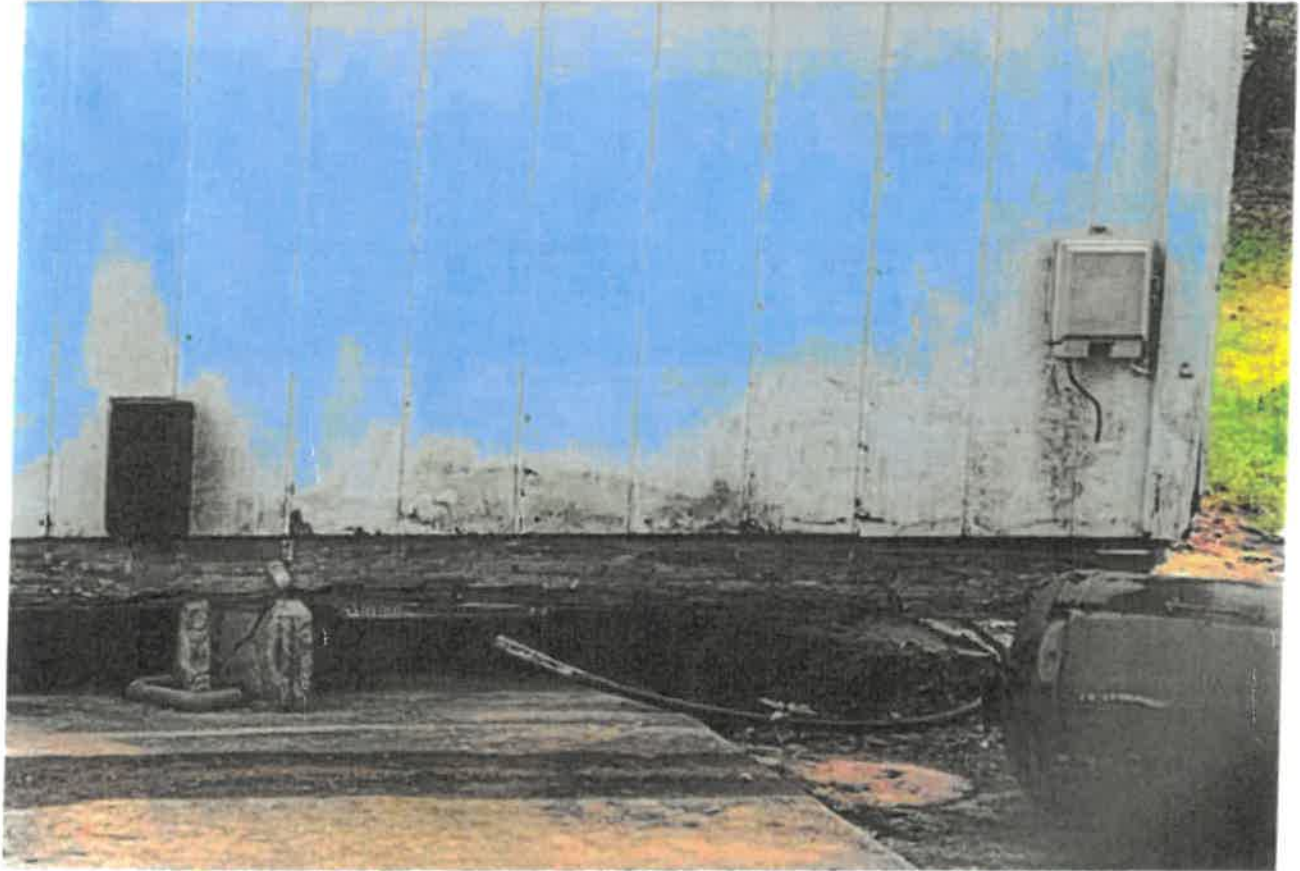
COMMENTS: Metal roofing not secured in areas. Signs of deterioration along bottom edges of siding. Foundation support missing under corner of structure. Structural supports around outer perimeter are showing signs of deterioration.

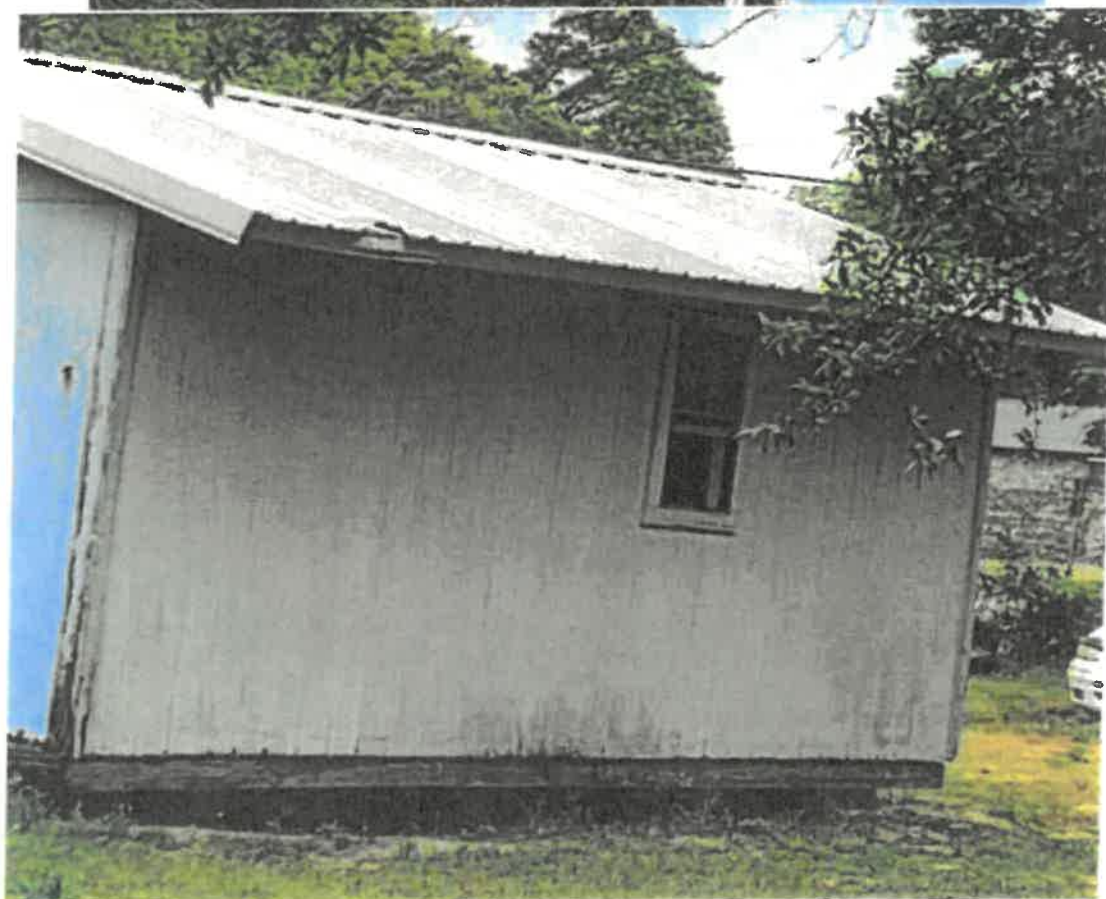
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL Ronald Raybon

DATE 4/28/2022











CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE
198 Wilson Street North
Crestview, FL 32536



Inst. #3566991 Blk. 3634 Pg: 2555
Page 1 of 4 Recorded: 7/26/2022 10:32 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 22-827

Kenny Siler
497 S Wilson Street
Crestview FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on July 19, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenny Siler, whose last known mailing address is 497 S Wilson Street, Crestview, FL 32536, is the owner of the property located at, 221 S Booker Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0079-0010, and more particularly described as: CRESTVIEW LOTS 1 TO 3 INC BLK 79.
2. The conditions on the property consist of junk, debris, inoperable vehicles, litter, and an unsafe accessory structure. The violation(s) were first observed on April 19, 2022. A Notice of Violation was mailed by certified mail April 29, 2022, and received by respondent on May 14, 2022. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b), (i), (j), Section 42, (d), (e), Section 65 (a), (f), (j), (k), (n), (s), Section 66. - Maintain a public

nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by May 20, 2022. Re inspection of the property on May 25, 2022, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b), (i), (j), Section 42, (d), (e), Section 65 (a), (f), (j), (k), (n), (s), Section 66. - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

- 8.** On or before November 21, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
- 9.** On or before November 21, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):

 - a. Remove the accumulation or open storage of trash, debris, garbage, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or refuse from the property.
 - b. Remove the inoperable vehicles and parts, machinery, trailers, or boats from the property or bring them into an operable state.
 - c. Remove the litter from the property.
 - d. Obtain a demolition permit, demolish the structure and remove all demolition debris from the property or obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable applications, documents and pay associated fees.
- 10.** If the violation(s) are not corrected by November 21, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
- 11.** The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
- 12.** If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 22nd day of July 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel B. Taylor
Date: 2022.07.22 15:29:10 -05'00'

**Special Magistrate
City of Crestview, Florida**

**CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW**

BY:

DATE:

Nafisa S. Plawek
7/26/2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3595757 Bk: 3654 Pg: 3427
Page 1 of 4 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-827

Kenny Siler
497 S Wilson Street
Crestview FL 32536

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on July 19, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenny Siler, whose last known mailing address is 497 S Wilson Street, Crestview, FL 32536, is the owner of the property located at, 221 S Booker Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0079-0010, and more particularly described as: CRESTVIEW LOTS 1 TO 3 INC BLK 79.
2. The conditions on the property consist of junk, debris, inoperable vehicles, litter, and an unsafe accessory structure. The violation(s) were first observed on April 19, 2022. A Notice of Violation was mailed by certified mail April 29, 2022, and received by respondent on May 14, 2022. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b), (i), (j), Section 42, (d), (e), Section 65 (a), (f), (j), (k), (n), (s), Section 66. - Maintain a public

nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by May 20, 2022. Re inspection of the property on May 25, 2022, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b), (i), (j), Section 42, (d), (e), Section 65 (a), (f), (j), (k), (n), (s), Section 66. - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before November 21, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before November 21, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove the accumulation or open storage of trash, debris, garbage, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or refuse from the property.
 - b. Remove the inoperable vehicles and parts, machinery, trailers, or boats from the property or bring them into an operable state.
 - c. Remove the litter from the property.
 - d. Obtain a demolition permit, demolish the structure and remove all demolition debris from the property or obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable applications, documents and pay associated fees.
10. If the violation(s) are not corrected by November 21, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 22nd day of July 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel B.
Taylor
Date: 2022.12.06 11:26:24
-06'00'

**Special Magistrate
City of Crestview, Florida**

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 12-13-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

22-828
221 S Booker WWP
July 19, 2022
Exhibit 6

BUILDING OFFICIAL STRUCTURAL DETERMINATION

4/25/22

DATE

221 S Booker St

ADDRESS-LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

Accessory structure needs to be repaired or removed
from property

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|--|--|
| ☒ (a) FOUNDATION | ☐ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☐ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☐ (e) EXTERIOR WALLS | ☐ (q) OVERHANG EXTENSIONS |
| ☒ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☒ (s) ACCESSORY STRUCTURES |
| ☐ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☒ (j) EXTERIOR SURFACE TREATMENT | ☐ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☐ (w) FENCES AND WALLS |
| ☐ (l) PORCHES AND BALCONIES | |

COMMENTS: Metal roofing not secured in areas. Signs of deterioration along bottom edges of siding. Foundation support missing under corner of structure. Structural supports around outer perimeter are showing signs of deterioration.

SIGNATURE OF BUILDING OFFICIAL

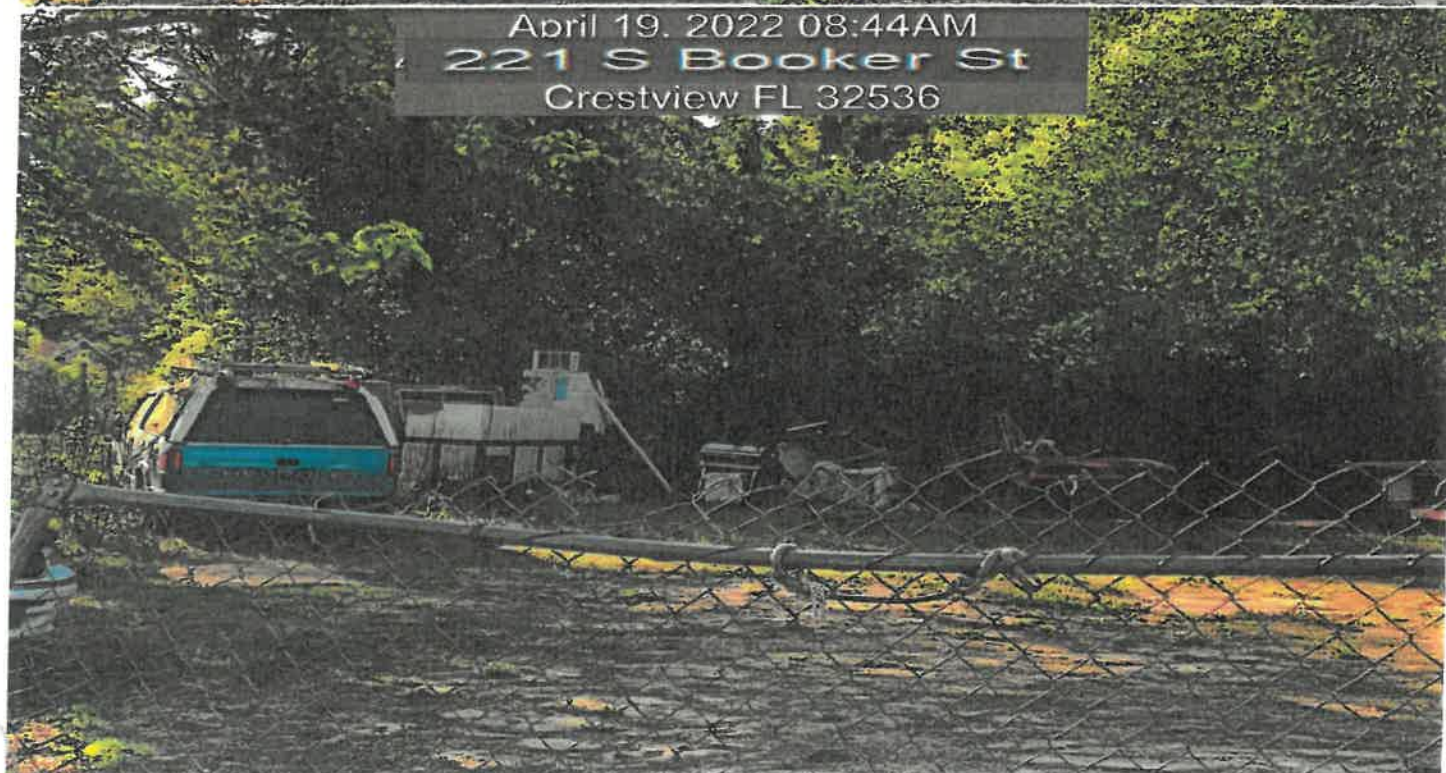
Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL Ronald Raybon

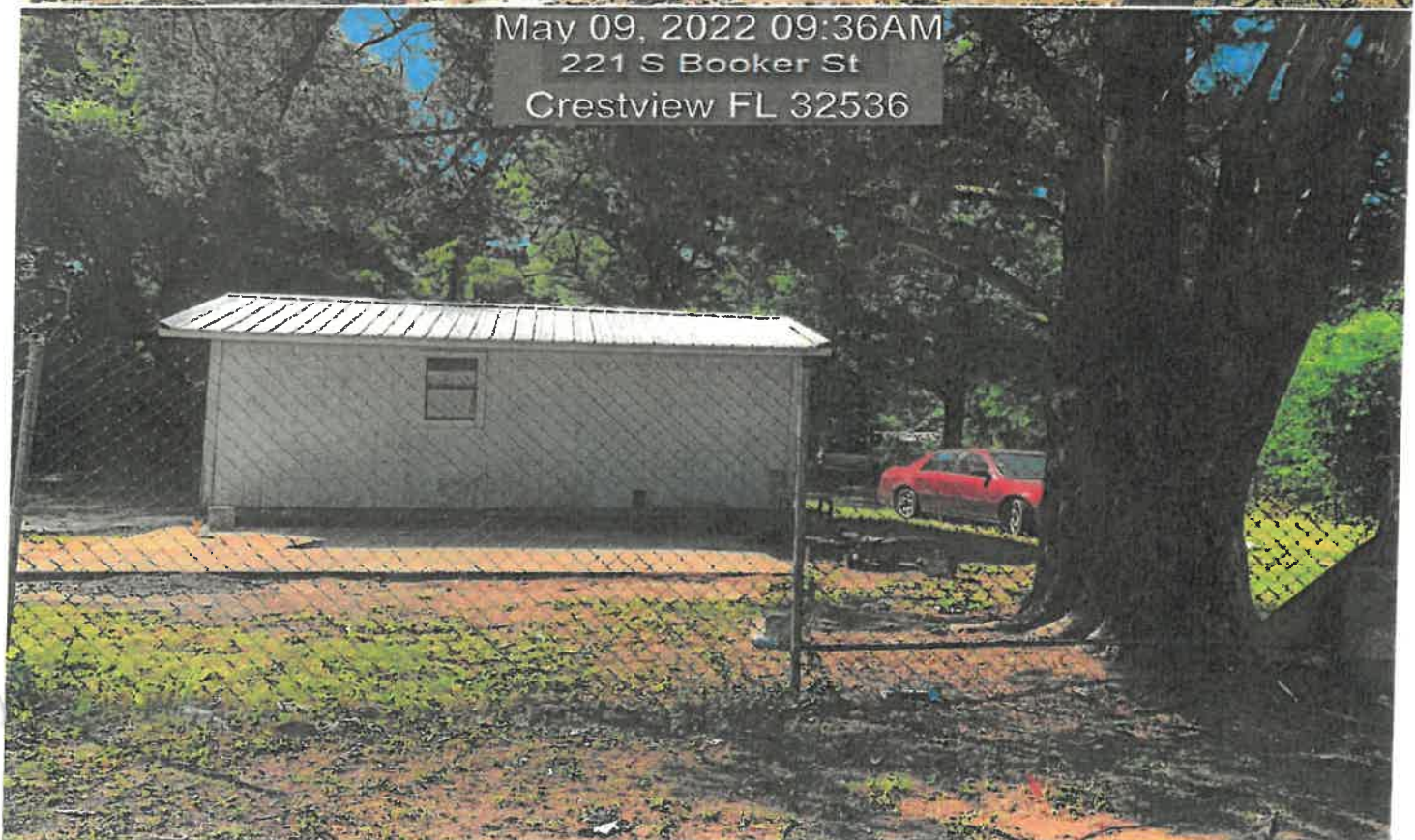
4/26/22

DATE 4/28/2022









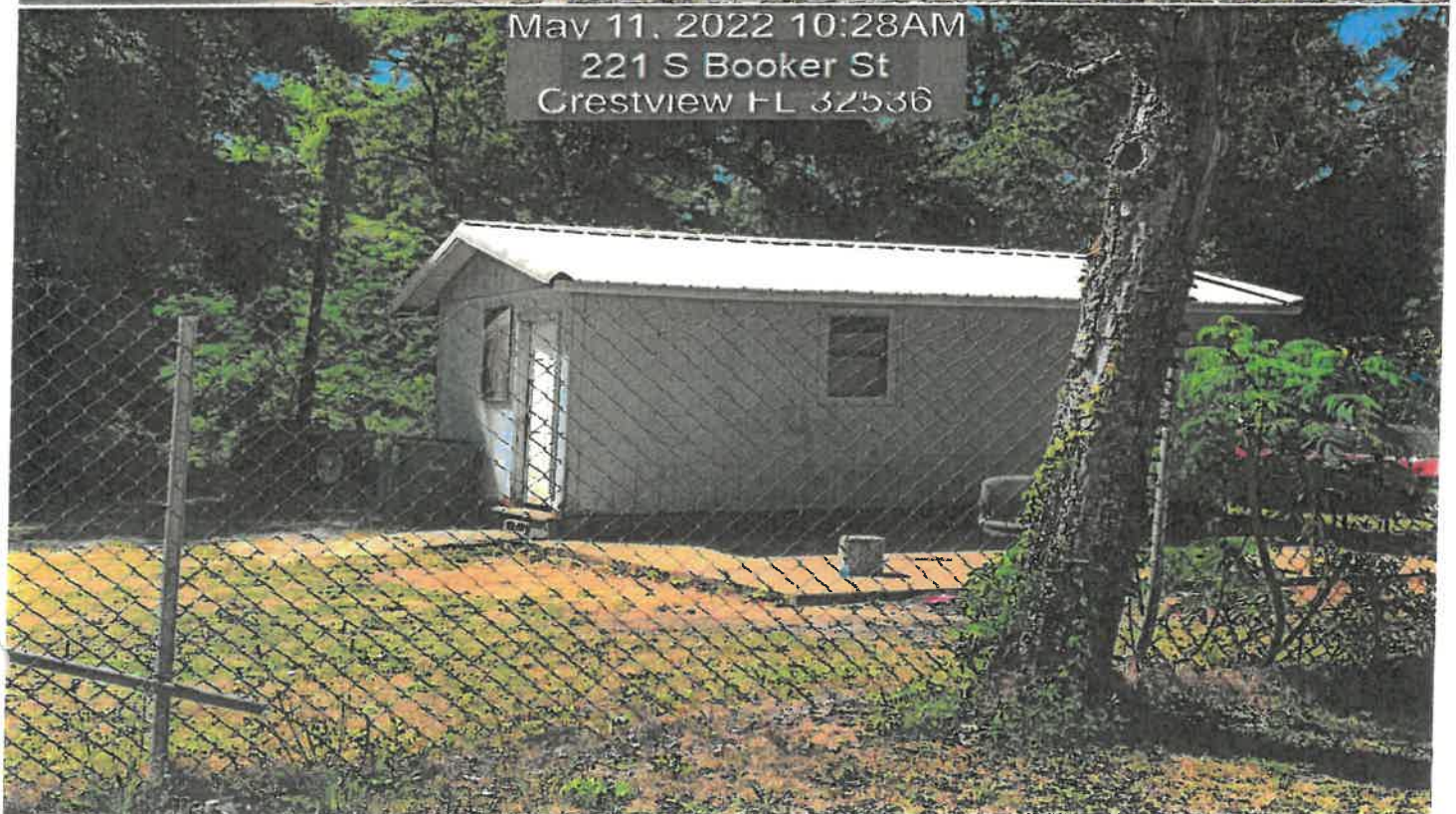
May 09, 2022 09:36AM
221 S Booker St
Crestview FL 32536

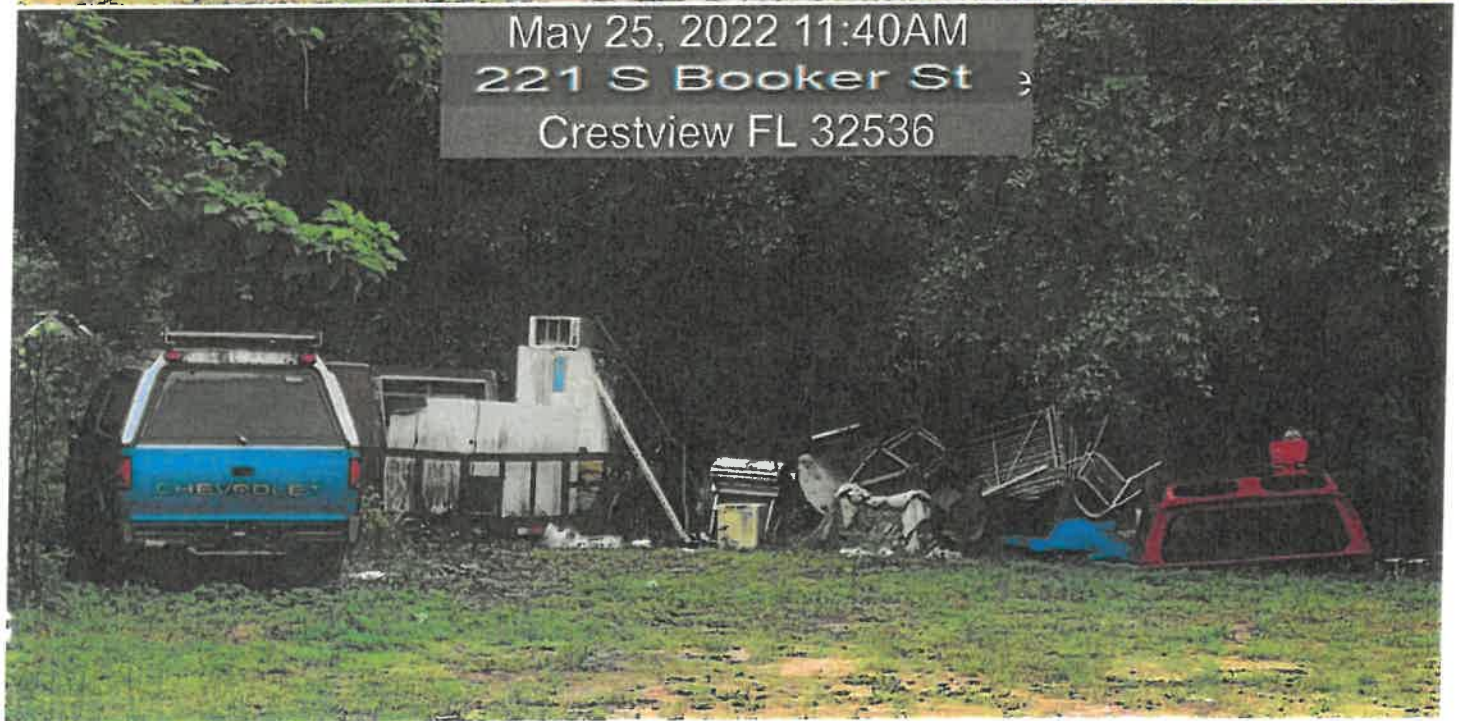


May 11, 2022 10:28AM
221 S Booker St
Crestview FL 32536



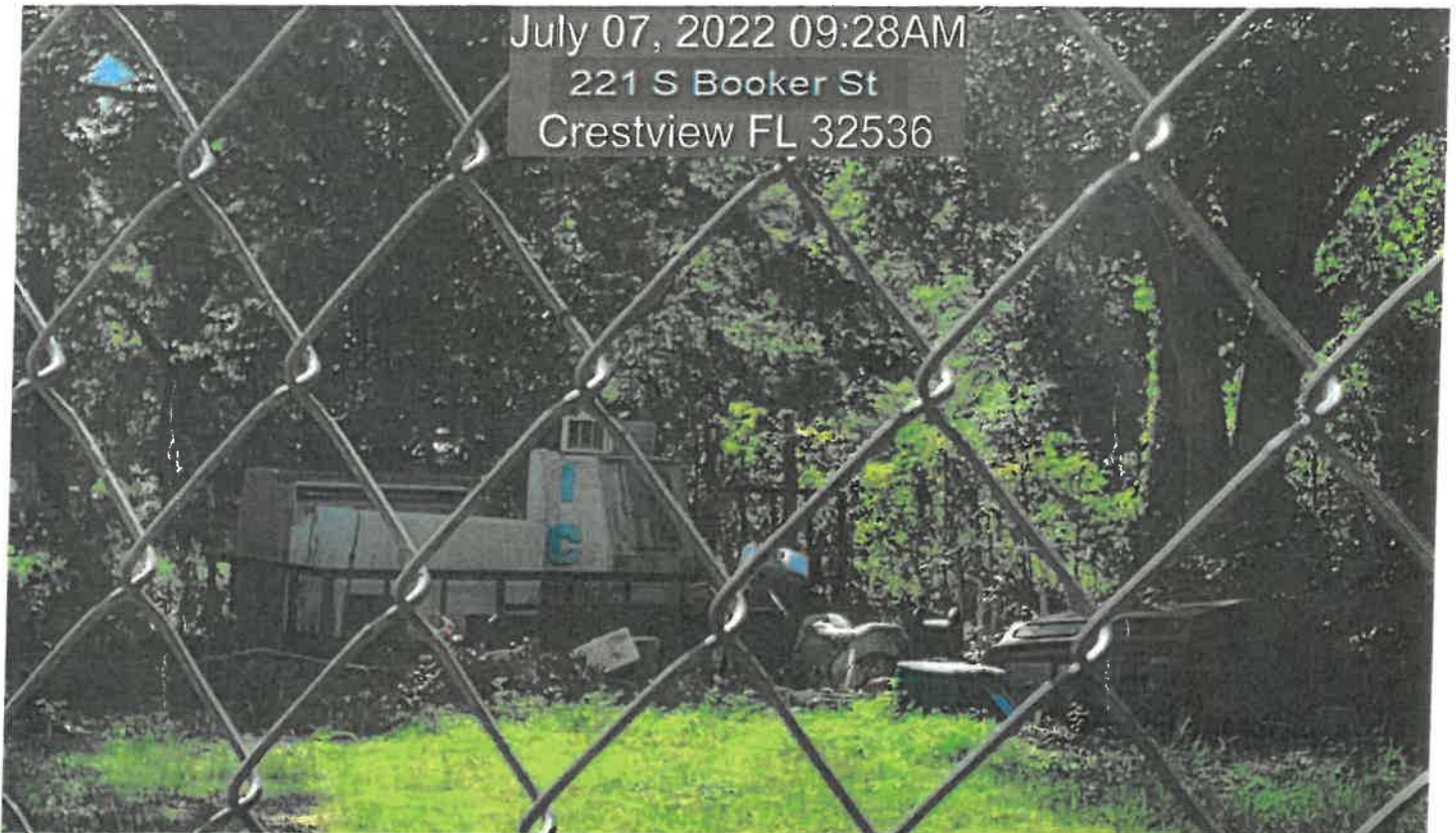








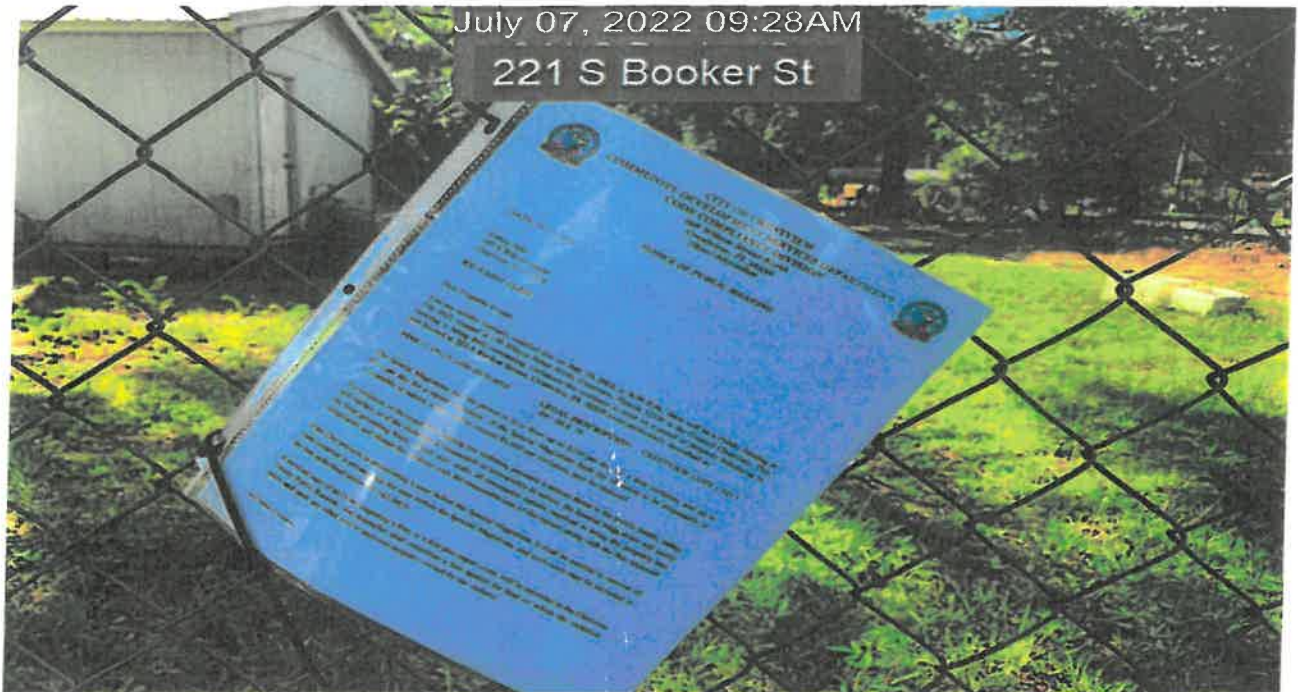






Case # 22-828

221 S Booker



July 07, 2022 09:28AM
221 S Booker St

July 07, 2022 11:33AM
198 N Wilson St
(850) 663-0050

COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

DATE: 05/31/2022

Kenny Siler
497 S Wilson Street
Crestview, FL 32536

RE: CASE# 22-828

Dear Property Owner:

You are hereby formally notified that on July 19, 2022, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 221 S Booker Street, Crestview, FL 32539 more particularly described as:

PIN# 17-3N-23-2490-0079-0010 **LEGAL DESCRIPTION: CRESTVIEW LOTS 1 TO 3 INC BLK 79**

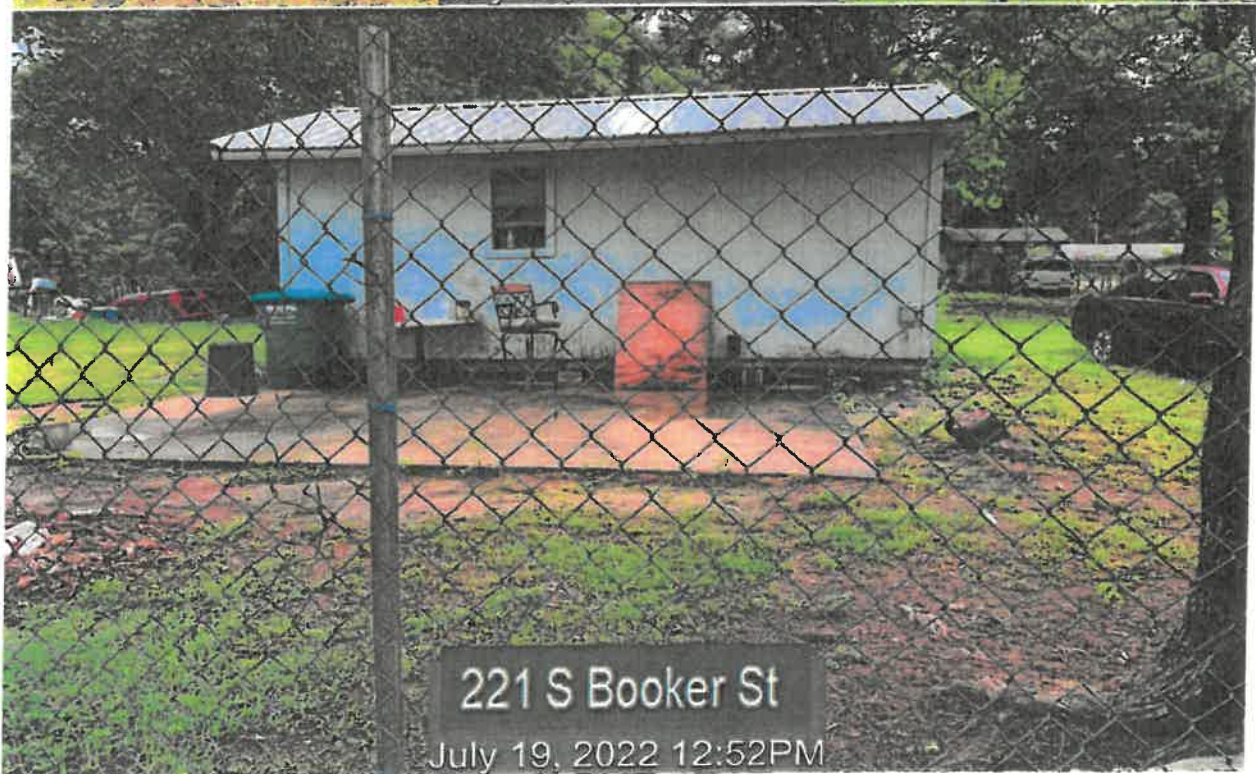
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

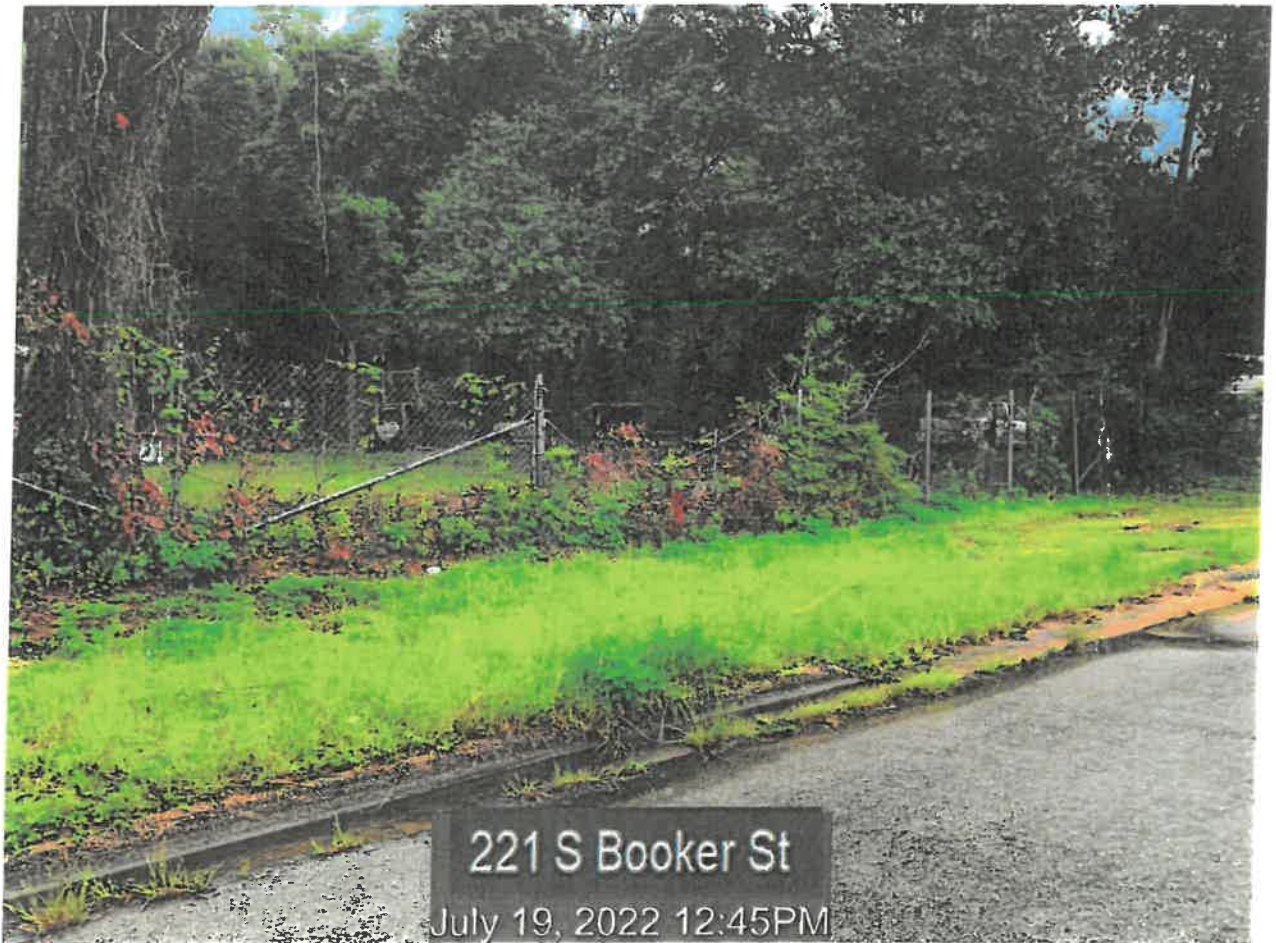
If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under PS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Enc: Notice of Violation







CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: April 25, 2022

Case #: 22-00000828

SILER KENNY
497 S WILSON ST
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 221 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0079-0010
Legal: CRESTVIEW LOTS 1 TO 3 INC BLK, 79,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **May 09, 2022**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Deborah Lawson

Code Compliance Officer

850.306.3702/850.612.9714

VIOLETION DETAIL

PAGE

CASE NUMBER 22-00000828
PROPERTY ADDRESS 221 S BOOKER ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 4/25/22
LOCATION:

ORDINANCE DESCRIPTION :

FLORIDA BUILDING CODE - SECTION 105 PERMITS

105.1 REQUIRED

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by obtaining the required permit(s).

You may contact the City of Crestview Building Department at 850-689-1618ext 254 or 261 for further information.

Track Another Package +

Tracking Number: 70113500000091334092

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

USPS Tracking Plus® Available ∨

In Transit to Next Facility

May 4, 2022

Feedback

7011 3500 0000 9133 4092

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	.58	Postmark Here
Certified Fee		3.75	
Return Receipt Fee (Endorsement Required)		.00	
Restricted Delivery Fee (Endorsement Required)		.00	
Total Postage & Fees	\$	4.33	

Sender
22-828

Street, Apt. No.,
or PO Box No.
497 S WILSON ST

City, State, ZIP+4
CRISTVIEW, FL 32636

PS Form 3800, August 2006 See Reverse for Instructions

∨

∨

∨

∨

∨

See Less ^

EXHIBIT # 6



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: May 11, 2022

Case #: 22-00000828

SILER KENNY
497 S WILSON ST
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 221 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0079-0010
Legal: CRESTVIEW LOTS 1 TO 3 INC BLK, 79,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **May 20, 2022**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

VIOLATION DETAIL

PAGE

CASE NUMBER 22-00000828
PROPERTY ADDRESS 221 S BOOKER ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 4/25/22
LOCATION:

ORDINANCE DESCRIPTION :

FLORIDA BUILDING CODE - SECTION 105 PERMITS

105.1 REQUIRED

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by obtaining the required permit(s).

You may contact the City of Crestview Building Department at 850-689-1618ext 254 or 261 for further information.

Track Another Package +

Tracking Number: 70201290000123469983

Remove X

Your item was delivered to an individual at the address at 3:52 pm on May 14, 2022 in CRESTVIEW, FL 32536.

USPS Tracking Plus® Available ✓

✓ **Delivered, Left with Individual**

May 14, 2022 at 3:52 pm
CRESTVIEW, FL 32536

Feedback

7020 1290 0001 2346 9983

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	3.75
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	.58
Total Postage and Fees	4.33
#22 828 N2	
Sent by KENNY SILVER	
Attn: WILSON	
City, State, ZIP+4® CRESTVIEW, FL 32536	

See Less ^



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 05/31/2022

**Kenny Siler
497 S Wilson Street
Crestview, FL 32536**

RE: CASE# 22-828

Dear Property Owner:

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PIN# 17-3N-23-2490-0079-0010

**LEGAL DESCRIPTION: CRESTVIEW LOTS 1 TO 3
INC BLK 79**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

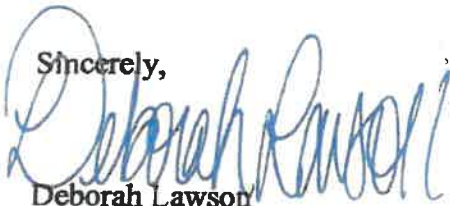
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

City of Crestview

850.306.3702/850.612.9714

Statement of Violation

Code of Ordinance Violated: Florida Building Code Chapter 105.1 Permits Required

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application the building official and obtain the required permit.

Corrective Action Required: Obtain the required permits for the shed and fence or remove them from the property.

7020 1290 0001 5682 0621

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee	3.75
Extra Services & Fees (check box, add fee as appropriate)	3.05
☒ Return Receipt (hardcopy)	
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	.58
Total Postage and Fees	4.33
SENDER'S ADDRESS KENNY SILER # 22-828 PHN 497 S WILSON ST CRESTVIEW, FL 32530	

RECEIVED
JUL 19 2022
Postmark Here

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY														
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>Carol 19</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>K. S. Loh</i> C. Date of Delivery <i>6-2-22</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No														
1. Article Addressed to: KENNY SILER 497 S WILSON ST CRESTVIEW, FL 32530 9590 9402 6685 1060 6864 13	3. Service Type <table border="0"> <tr> <td>☐ Adult Signature</td> <td>☐ Priority Mail Express®</td> </tr> <tr> <td>☐ Adult Signature Restricted Delivery</td> <td>☐ Registered Mail™</td> </tr> <tr> <td>☒ Certified Mail®</td> <td>☐ Registered Mail Restricted Delivery</td> </tr> <tr> <td>☐ Certified Mail Restricted Delivery</td> <td>☐ Signature Confirmation™</td> </tr> <tr> <td>☐ Collect on Delivery</td> <td>☐ Signature Confirmation Restricted Delivery</td> </tr> <tr> <td>☐ Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td>☐ Insured Mail</td> <td></td> </tr> </table>	☐ Adult Signature	☐ Priority Mail Express®	☐ Adult Signature Restricted Delivery	☐ Registered Mail™	☒ Certified Mail®	☐ Registered Mail Restricted Delivery	☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™	☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery	☐ Collect on Delivery Restricted Delivery		☐ Insured Mail	
☐ Adult Signature	☐ Priority Mail Express®														
☐ Adult Signature Restricted Delivery	☐ Registered Mail™														
☒ Certified Mail®	☐ Registered Mail Restricted Delivery														
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™														
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery														
☐ Collect on Delivery Restricted Delivery															
☐ Insured Mail															
2. Article Number (Transfer from service label) 7020 1290 0001 5682 0621	Mail Restricted Delivery <i>22-828 PHN</i>														

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

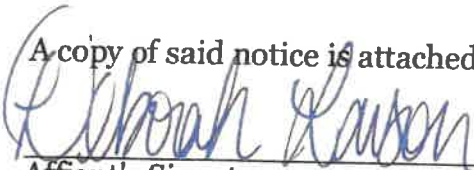
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 22-828

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 7th day of July 2022, I personally posted said Notice of Hearing at: 221 S Booker Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

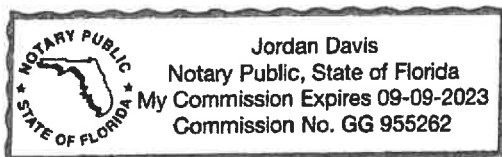

Affiant's Signature

7/7/2022
Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 7th day of July 2022.

(SEAL)



NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 9-9-23

BUILDING OFFICIAL STRUCTURAL DETERMINATION

4/25/22

DATE

221 S Booker St

ADDRESS-LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

Accessory structure needs to be repaired or removed
from property

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|--|--|
| ☒ (a) FOUNDATION | ☐ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☐ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☐ (e) EXTERIOR WALLS | ☐ (q) OVERHANG EXTENSIONS |
| ☒ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☒ (s) ACCESSORY STRUCTURES |
| ☐ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☒ (j) EXTERIOR SURFACE TREATMENT | ☐ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☐ (w) FENCES AND WALLS |
| ☐ (l) PORCHES AND BALCONIES | |

COMMENTS: Metal roofing not secured in areas. Signs of deterioration along bottom edges of siding. Foundation support missing under corner of structure. Structural supports around outer perimeter are showing signs of deterioration.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

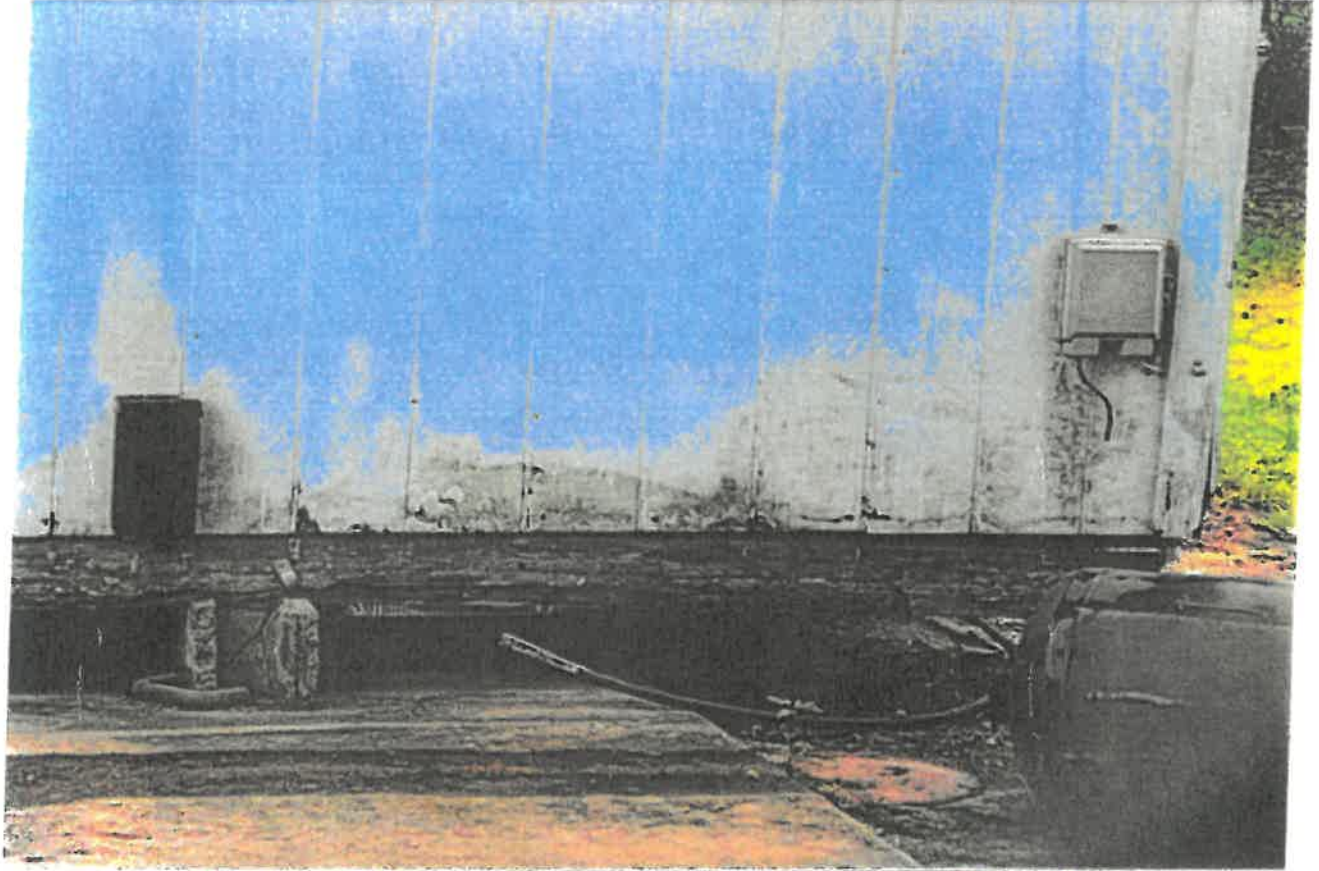
PRINTED NAME OF BUILDING OFFICIAL Ronald Raybon

4/26/22

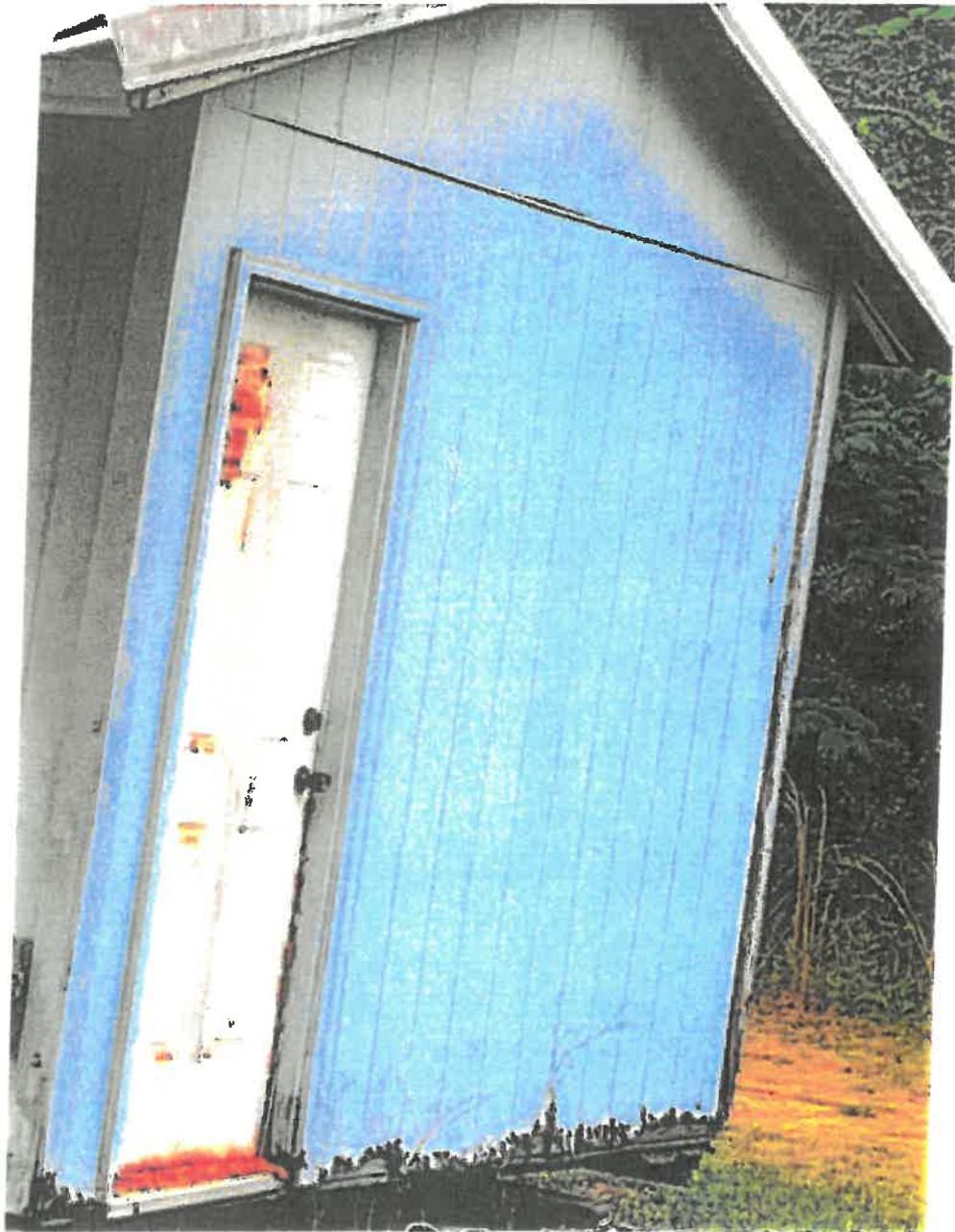
DATE 4/26/2022

Page 655 of 767











**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
198 Wilson Street North
Crestview, FL 32536



Inst. #3566992 Bk: 3634 Pg: 2559
Page 1 of 3 Recorded: 7/26/2022 10:32 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK JDUNLAP
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-828

Kenny Siler
497 S Wilson St
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on July 19, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenny Siler, whose last known mailing address is 497 S Wilson Street, Crestview, FL 32536, is the owner of the property located at, 221 S Booker Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0079-0010, and more particularly described as: CRESTVIEW LOTS 1 TO 3 INC BLK 79
2. The conditions on the property consist of an unpermitted shed. The violation(s) were first observed on April 19, 2022. A Notice of Violation was mailed by certified mail April 29, 2022, and received by respondent on May 14, 2022. The Notice stated that the condition(s), constituted a violation of Florida Building Code Chapter 105- Sec. 105.1. – Building Permit Required, of the City of Crestview's Code of Ordinances and requested

correction of the violation by May 20, 2022. Re inspection of the property on May 25, 2022, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Florida Building Code Chapter 105 - Sec. 105.1. – Building Permit Required, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before October 19, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before October 19, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):

a. Obtain the necessary permit for the shed or remove it from the property.

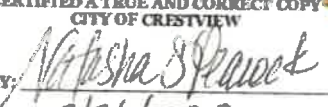
10. If the violation(s) are not corrected by October 19, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 22nd day of July 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.07.22 15:30:04
-05'00'

Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW
BY: 
DATE: 7/26/2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3595758 Bk: 3654 Pg: 3431
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,
Petitioner,

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 22-828

Kenny Siler
497 S Wilson St
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

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FINDINGS OF FACT:

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2. The conditions on the property consist of an unpermitted shed. The violation(s) were first observed on April 19, 2022. A Notice of Violation was mailed by certified mail April 29, 2022, and received by respondent on May 14, 2022. The Notice stated that the condition(s), constituted a violation of Florida Building Code Chapter 105- Sec. 105.1. – Building Permit Required, of the City of Crestview's Code of Ordinances and requested

correction of the violation by May 20, 2022. Re inspection of the property on May 25, 2022, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

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5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

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Done and Ordered on the 22nd day of July 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.12.06 11:27:19
-06'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk

DATE: 12-13-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Case # 22-346

311 W Oakdale

Owner of Record: Kenneth J Siler

497 S Wilson St, Crestview, FL 32536

Origination Date: 1/5/2022

Origination Code: Proactive

Violations: Chapter 38 Section 65 (f) Windows, (h) Exterior Doors, (n) Roofs, (q) Overhang Extensions

Corrective Action Required: Obtain a structural engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable applications, documents, and pay associated fees. Obtain the necessary permits for the windows, exterior doors, roof, and overhang extensions.

Notice Sent: 3/23/2022 Signed: 3/25/2022 Compliance Date: 4/8/2022

Inspected: 4/11/2022 Results: In Violation

Notice Sent: 4/11/2022 Signed: Not Received Compliance Date: 4/21/2022

Inspected: 4/26/2022 Results: In Violation

Public Hearing Notice Sent: 5/2/2022 Signed: 5/10/2022

Hearing Date: 6/21/2022

Property remains in violation. Property owner submitted CDBG application September 2022, and has failed to provide quotes for repair of structure.

Order Recorded: 6/24/2022 **Re-recorded with wet stamp 12/1/2022**

Hearing fee: \$250 Due by 9/20/2022

Daily fine: \$250 Start: 9/20/2022

Fines: \$35,750 **as of February 9, 2023 (not including interest)**

Property Value: \$9,916

Case # 22-346**311 W Oakdale****Related Properties:****578 S Wilson St** 17-3N-23-2490-0130-0070

Case # 22-1362 Active Case Hearing Scheduled 2/21/2023

Violations: RV's Campers/Camp Trailers, Ch 38 Sec. 65 and 66: Accessory Structures

Case # 21-1086 Found in Compliance 8/18/2021Violations: Recreational Camps/Tents, Fences & Walls, Trash/Debris, Overgrown Vegetation,
Developed/Undeveloped**422 Spring St** 17-3N-23-2490-0086-0090

Case # 16-338 Found in Compliance 6/21/2016

Violations: Abandoned Appliances

404 Spring St 17-3N-23-2490-0057-0120

Case # 21-792 Went to public hearing August 2021, order on 418 Spring only

Vacant Lot Savage St 17-3N-23-2490-0020-0050

Case # 23-110 Found in Compliance 11/22/2022

Violations: Trash/Debris, Inoperable Vehicles/Parts

Case # 22-1144 Found in Compliance 9/21/2022

Violations: Trash/Debris, Inoperable Vehicles/Parts, Vegetation

203 Spring St 17-3N-23-2490-0019-0990

Case # 23-114 Active Case

Violations: Abandoned Appliances, Trash/Debris, Inoperable Vehicles/Parts, Exterior Walls/Surface Treatment,
Windows.**416 Brock Ave** 08-3N-23-0743-0007-005A

Case # 17-298 Found in Compliance 4/28/2017

Violation: Overgrown Vegetation

Case # 22-346**311 W Oakdale****121 S Booker St** 17-3N-23-2490-0079-0010

Case # 22-828 Hearing Date: July 19, 2022 Fines: \$36,500

Violations: Building Permit Required

Case # 22-827 Hearing Date: July 19, 2022 Fines: \$28,250

Violations: Trash/Debris, Inoperable Vehicles, Littler, Accessory Structures, Exterior Surfaces, Foundation, Roofs, Structural Supports, Windows

338 S Booker St 17-3N-23-2490-0080-0130

Case # 23-46 Active Case

Violations: Accessory Structures

Case # 19-1098 Closed

Violations: Solid Waste

385 S Booker St 17-3N-23-2490-0081-0050

Case # 23-112 Closed

Violations: Trash/Debris

Case # 22-829 Hearing Date: July 19, 2022 Fines: \$10,000

Violations: Building Permit Required

Case # 21-436 Hearing Date: July 19, 2022 Fines: \$14,500

Violations: Vegetation/Debris, Exterior door, Overhang, Windows, Structural Supports, Roofs

Case # 19-1097 Closed

Violations: Debris, Inoperable Vehicles, Overgrown Vegetation

Vacant Lot Booker St 17-3N-23-2490-0084-0190 No Case History**Vacant Lot Booker St** 17-3N-23-2490-0084-0200 No Case History



City of Crestview
Community Development Block
Grant Program

198 North Wilson Street
Crestview, FL 32536
Phone: (850) 682-1560
Ext 205
Email: cdbg@cityofcrestview.org

CDBG FISCAL YEAR 2021-2022 NUISANCE ABATEMENT APPLICATION

PROJECT ADDRESS:	311 W. Oakdale
TAX PARCEL ID #:	

APPLICANT NAME:	Kenneth J. Siler
MAILING ADDRESS:	497 S. Wilson St.
PHONE:	850-978-4082
EMAIL:	

Types of Repairs Needed

☐ Exterior painting	☒ Window glass and screens
☒ Roof, rafter, soffit, and fascia repair	☐ Exterior stairs, railings, porches
☐ Derelict structure demolition	
☐ Yard Maintenance and debris removal (done in association with other building repairs)	
☐ Other _____	

Additional Information Required:

1. Have you ever received a Grant or Loan through the City of Crestview? Yes ☐ No ☒
If yes, through what program was the grant/loan offered? _____
Year Awarded _____
2. Are there current or pending Code Enforcement violations on the property?
Yes ☒ No ☐

Terms and Conditions

The Community Development Block Grant (CDBG) Nuisance Abatement Program allows an applicant to apply for CDBG funds to abate current nuisances on the property by evidence of city inspections and/or code enforcement violations. The program funds must be used towards expenses that bring the property into compliance. Properties that receive a grant through the nuisance abatement program are required to adhere to all codes, including but not limited to grass height and trash. The city will place a lien on the property for expenses related to the abatement, for a term of 5 years with 20% of the original loan forgiven annually at the anniversary of the origination of the loan. By signing below, you agree with these terms and conditions.

Applicant Signature:

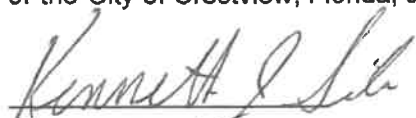
Kenneth J. Lott

Date:

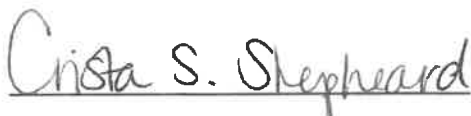
Sept 14 - 22

OWNER'S CONSENT AND DESIGNATION OF AGENCY

I certify that I have examined the application and that all statements submitted are true and accurate to the best of my knowledge. I understand the terms of the program, as stated above. I understand that the Nuisance Abatement program benefits are contingent upon funding availability and are not to be construed as an entitlement or right of a property owner or applicant. I further understand that I may be responsible for providing additional documentation required for permitting or property owner verification. Further, I understand the city will place a lien on the property for expenses related to the abatement, for a term of 5 years with 20% of the original loan forgiven annually at the anniversary of the origination of the loan. this application; attachments and fees become part of the official records of the City of Crestview, Florida, and are not returnable.


(Owner's Signature)

The foregoing instrument was acknowledged before me this 14th day of Sept, 2022
by Kenneth J. Silver, who is personally known to me or has produced _____
_____ as Identification and who did take an oath.



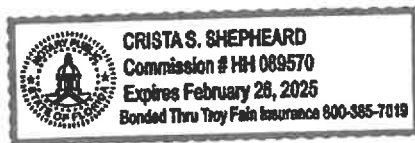
(Printed Name of Notary Public)



(Signature of Notary Public)

Commission # HH 089570. My commission expires 2/24/25

(Notary's Seal)



Tuesday, June 21, 2022

Case # 22-346

Exhibit 1

BUILDING OFFICIAL STRUCTURAL DETERMINATION

3/23/22

DATE

22-346 301 W Oakdale

ADDRESS-LOCATION OF VIOLATION

Unsafe Structure

NATURE OF VIOLATION(S) OBSERVED

Engineered drawings required for roof system replacement and building permit

CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS or Demo Structure

- ☐ (a) FOUNDATION
- ☐ (b) WOOD SUPPORTS
- ☐ (c) METAL SUPPORTS
- ☐ (d) SKIRTING
- ☐ (e) EXTERIOR WALLS
- ☒ (f) WINDOWS
- ☐ (g) SHUTTERS
- ☒ (h) EXTERIOR DOORS
- ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS
- ☐ (j) EXTERIOR SURFACE TREATMENT
- ☐ (k) STRUCTURAL SUPPORTS
- ☐ (l) PORCHES AND BALCONIES

- ☐ (m) STAIRS
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- ☐ (r) INSECT SCREENS
- ☐ (s) ACCESSORY STRUCTURES
- ☐ (t) SWIMMING POOLS
- ☐ (u) RODENT HARBORAGE
- ☐ (v) EXTERIOR LIGHTING
- ☐ (w) FENCES AND WALLS

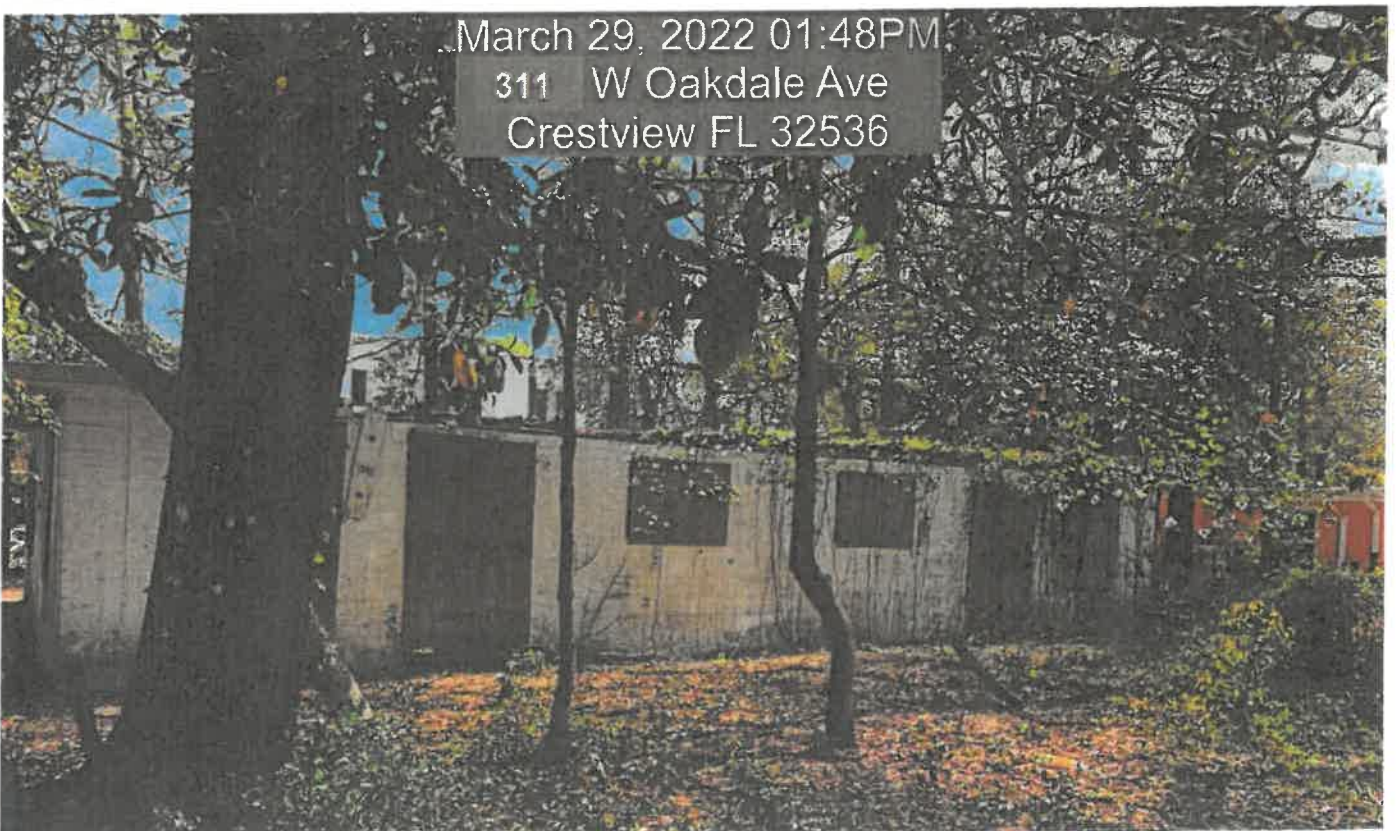
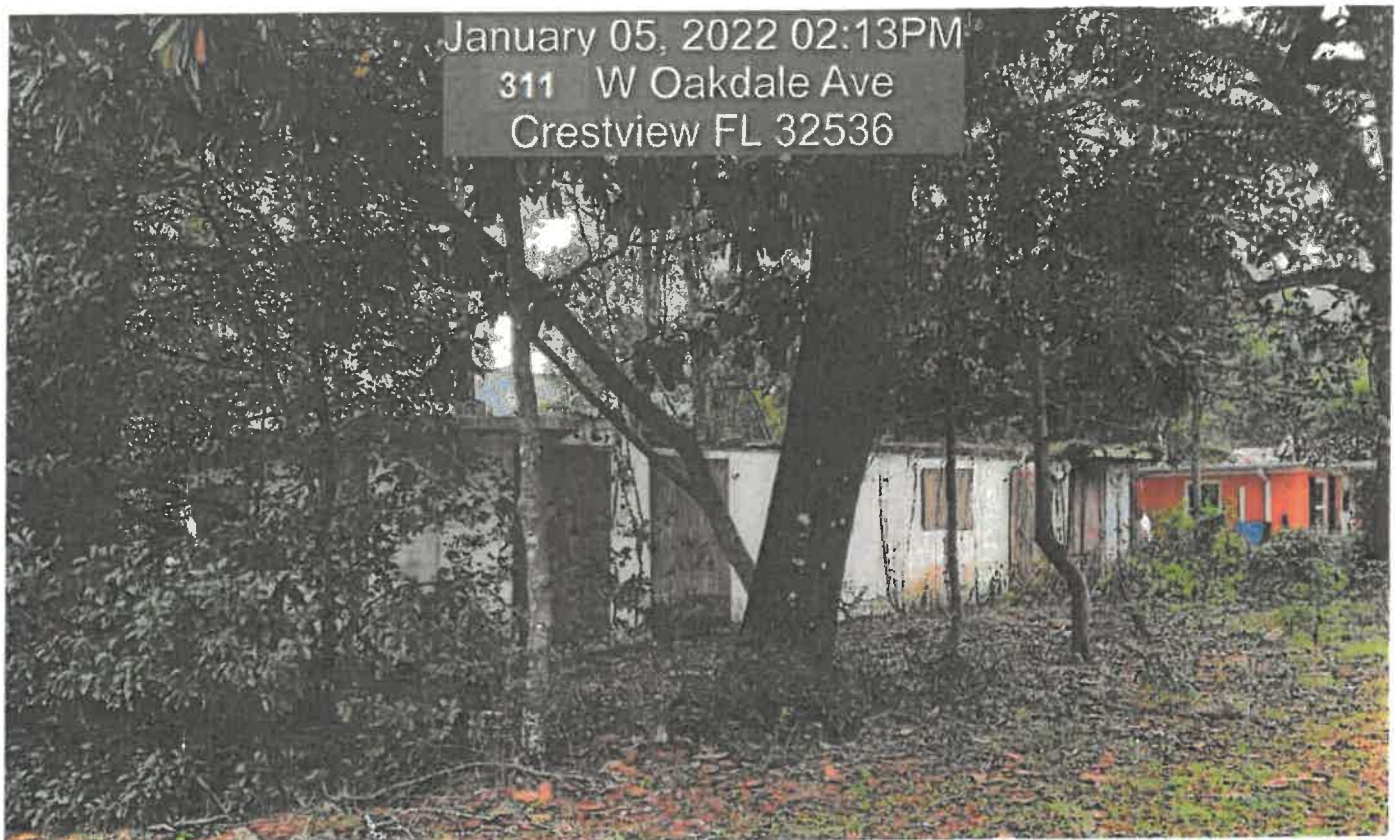
COMMENTS: Structure has Block walls and could be used with
a new roof system. Roof system will be required to be engineered
and meet the design criteria for this area in accordance with FBC.

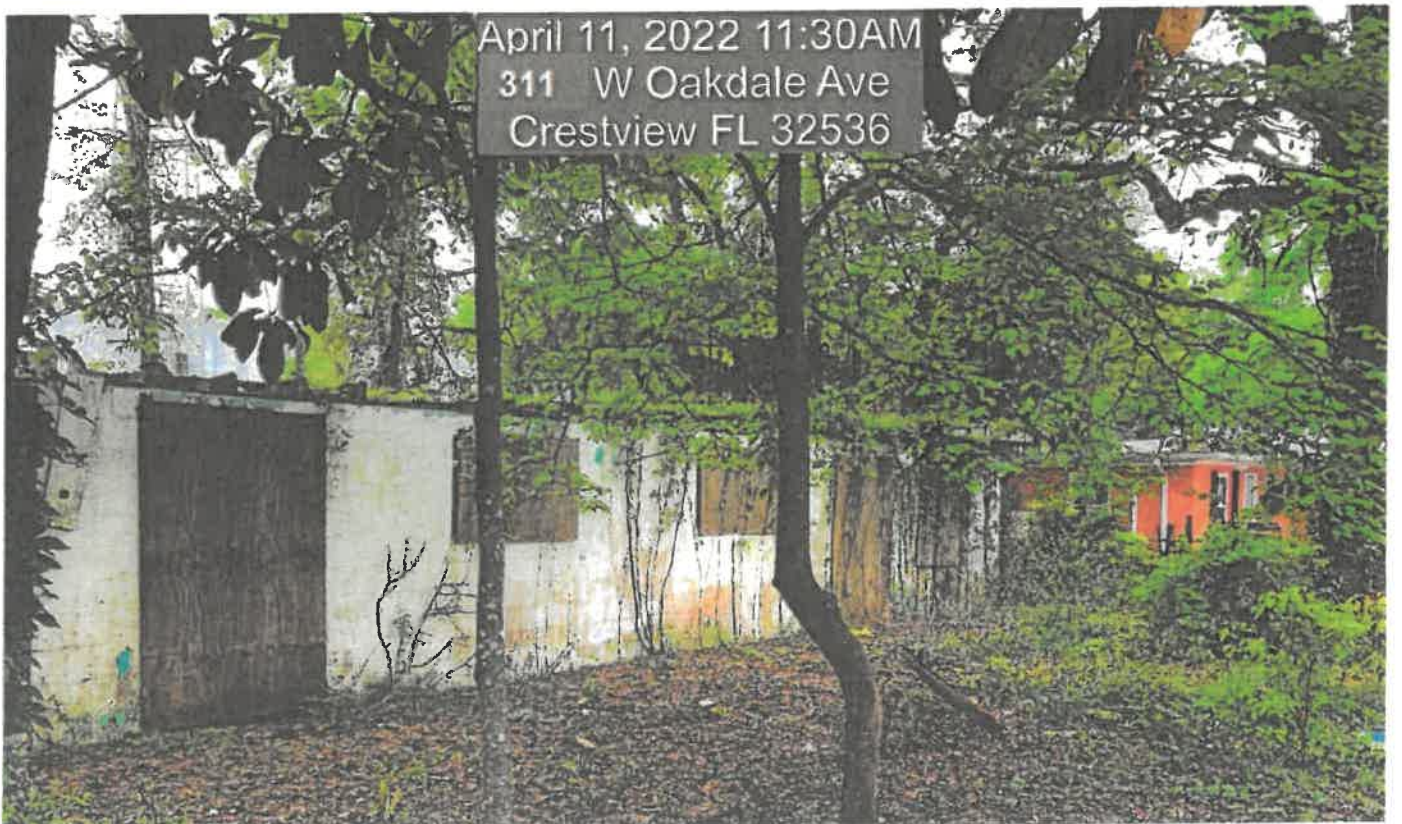
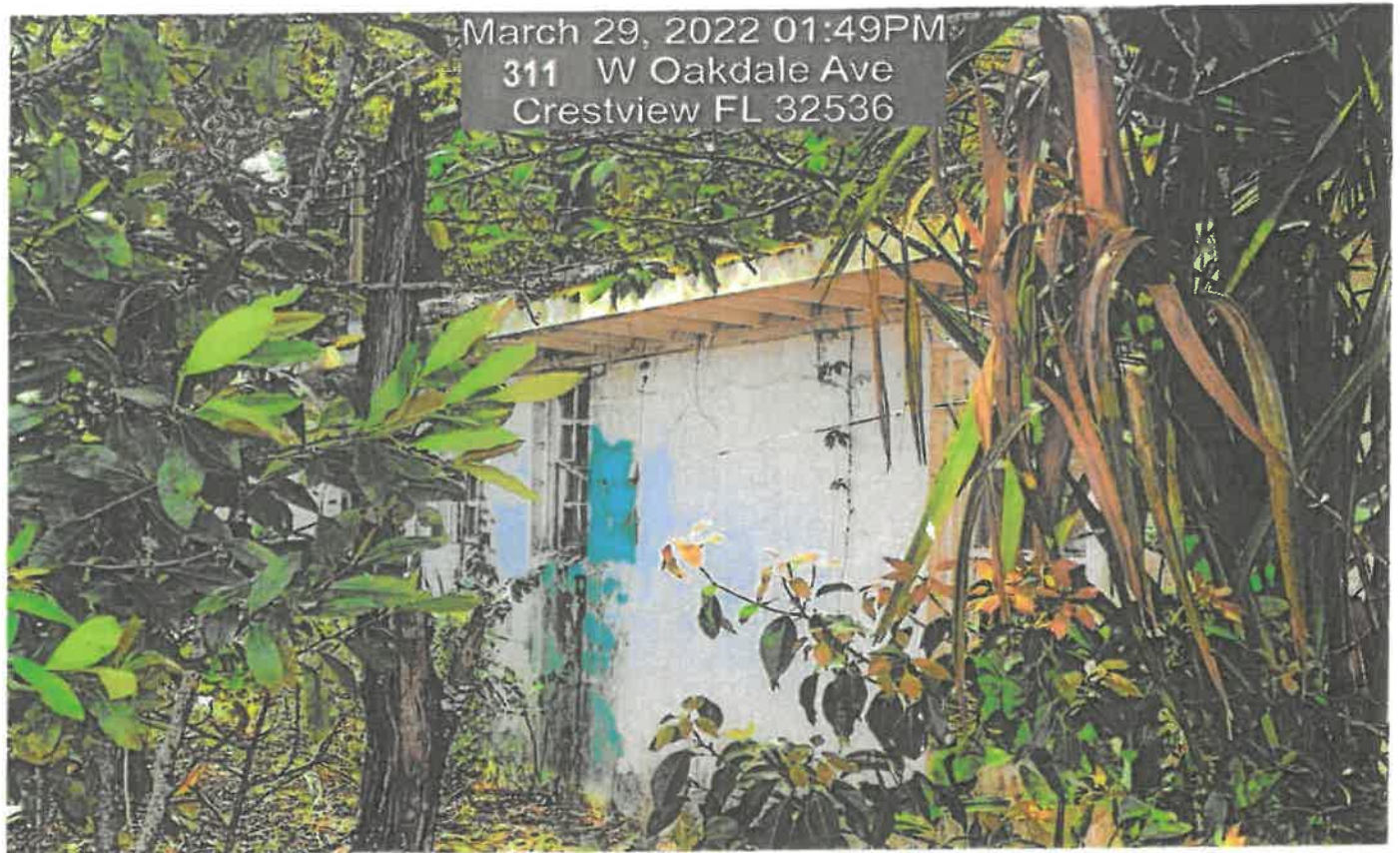
SIGNATURE OF BUILDING OFFICIAL

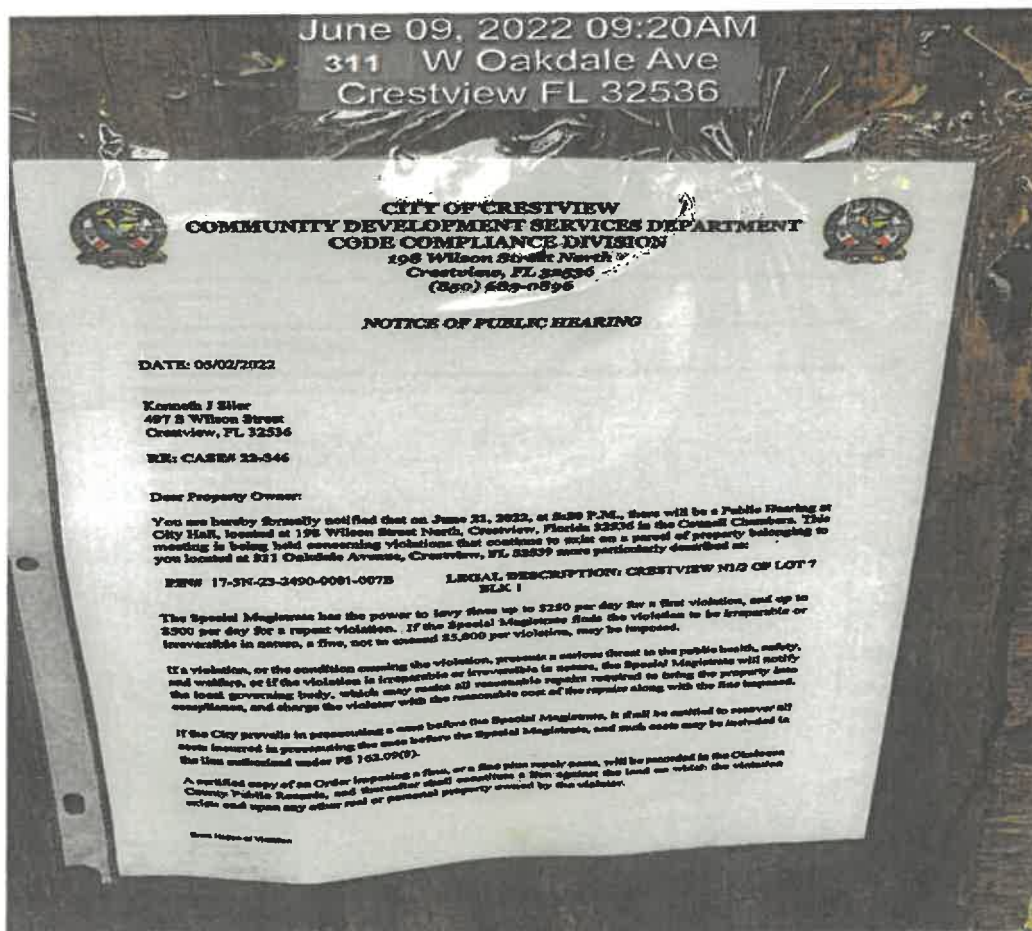
PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 1







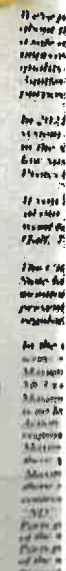
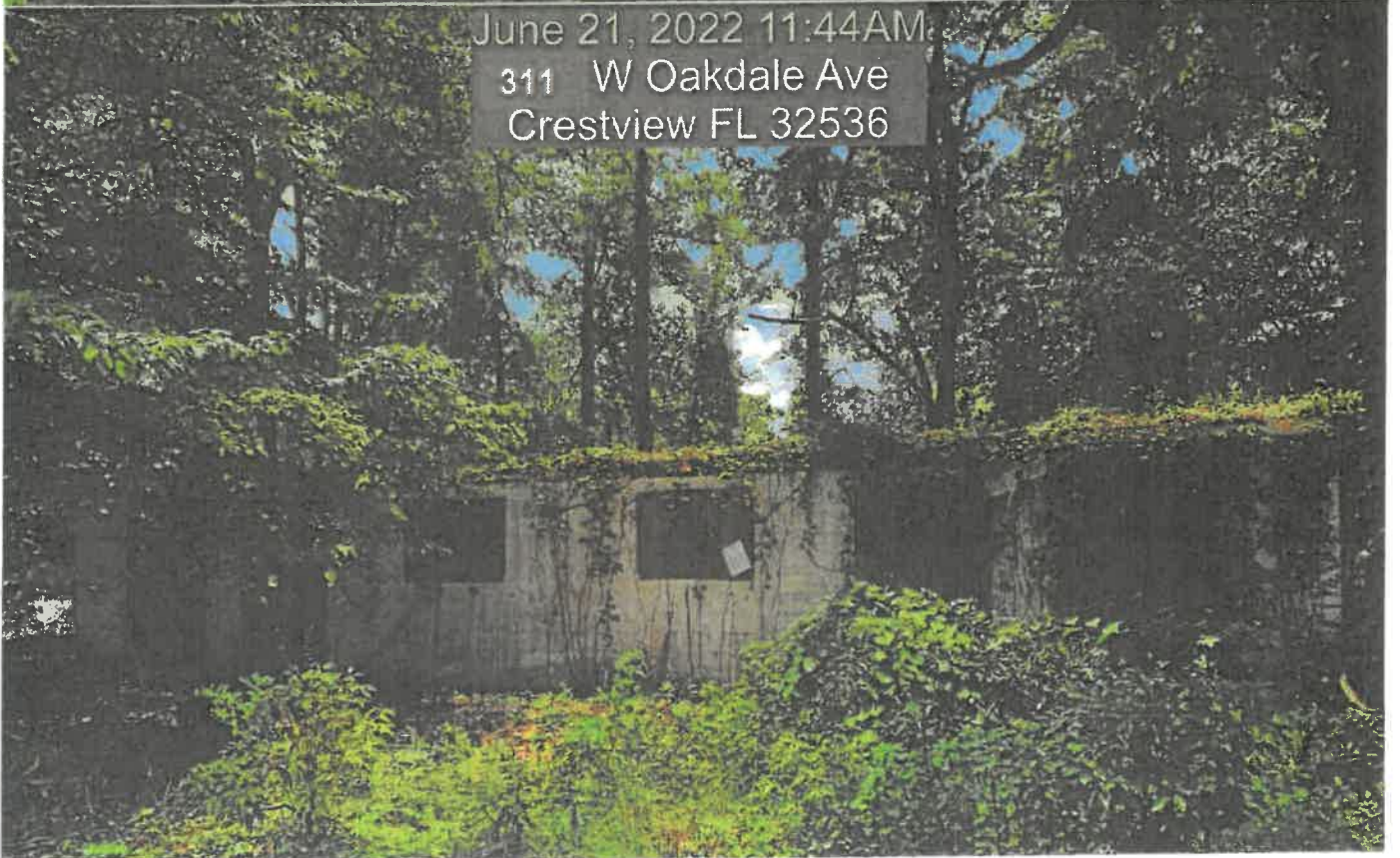


EXHIBIT # 1





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: March 23, 2022
Case #: 22-00000346

KENNETH J SILER
497 S WILSON STREET
CRESTVIEW, FL 32536

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 301 W OAKDALE AVE
Tax Identification Number: 17-3N-23-2490-0001-007B
Legal: CRESTVIEW N1/2 OF LOT 7 BLK 1, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **April 08, 2022**, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Maddie Tatom
Code Compliance Officer
850.306.3699

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 301 W OAKDALE AVE

VIOLATION: CH 38 SEC 65 DOORS/FRONTS QUANTITY: 1
DESCRIPTION: EXTERIOR DOORS/STOREFRONTS DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(h) Exterior doors: Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

(i) Exterior doorframes and storefronts: Exterior doorframes and storefronts shall be maintained in good condition. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the exterior door, garage door, the exterior doorframes or storefront. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(o) Gutters and downspouts: Gutters and downspouts shall be maintained in good repair, and securely installed. Water run-off shall be contained on the property and shall not run-off onto adjacent properties.

(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 301 W OAKDALE AVE

ORDINANCE DESCRIPTION :

maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the gutter, downspout, chimney-flue, vent attachment, or overhang extension.

For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product. Please call Elizabeth Roy @ 850-682-1560, for information pertaining to the Downtown Overlay District.

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VIOLATION: CH 38 SEC 65 ROOFS	QUANTITY: 1
DESCRIPTION: ROOFS	DATE: 3/23/22
LOCATION:	

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 301 W OAKDALE AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 301 W OAKDALE AVE

CORRECTIVE ACTION REQUIRED :

weather-tight and rodent-proof. Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

- (a) Structures that are:
 - (1) Partially destroyed; or
 - (2) Left in a state of disrepair; or
 - (3) Left in a state of partial construction beyond the valid timeframe of the permit.
- (c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.
- (e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.
 - (1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or
 - (2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 301 W OAKDALE AVE

ORDINANCE DESCRIPTION :

any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

EXHIBIT # 1

Track Another Package +

Tracking Number: 70201290000073262948

Remove X

Your item was delivered to an individual at the address at 3:44 pm on March 25, 2022 in CRESTVIEW, FL 32536.

USPS Tracking Plus® Available ∨

✓ Delivered, Left with Individual

March 25, 2022 at 3:44 pm
CRESTVIEW, FL 32536

Feedback

7020 1290 0000 0621 0207

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee	3.75
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	.58
Total Postage and Fees	4.33
Sent To	Kenneth J. Siler
Street and Apt. No. or P.O. Box No.	497 S. Wilson St.
City, State, ZIP+4®	Crestview FL 32536

See Less ^

EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division
P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: April 11, 2022
Case #: 22-00000346

KENNETH J SILER
497 S WILSON STREET
CRESTVIEW, FL 32536

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 311 W OAKDALE AVE

Tax Identification Number: 17-3N-23-2490-0001-007B

Legal: CRESTVIEW N1/2 OF LOT 7 BLK 1, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by April 21, 2022, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Code Compliance Officer

EXHIBIT # 1

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 311 W OAKDALE AVE

VIOLATION: CH 38 SEC 65 DOORS/FRONTS QUANTITY: 1
DESCRIPTION: EXTERIOR DOORS/STOREFRONTS DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(h) Exterior doors: Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

(i) Exterior doorframes and storefronts: Exterior doorframes and storefronts shall be maintained in good condition. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the exterior door, garage door, the exterior doorframes or storefront. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

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(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 311 W OAKDALE AVE

ORDINANCE DESCRIPTION :

maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

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VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

EXHIBIT # 1

VIOLATION DETAIL

PAGE 3

CASE NUMBER 22-00000346
PROPERTY ADDRESS 311 W OAKDALE AVE

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

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(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

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Repair, or replace the window, or window screen, so it is

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 311 W OAKDALE AVE

CORRECTIVE ACTION REQUIRED :

weather-tight and rodent-proof. Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE DATE: 3/23/22
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (d) Any building or structure which does not meet the requirements of the Code and is in such a dilapidated condition that it is unfit for human habitation or kept in such a structurally unsafe or unsanitary condition that is a menace to the health of people residing in the vicinity thereof or presents a fire hazard to the vicinity in which it is located.

38.70 - UNSIGHTLY CONDITIONS.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any premises in the City:

(a) Structures that are:

- (1) Partially destroyed; or
- (2) Left in a state of disrepair; or
- (3) Left in a state of partial construction

beyond the valid timeframe of the permit.

(c) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(e) Prior to issuance of a demolition permit for a building where commercial activity is a permitted use, performance bond or equivalent security shall be filed with the City, or a letter of credit may be submitted to the City Manager for approval, in the amount defined below.

(1) Total demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris and grading the lot in compliance with the Land Development Code; or

(2) Partial demolition: The amount to demolish the building, and remove all debris from the site, and disposal cost for the debris, grading the lot and the cost of additional construction or reconstruction so the exterior of

EXHIBIT # 1

CASE NUMBER 22-00000346
PROPERTY ADDRESS 311 W OAKDALE AVE

ORDINANCE DESCRIPTION :

any partially demolished building or building abutting an adjacent building that results in repair or reconstruction complies with this chapter and the Florida Building Code, as amended.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by obtaining a demolition building permit and removing the structure.

Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

For further information, please contact the Permitting Division @ 850-689-1618 ext 254 or 261.

EXHIBIT # 1

USPS Tracking®

Track Another Package +

Remove X

Tracking Number: 70113500000091333927

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

USPS Tracking Plus® Available ▾

In Transit to Next Facility

April 17, 2022

Get Updates ▾

Feedback

7011 3500 0000 9133 3927

U.S. Postal Service®
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.33

KENNETH J SILVER
Street, Apt. No.,
or PO Box No. **497 S WILSON ST**
CRESTVIEW, FL 32536

A22-340

See Less ^

EXHIBIT # 1

Can't find what you're looking for?



CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: 05/02/2022

Kenneth J Siler
497 S Wilson Street
Crestview, FL 32536

RE: CASE# 22-346

Dear Property Owner:

You are hereby formally notified that on **June 21, 2022, at 5:30 P.M.**, there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 311 Oakdale Avenue, Crestview, FL 32539 more particularly described as:

PIN# 17-3N-23-2490-0001-007B

**LEGAL DESCRIPTION: CRESTVIEW N1/2 OF LOT 7
BLK 1**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

End: Notice of Violation

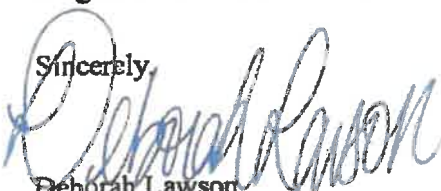
EXHIBIT # 1

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statue 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

City of Crestview

Code Compliance Officer

850.306.3702/850.612.9714

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 65 (f), (h), (n), (q)**(f) Windows:**

- (1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.
- (2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or barding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

(h) Exterior doors: Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes. And exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust.

Corrective Action Required: Obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees. Repair or replace the windows, exterior doors, roofs, and overhang extensions. Or obtain a demolition permit and demolish the unsafe structure. Remove all demolition debris from the property.

Track Another Package +

Remove X

Tracking Number: 70113500000091334221

Your item was picked up at the post office at 9:38 am on May 10, 2022 in CRESTVIEW, FL 32539.

USPS Tracking Plus® Available ✓

✓ Delivered, Individual Picked Up at Post Office

May 10, 2022 at 9:38 am
CRESTVIEW, FL 32539

Feedback

70113500000091334221

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.58	
Certified Fee	\$ 3.75	
Return Receipt Fee (Endorsement Required)	\$ 3.05	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 7.38	

RECEIVED BY: KENNETH J SILVER

Address: 497 S WILSON ST

City, State, ZIP: CRESTVIEW, FL 32536

See Less ^

EXHIBIT # 1

Can't find what you're looking for?

**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536**

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 22-346

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 9th day of June 2022, I personally posted said Notice of Hearing at: 311 Oakdale Avenue, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson
Affiant's Signature

6/9/2022
Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 9th day of June 2022.

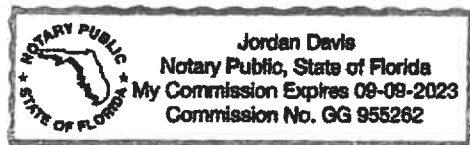
(SEAL)

NOTARY PUBLIC:

Jordan Davis

MY COMMISSION EXPIRES:

9-9-23



BUILDING OFFICIAL STRUCTURAL DETERMINATION

3/23/22

DATE

22-346 301 W Oakdale

ADDRESS-LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

Unsafe Structure

CORRECTIVE ACTION(S) REQUIRED

Engineered drawings required for roof system replacement and building permit

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

or Demo Structure

☐ (a) FOUNDATION

☐ (b) WOOD SUPPORTS

☐ (c) METAL SUPPORTS

☐ (d) SKIRTING

☐ (e) EXTERIOR WALLS

☒ (f) WINDOWS

☐ (g) SHUTTERS

☒ (h) EXTERIOR DOORS

☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS

☐ (j) EXTERIOR SURFACE TREATMENT

☐ (k) STRUCTURAL SUPPORTS

☐ (l) PORCHES AND BALCONIES

☐ (m) STAIRS

☒ (n) ROOFS

☐ (o) GUTTERS AND DOWNSPOUTS

☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS

☒ (q) OVERHANG EXTENSIONS

☐ (r) INSECT SCREENS

☐ (s) ACCESSORY STRUCTURES

☐ (t) SWIMMING POOLS

☐ (u) RODENT HARBORAGE

☐ (v) EXTERIOR LIGHTING

☐ (w) FENCES AND WALLS

COMMENTS:

Structure has Block walls and could be used with a new roof system. Roof system will be required to be engineered and meet the design criteria for this area in accordance with FBC.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 1A



EXHIBIT# 1A



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**
198 Wilson Street North
Crestview, FL 32536



Inst. #3559937 Bk: 3629 Pg: 2153
Page 1 of 4 Recorded: 6/24/2022 4:27 PM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,

Petitioner,

DEPUTY CLERK APRESTWOOD
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

vs.

CASE# 22-346

Kenneth J Siler
497 S Wilson Street
Crestview, FL 32536

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on June 21, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenneth J Siler, whose last known mailing address is 497 S Wilson Street, is the owner of the property located at, 311 Oakdale Avenue, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0001-007B, and more particularly described as: CRESTVIEW N1/2 OF LOT 7 BLK 1
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on January 5, 2022. A Notice of Violation was mailed by certified mail on March 23, 2022, and received by respondent on March 25, 2022. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (h), (n), (q). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by April 8,

2022. Re inspection of the property on March 29, 2022, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (h), (n), (q). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before September 20, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.

9. On or before September 20, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
- a. Obtain a structural engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable applications, documents and pay associated fees.
 - b. Obtain the necessary permits for the windows, exterior doors, roof, and overhang extensions.
10. If the violation(s) are not corrected by September 20, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 22nd day of June 2022.

Samuel B. Taylor

Digitally signed by
Samuel B. Taylor
Date: 2022.06.24
08:54:59 -05'00'

Special Magistrate
City of Crestview, Florida

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien

against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3593597 Bk: 3653 Pg: 775
Page 1 of 4 Recorded: 12/1/2022 11:52 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-346

Kenneth J Siler
497 S Wilson Street
Crestview, FL 32536

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on June 21, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Kenneth J Siler, whose last known mailing address is 497 S Wilson Street, is the owner of the property located at, 311 Oakdale Avenue, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0001-007B, and more particularly described as: CRESTVIEW N1/2 OF LOT 7 BLK 1
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on January 5, 2022. A Notice of Violation was mailed by certified mail on March 23, 2022, and received by respondent on March 25, 2022. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (h), (n), (q). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by April 8,

2022. Re inspection of the property on March 29, 2022, confirmed that violation(s) continue to exist on the property.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (h), (n), (q). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

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11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 22nd day of June 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.06.24
08:54:59 -05'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**

BY: Maryanne Schneider MMC
City Clerk
DATE: 12-1-2022



RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien

against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.

Owner of Record: Leonard Adib Lee 320 Forrest Pkwy

Origination Date: 11/1/2021

Origination Code: Building Dept Referral

Violations: Chapter 38 Section 18: (b) - Trash, debris, junk (i) - Vehicle/machinery parts

(j) - Inoperable vehicles (k) - Vegetation

Chapter 38 Section 65 : (e) – Exterior walls (f) – Windows (h) – Exterior Doors
(j) – Exterior Surface Treatment (k) – Structural Supports (l) – Porches and Balconies
(n) – Roofs (q) – Overhang Extensions (v) – Exterior Lighting

Corrective Action Required: Remove all vegetation exceeding twelve inches.

Remove all inoperable vehicles from property or bring them into an operable state.

Remove all junk, debris, buckets, containers, and trash from property.

Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property or obtain a licensed engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.

Engineer drawings and permits required by Building Official Ronnie Raybon.

Notice Sent: 11/3/21

Signed: 11/4/21

Compliance Date: 11/16/21

Inspected: 11/16/21

Results: In Violation

Notice Sent: 11/17/21

Signed: Returned to Sender

Compliance Date: 12/1/21

Inspected: 12/1/21

Results: In Violation

Public Hearing Notice Sent: 12/2/21

Signed 12/4/21

Property and City Hall posted on 1/6/22

Hearing Date: 1/18/22

Property remains in violation.

Order Recorded: 1/19/22

Re-Recorded with Wet Stamp 12/13/2022

Hearing fee: \$250

Due by 2/18/22

Daily fine: \$250

Starting 2/18/22

Fines: \$88,500

as of February 9, 2023 (not including interest)

Property Value: \$24,696

Related Properties:

32 S Booker Street 17-3N-23-2490-0076-0160 Leonard Lee

Case# 21-1038 Hearing Date: 10/19/2021 Fines: \$111,750

Violations: Property Exterior, Solid Waste, Trash/Debris, Unsightly Conditions, Structural Supports, Accessory Structures, Fences & Walls, Overhang/Awning, Roof, Windows, Vermin/Rats/Pests

Vacant Lot Cobb St 17-3N-23-2490-0130-0050 Leonard Lee

Case# 22-1146 In Compliance 8/30/2022

Case # 22-52 Hearing Date: February 15, 2022 Fines: \$83,250

Violations: Trash/Debris

490 MLK Ave 17-3N-23-2490-0077-0100 Heirs of Leonard C Lee

Case # 19-814 Hearing Date: November 17, 2020 Fines: \$166,000

Violation: Criteria to Demolish

22-120
595 Benjamin
January 18, 2022
Exhibit 2

BUILDING OFFICIAL STRUCTURAL DETERMINATION

11/1/21
DATE

595
21-1515 598 Benjamin

ADDRESS-LOCATION OF VIOLATION

Unsafe structure
NATURE OF VIOLATION(S) OBSERVED

Provide engineer drawings and permit or Remove from property
CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☐ (a) FOUNDATION
- ☐ (b) WOOD SUPPORTS
- ☐ (c) METAL SUPPORTS
- ☐ (d) SKIRTING
- ☒ (e) EXTERIOR WALLS
- ☒ (f) WINDOWS
- ☐ (g) SHUTTERS
- ☒ (h) EXTERIOR DOORS
- ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS
- ☒ (j) EXTERIOR SURFACE TREATMENT
- ☒ (k) STRUCTURAL SUPPORTS
- ☒ (l) PORCHES AND BALCONIES

- ☐ (m) STAIRS
- ☒ (n) ROOFS
- ☐ (o) GUTTERS AND DOWNSPOUTS
- ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS
- ☒ (q) OVERHANG EXTENSIONS
- ☐ (r) INSECT SCREENS
- ☐ (s) ACCESSORY STRUCTURES
- ☐ (t) SWIMMING POOLS
- ☐ (u) RODENT HARBORAGE
- ☒ (v) EXTERIOR LIGHTING
- ☐ (w) FENCES AND WALLS

COMMENTS: This structure is unsafe. Electrical and structural issues exist on structure. Windows, doors, siding, roofing all needs to be repaired. Tarp is laid over a portion of structure. Structure is open to the elements and is unsafe.


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

DATE 11/1/21

EXHIBIT # 2

Photos taken on November 1, 2021 by Building Official Ronnie Raybon

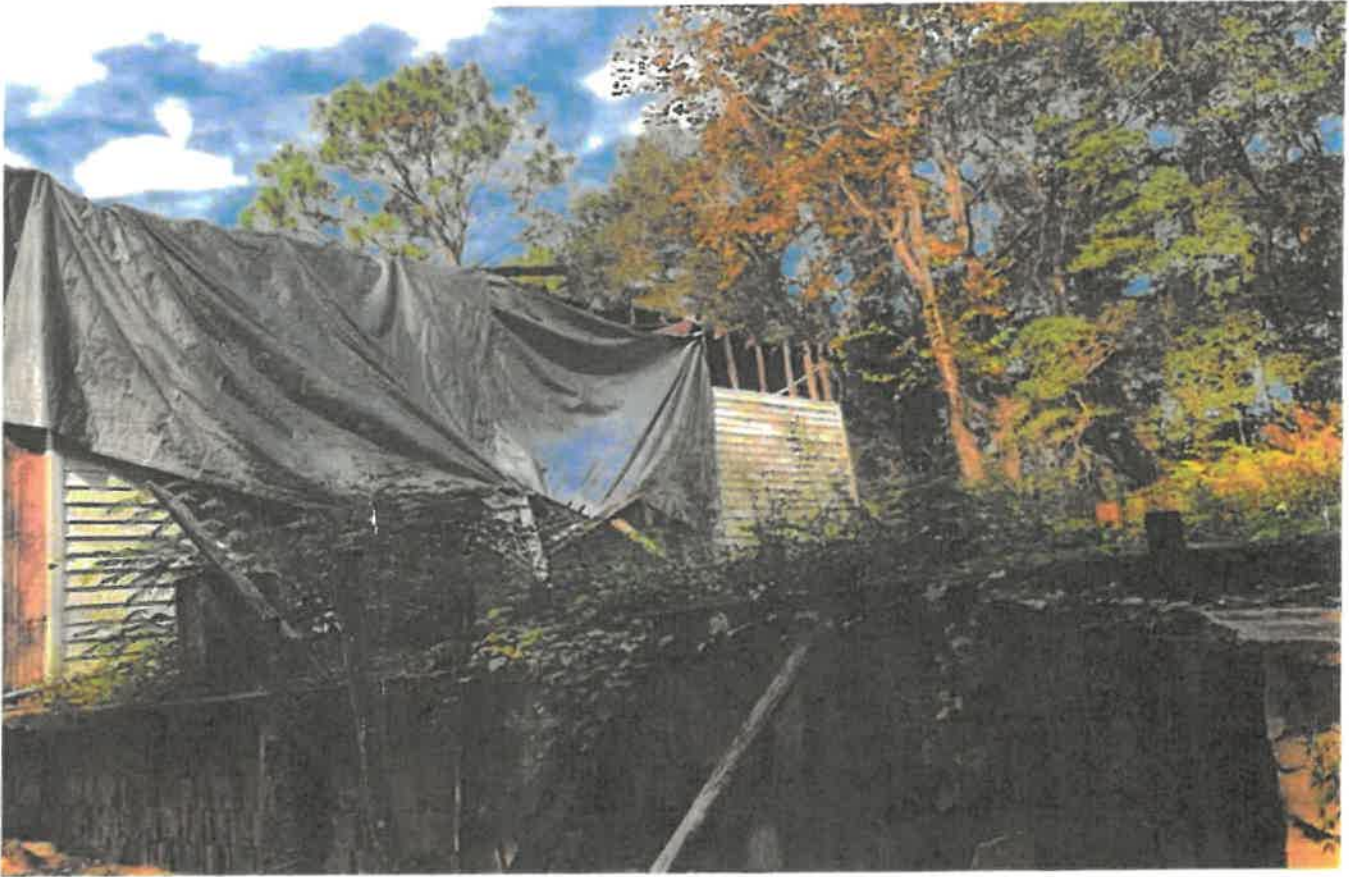


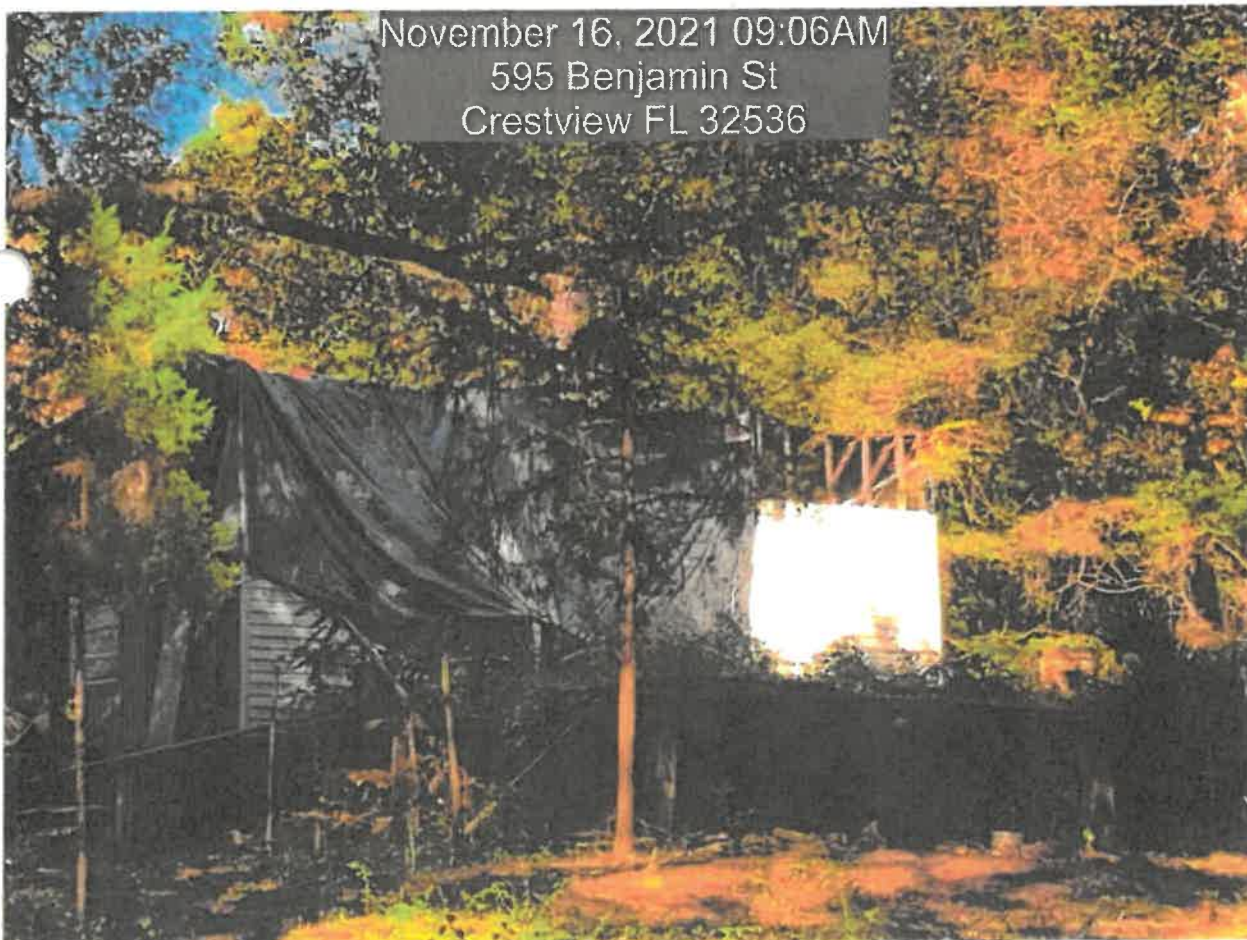
EXHIBIT # 2



EXHIBIT # 2



EXHIBIT # 2



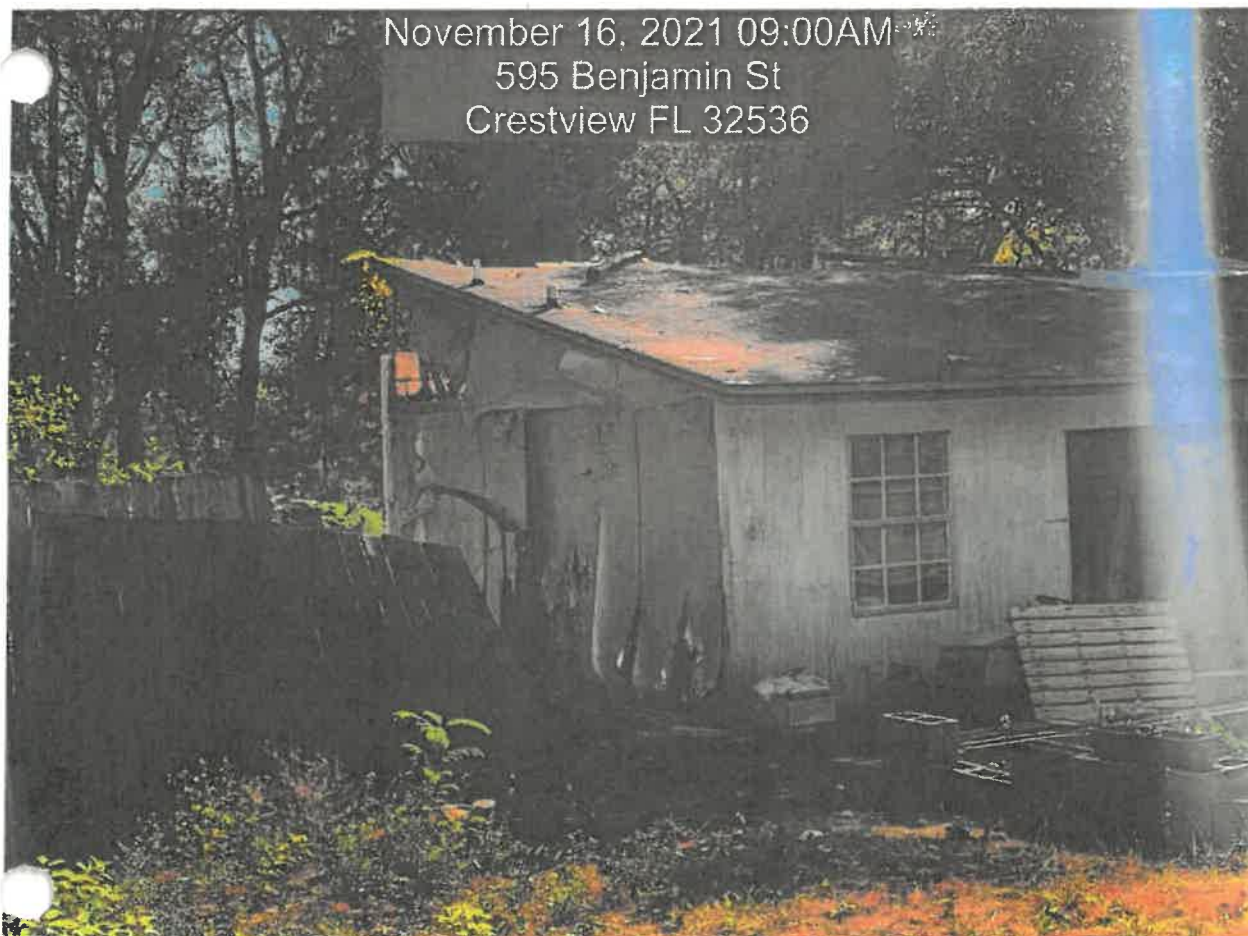
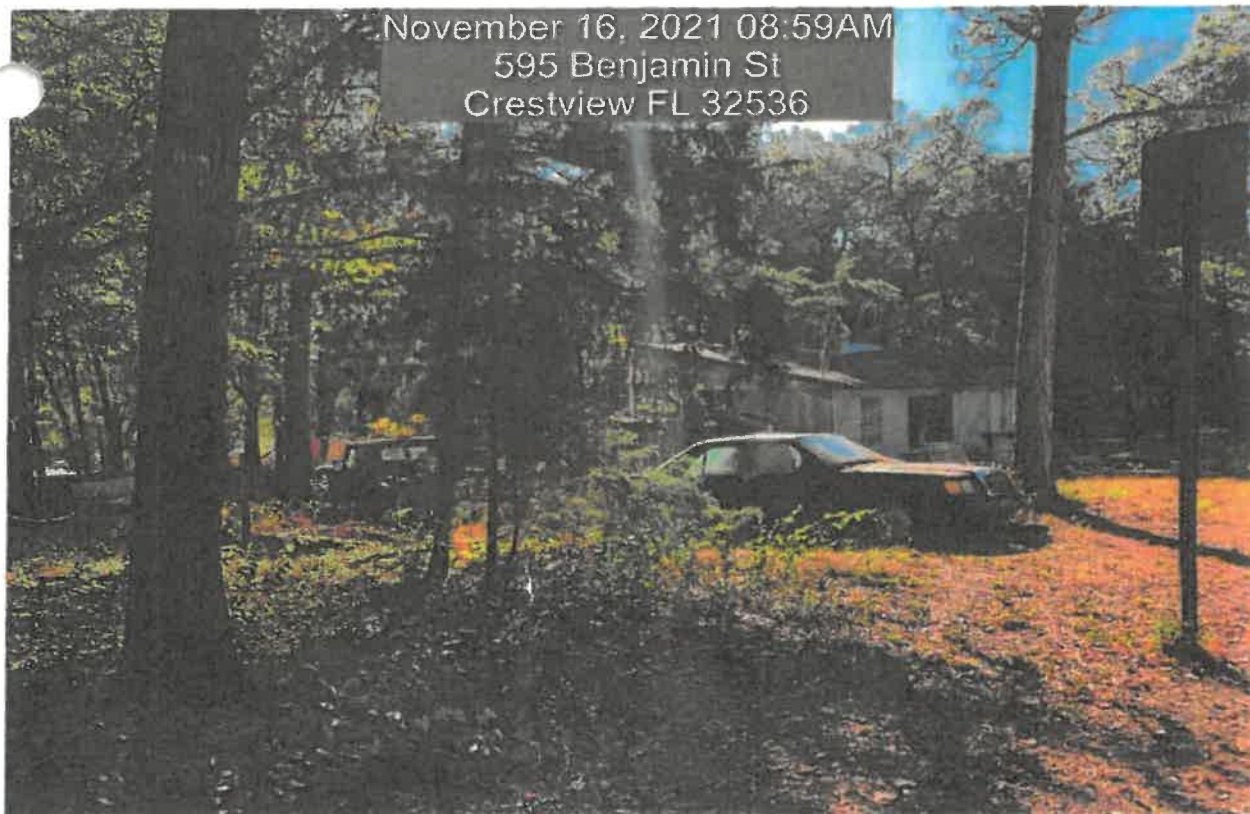
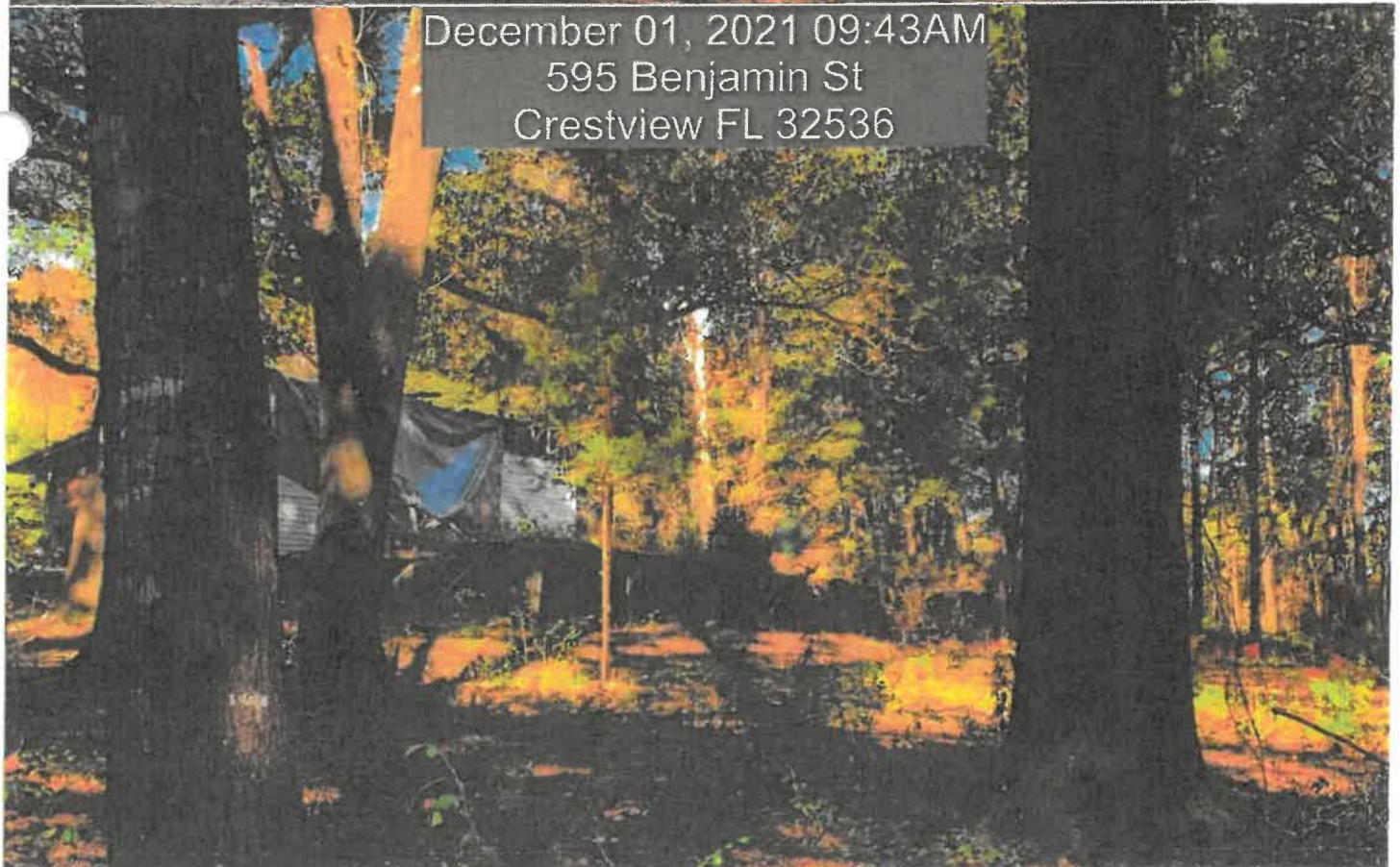
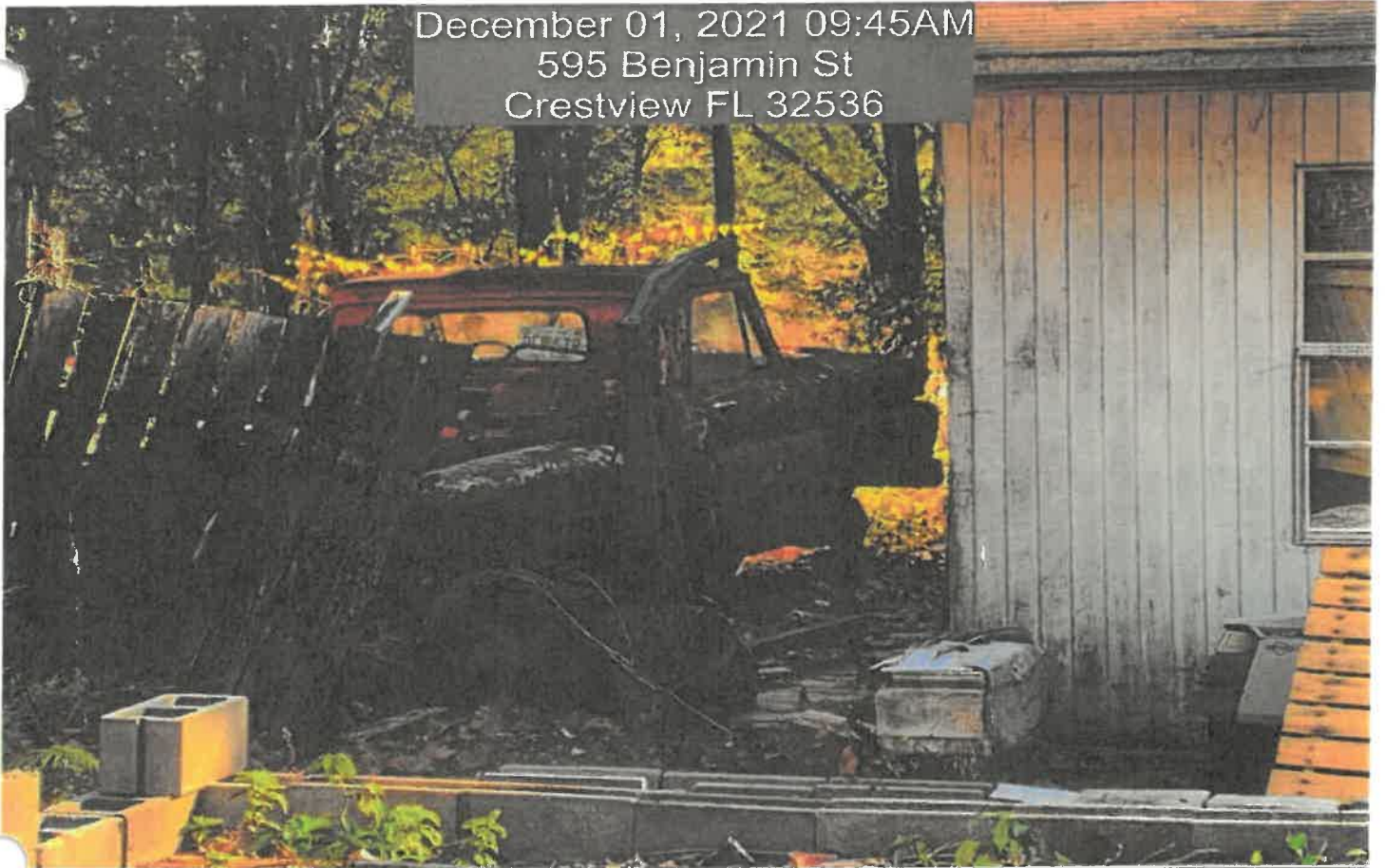


EXHIBIT # 2



December 01, 2021 09:45AM
595 Benjamin St
Crestview FL 32536



December 01, 2021 09:46AM
595 Benjamin St
Crestview FL 32536

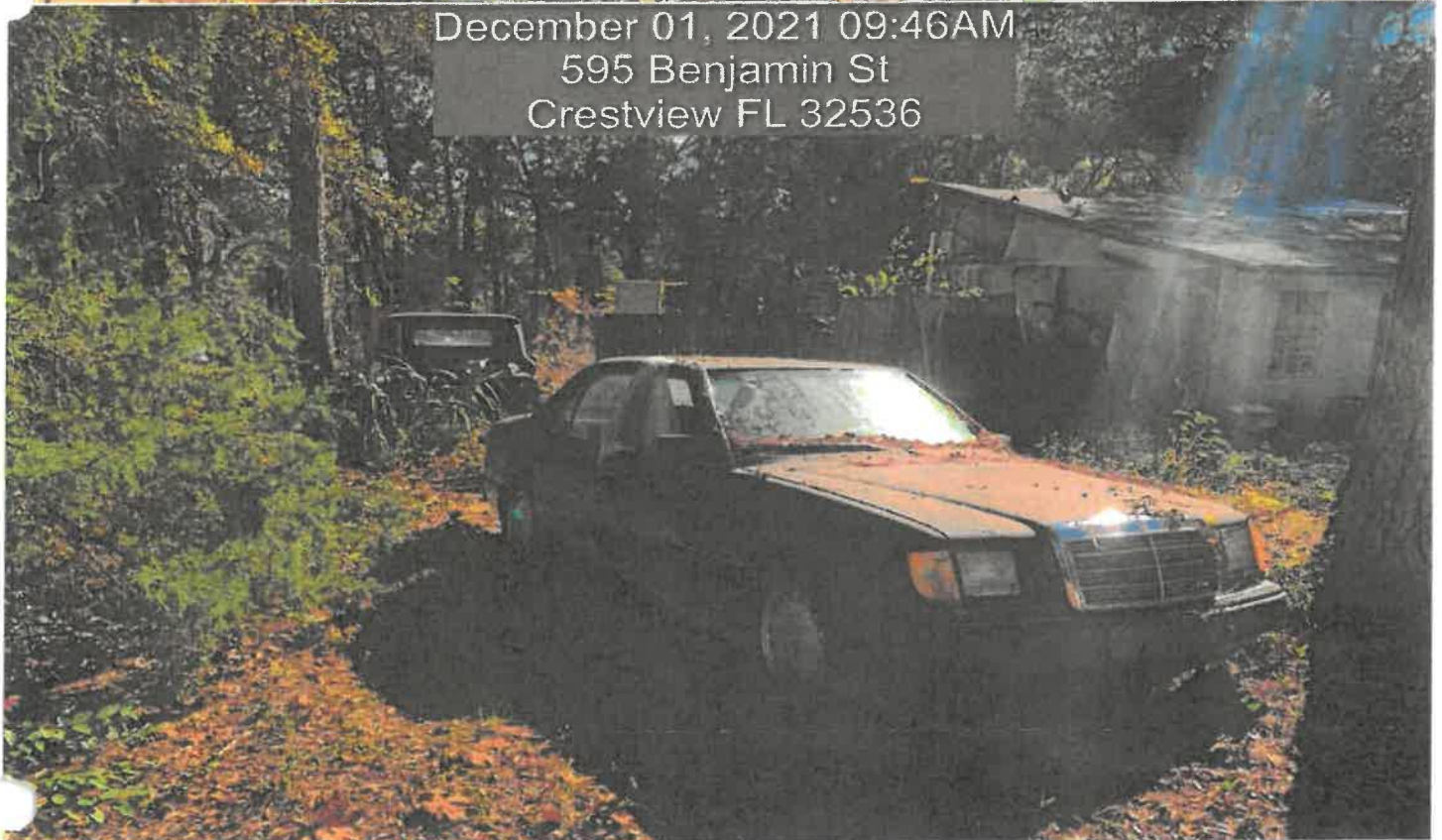
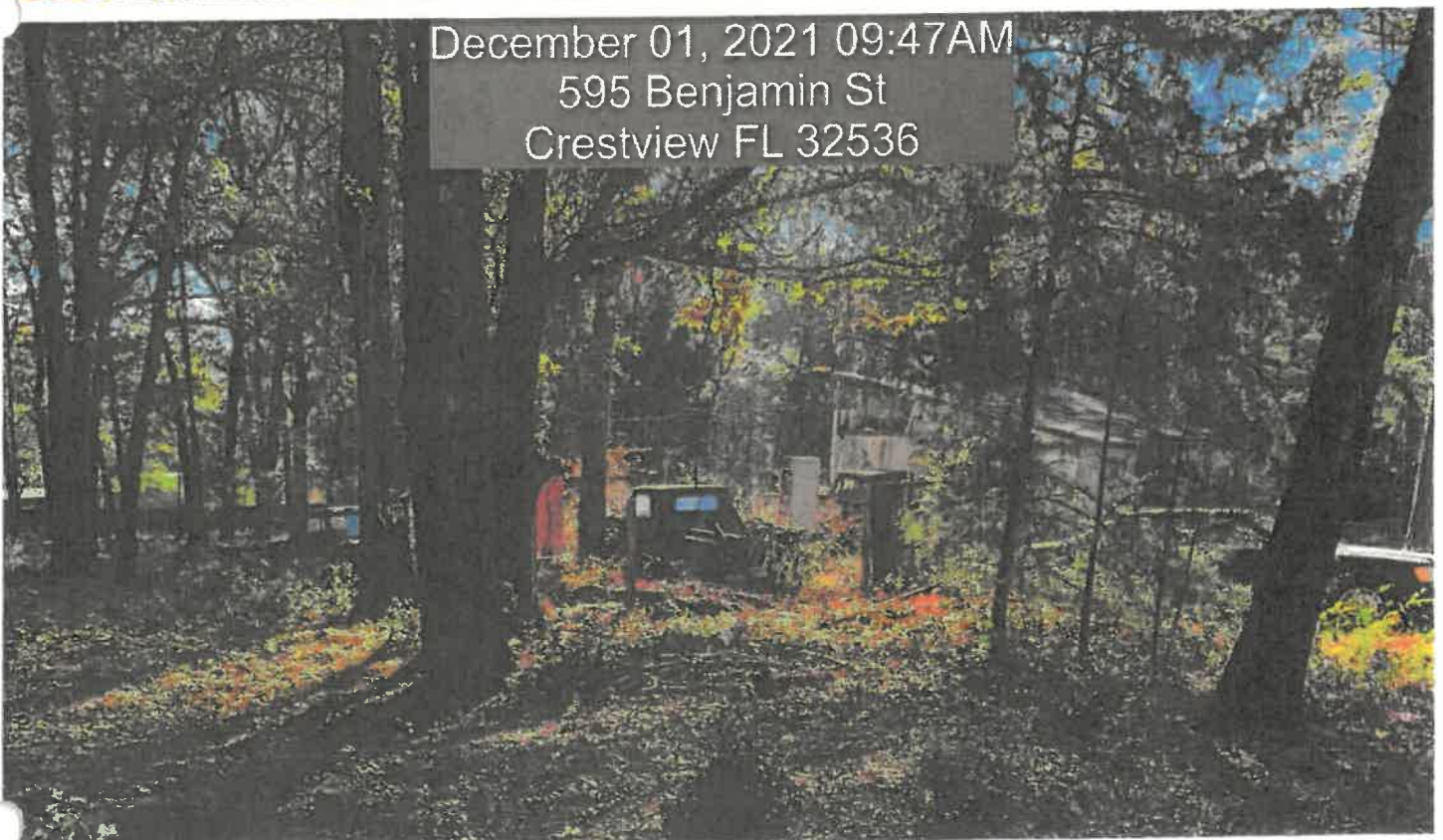
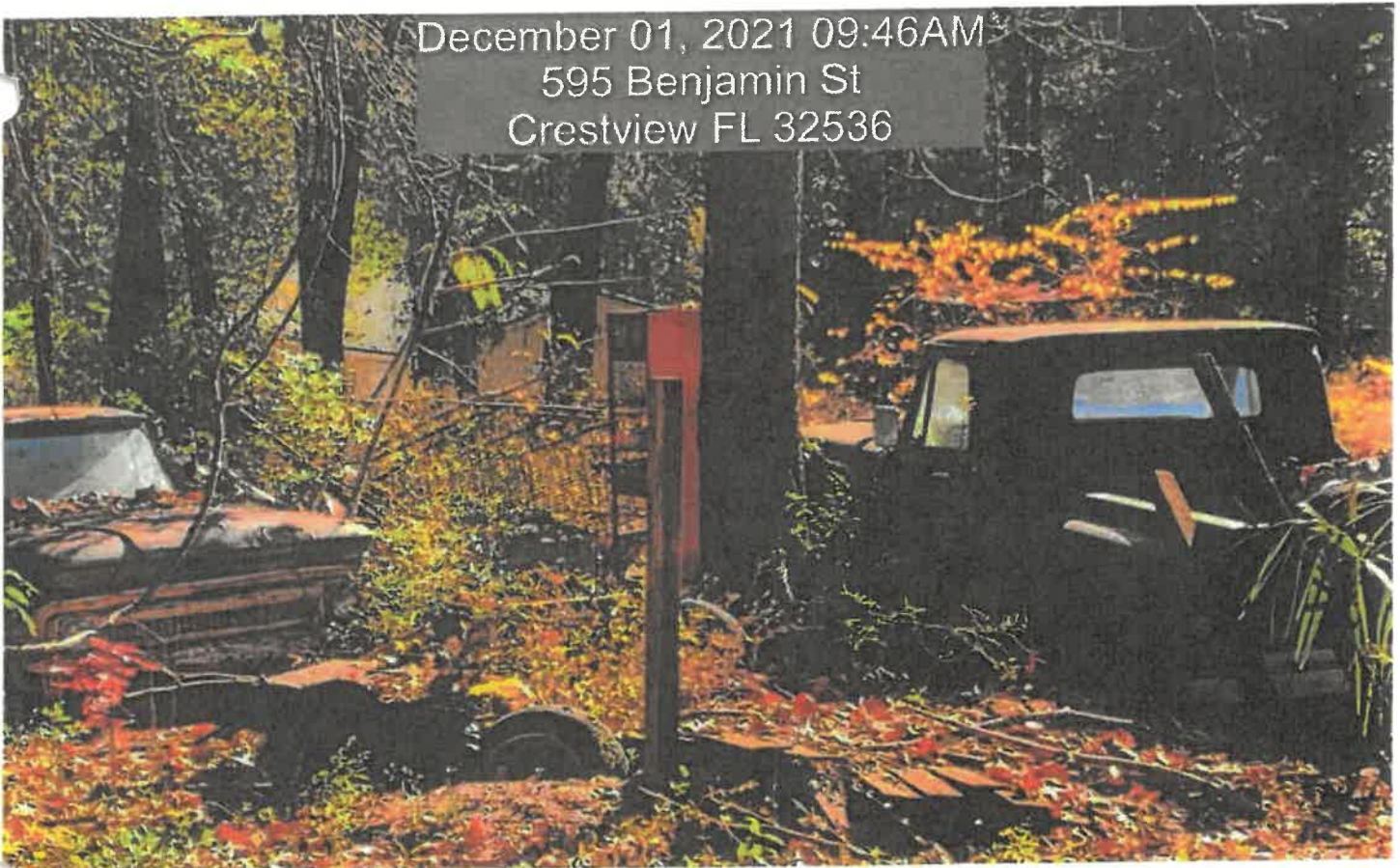


EXHIBIT # 2



End: Notice of Violation

January 06, 2022 02:35PM
198 N Wilson St
Crestview FL 32536



CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896



NOTICE OF PUBLIC HEARING

DATE: November 16, 2021

Leonard Adib Leo
320 Forrest Pkwy
Crestview, FL 32539-8586

RE: CASE# 22-120

Dear Property Owner:

You are hereby formally notified that on **January 18, 2022, at 5:30 P.M.**, there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 595 Benjamin St., Crestview, FL 32536 more particularly described as:

FIN# 20-3N-23-0000-0117-0010 LEGAL DESCRIPTION: BEG SW COR OF SE1/4 OF NW1/4 N 208.75' PRE 208.75' FT 208.75' FT W/ 208.75' FT TO BEG-1126-82

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

End: Notice of Violation

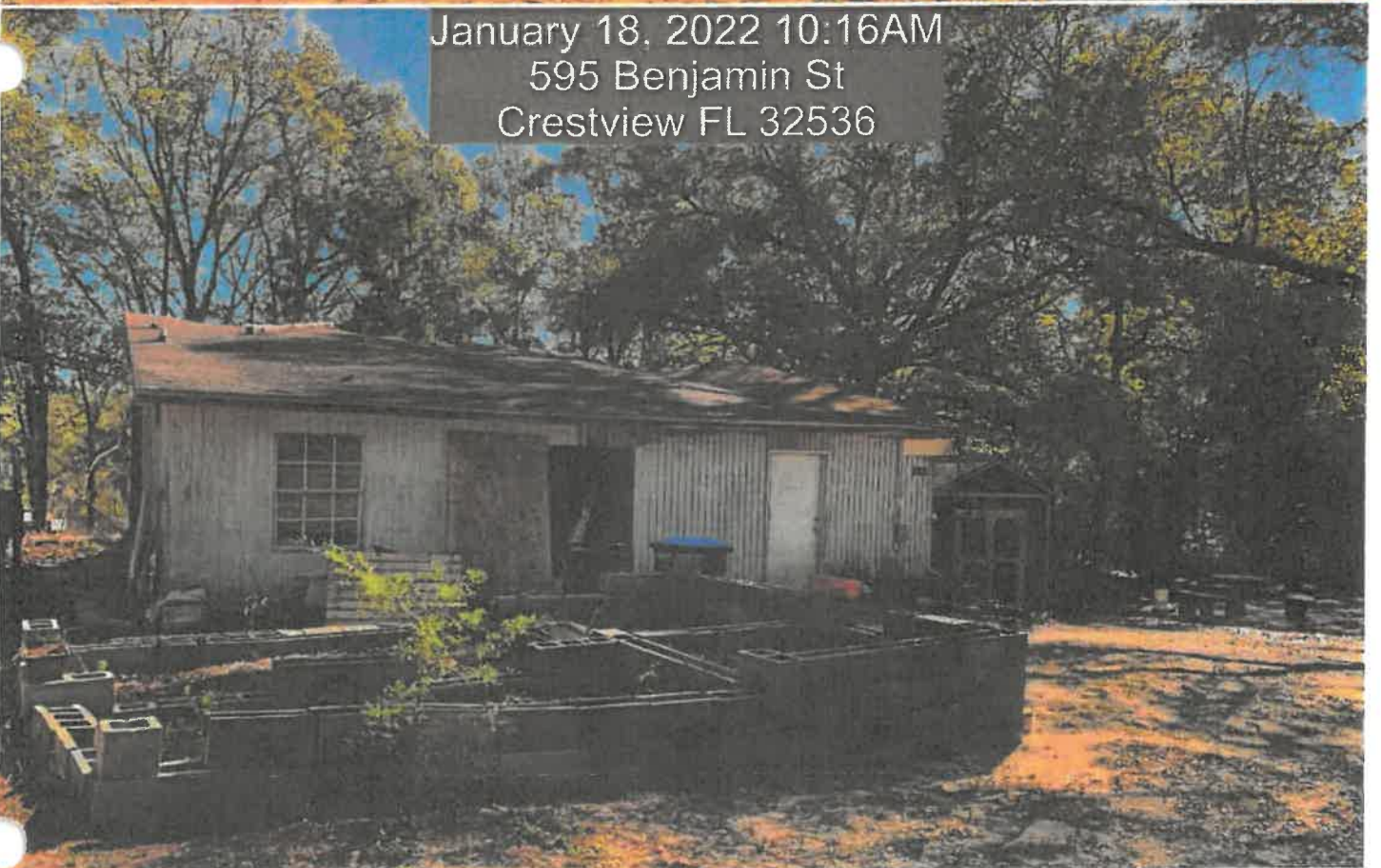
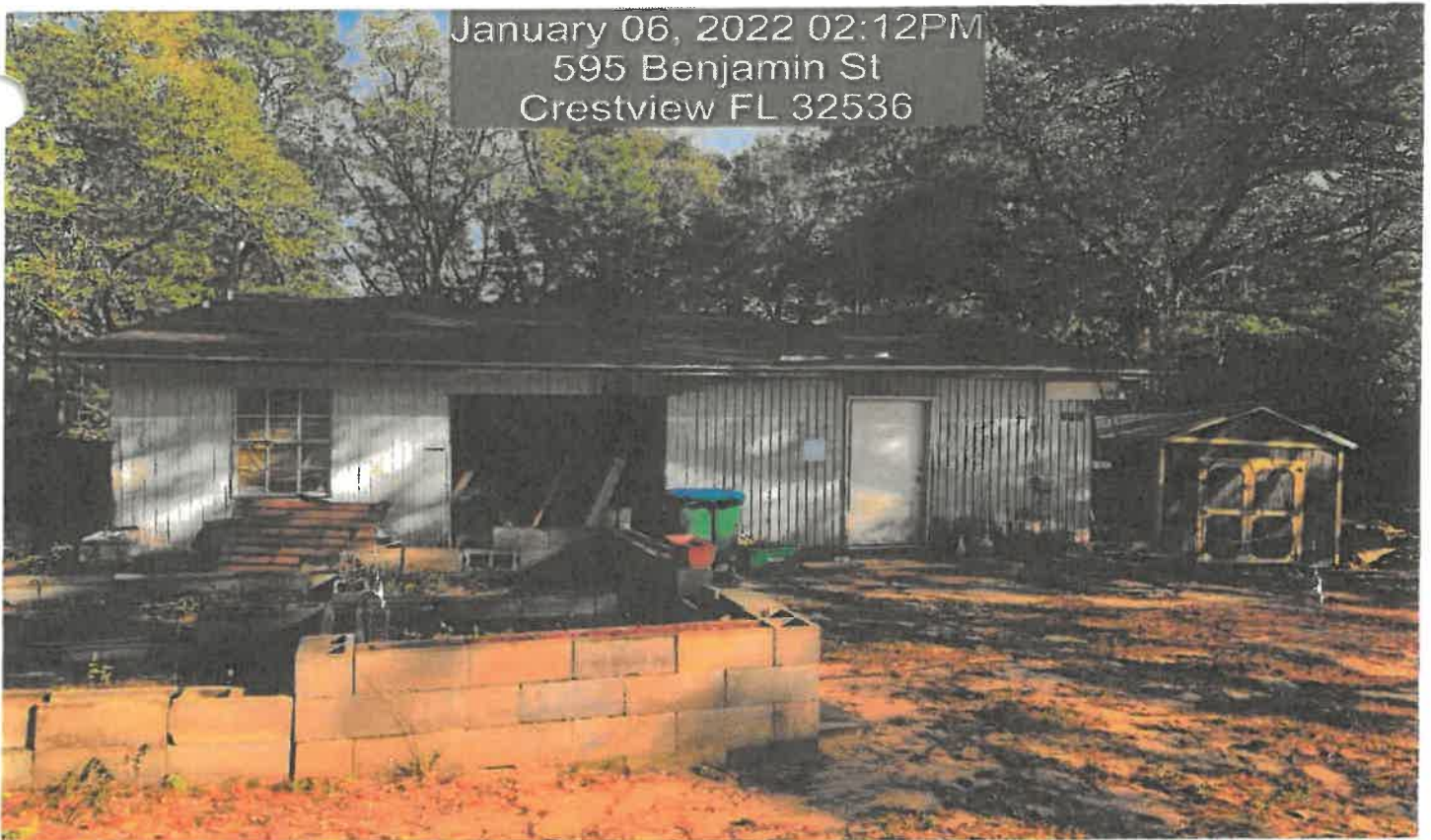


EXHIBIT # 2

January 18, 2022 10:16AM
595 Benjamin St
Crestview FL 32536

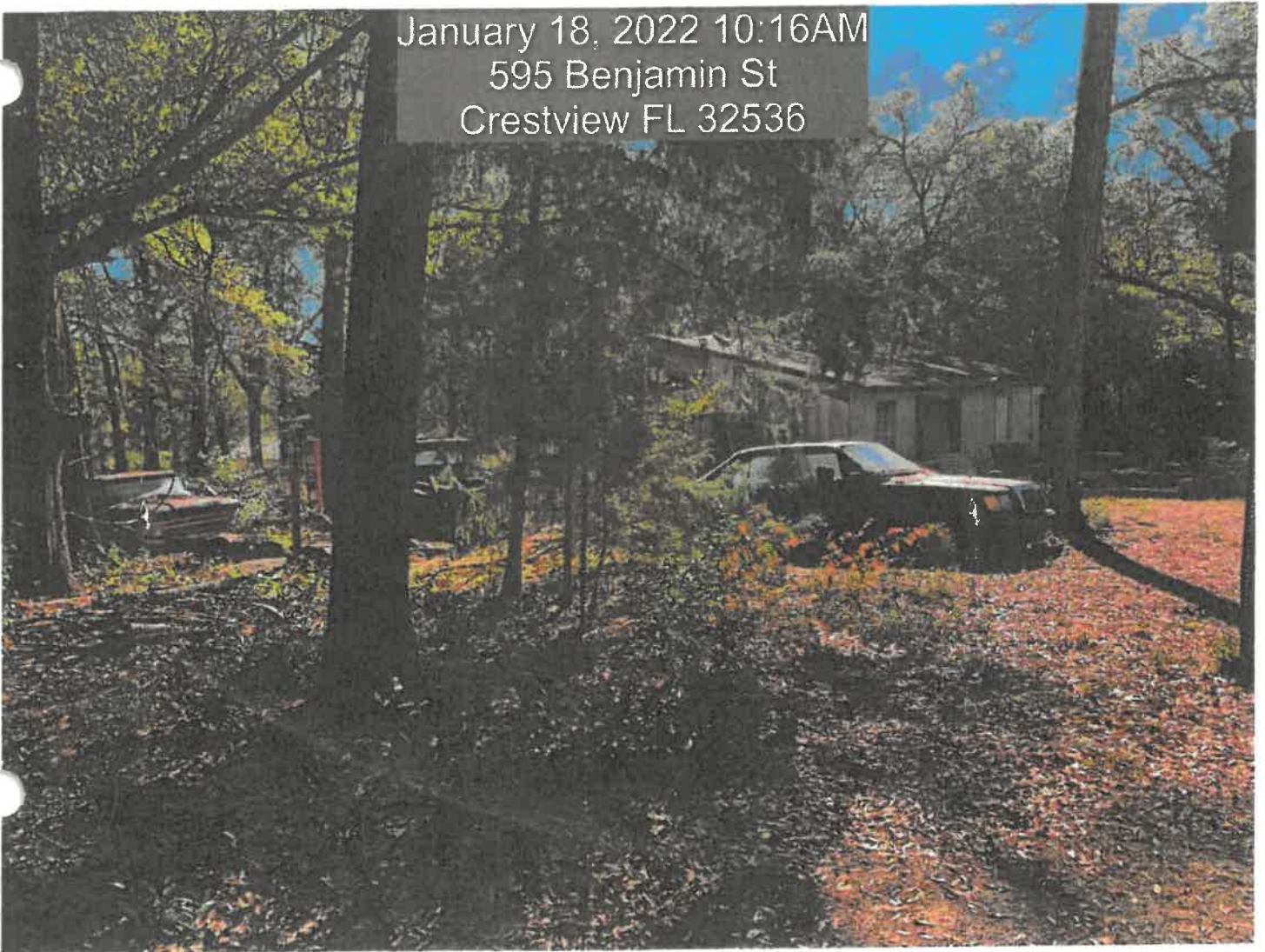


EXHIBIT # 2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536
Phone (850) 683-0896

Date: November 2, 2021

Case #: 22-00000120

LEONARD ADIB LEE
320 FORREST PARKWAY
CRESTVIEW, FL 32539

Dear Property Owner,

This Civil Violation Notice is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 595 BENJAMIN ST

Tax Identification Number: 20-3N-23-0000-0117-0010

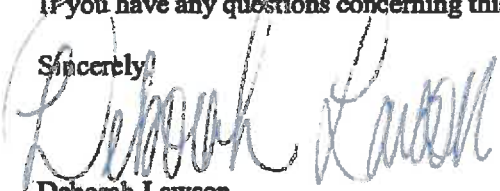
Legal: BEG SW COR OF SE1/4 OF NW1/4 N, 208.75 FT E 208.75 FT, 208.75 FT W 208.75 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by November 16, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,


Deborah Lawson

Code Compliance Officer

850.306.3702/850.612.9714

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :
Nuisance Conditions - 38 - 18 (b)

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :
38.65 - Standards for Improved Property.

(o) Gutters and downspouts: Gutters and downspouts shall be maintained in good repair, and securely installed. Water run-off shall be contained on the property and shall not run-off onto adjacent properties.

(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

CORRECTIVE ACTION REQUIRED :

CONTINUED

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the gutter, downspout, chimney-flue, vent attachment, or overhang extension.

For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product. Please call Elizabeth Roy @ 850-682-1560, for information pertaining to the Downtown Overlay District.

VIOLATION: CH 38 SEC 65 DOORS/FRONTS QUANTITY: 1
DESCRIPTION: EXTERIOR DOORS/STOREFRONTS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(h) Exterior doors: Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

(i) Exterior doorframes and storefronts: Exterior doorframes and storefronts shall be maintained in good condition. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the exterior door, garage door, the exterior doorframes or storefront. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

VIOLATION: CH 38 SEC 65 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

- (v) Exterior lighting: All outdoor lighting shall comply with the following:
- (1) Non-vehicular light sources that shine into the eyes of drivers of vehicles or pedestrians which could impair safe traverse are prohibited.
 - (2) All lighting shall be shielded and aimed at the owner's premises, or sidewalk and street abutting the premises.
 - (3) Lighting shall be in safe working order, in compliance with the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation , a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a permit to repair the exterior lighting.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 POR-BAL-STA QUANTITY: 1
DESCRIPTION: PORCHES-BALCONIES-STAIRS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(1) Porches and balconies: All exterior porches, balconies, stairs, and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs, and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

(m) Stairs: All stairs shall be maintained safe and free from tripping hazards. Treads shall be sound, without broken or chipped edges. Wooden stairs shall be free from decay or substantial wear that could cause a tripping hazard or have

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a building permit, prior to commencing repairs.

Please Contact the Permitting Department @ 850-689-1618 EXT. 254 OR 261.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

- (b) Wood supports shall be sound and free from insect infestation and rot.
- (c) Metal supports and connections shall be free from rust and the equivalent of new supports.
- (k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a building permit to replace the wood or metal supports that are rusty or rotten.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof. Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 65 EXT. SURFACE QUANTITY: 1
DESCRIPTION: EXTERIOR SURFACE DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(e) Exterior walls: Exterior walls of buildings shall be:
(1) Maintained free from holes, breaks, and loose or rotting materials: and maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

(j) Exterior surface treatment: All exterior surfaces,

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences, and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(k) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair or paint the exterior walls of the building that contains any of the following.

- (1) Holes, breaks, and loose or rotting materials.
- (2) Repair or replace any decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features.
- (3) Remove, repaint, any graffiti on the building to match existing surfaces.
- (4) Repair, replace or repaint, the exterior surface of the building, to include, doors, window frames, cornices, porches, decks, trim, balconies, fences, and docks. All stairs shall be maintained safe and free from tripping hazards.
- (5) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

EXHIBIT # 2

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70143490000041566758

Remove X

Your item was delivered to an individual at the address at 3:42 pm on November 4, 2021 in CRESTVIEW, FL 32539.

☒ **Delivered, Left with Individual**

November 4, 2021 at 3:42 pm
CRESTVIEW, FL 32539

Feedback

7014 3490 0000 4156 6758

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For delivery information, visit our website at www.usps.com ®	
OFFICIAL USE	
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Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
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Total Postage & Fees	\$ 4.33

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Postmark Here
NOV 03 2021

LEONARD ADIB
Street & Apt. No. 320 FOREST
or PO Box No. 120
CRESTVIEW, FL 32539

PS Form 3800, July 2014 See Reverse for Instructions

_____ ✓

_____ ✓

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Can't find what you're looking for?

EXHIBIT # 2

Go to our FAQs section to find answers to your tracking questions.



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: November 17, 2021

Case #: 22-00000120

LEONARD ADIB LEE
320 FORREST PARKWAY
CRESTVIEW, FL 32539

Dear Property Owner,

This letter is being sent to advise you that a parcel of property belonging to you, which is in the City of Crestview, is currently in violation of City Codes. The following information is provided to you concerning these violations:

Location of Violation: 595 BENJAMIN ST

Tax Identification Number: 20-3N-23-0000-0117-0010

Legal: BEG SW COR OF SE1/4 OF NW1/4 N, 208.75 FT E 208.75 FT, 208.75 FT W 208.75 FT

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by December 01, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

The Special Magistrate has the authority to impose fines of up to \$250.00 per day for the first offense and \$500.00 per day for repeat offenses and other penalties as a measure to enforce the codes and ordinances of the City of Crestview in cases where violations continue to exist.

If you have any questions concerning this matter, you may call me at (850) 683-0896.

Sincerely,

Code Compliance Officer

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (b)

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(o) Gutters and downspouts: Gutters and downspouts shall be maintained in good repair, and securely installed. Water run-off shall be contained on the property and shall not run-off onto adjacent properties.

(p) Chimneys, flues, and vent attachments: Chimneys, flues, and vent attachments shall be maintained in a structurally sound manner, free from defects to capably perform the functions for which they were designed.

(q) Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

CORRECTIVE ACTION REQUIRED :

CONTINUED

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the gutter, downspout, chimney-flue, vent attachment, or overhang extension.

For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product. Please call Elizabeth Roy @ 850-682-1560, for information pertaining to the Downtown Overlay District.

VIOLATION: CH 38 SEC 65 DOORS/FRONTS QUANTITY: 1
DESCRIPTION: EXTERIOR DOORS/STOREFRONTS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(h) Exterior doors: Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

(i) Exterior doorframes and storefronts: Exterior doorframes and storefronts shall be maintained in good condition. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace, the exterior door, garage door, the exterior doorframes or storefront. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

VIOLATION: CH 38 SEC 65 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(v) Exterior lighting: All outdoor lighting shall comply with the following:

(1) Non-vehicular light sources that shine into the eyes of drivers of vehicles or pedestrians which could impair safe traverse are prohibited.

(2) All lighting shall be shielded and aimed at the owner's premises, or sidewalk and street abutting the premises.

(3) Lighting shall be in safe working order, in compliance with the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a permit to repair the exterior lighting.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 POR-BAL-STA QUANTITY: 1
DESCRIPTION: PORCHES-BALCONIES-STAIRS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(l) Porches and balconies: All exterior porches, balconies, stairs, and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs, and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

(m) Stairs: All stairs shall be maintained safe and free from tripping hazards. Treads shall be sound, without broken or chipped edges. Wooden stairs shall be free from decay or substantial wear that could cause a tripping hazard or have

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a building permit, prior to commencing repairs.

Please Contact the Permitting Department @ 850-689-1618 EXT. 254 OR 261.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

CORRECTIVE ACTION REQUIRED :

38.64 - GENERAL PROVISIONS.

(g) Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261.

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

- (b) Wood supports shall be sound and free from insect infestation and rot.
- (c) Metal supports and connections shall be free from rust and the equivalent of new supports.
- (k) Structural supports: Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Obtain a building permit to replace the wood or metal supports that are rusty or rotten.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(f) Windows:

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

(r) Insect screens: All windows and other outside openings required for ventilation of food preparation areas, food service areas, or any areas where products utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per twenty-five (25) mm. Every swinging door shall have a self-closing device in good working condition.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair, or replace the window, or window screen, so it is weather-tight and rodent-proof. Enclose the window by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as a hurricane or tornado, the City Manager may extend the time as needed.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261, for further information.

VIOLATION: CH 38 SEC 65 EXT. SURFACE QUANTITY: 1
DESCRIPTION: EXTERIOR SURFACE DATE: 11/02/21
LOCATION:

ORDINANCE DESCRIPTION :

38.65 - Standards for Improved Property.

(e) Exterior walls: Exterior walls of buildings shall be:
(1) Maintained free from holes, breaks, and loose or rotting materials: and maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

(j) Exterior surface treatment: All exterior surfaces,

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences, and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(k) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

Building Permits: Prior to commencing work to correct a violation as described below, a building permit, or approval from the Building Official is required. Failure to obtain a building permit is punishable by Florida Statute 553.

You may abate the violation(s) by conducting the following action(s).

Repair or paint the exterior walls of the building that contains any of the following.

- (1) Holes, breaks, and loose or rotting materials.
- (2) Repair or replace any decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features.
- (3) Remove, repaint, any graffiti on the building to match existing surfaces.
- (4) Repair, replace or repaint, the exterior surface of the building, to include, doors, window frames, cornices, porches, decks, trim, balconies, fences, and docks. All stairs shall be maintained safe and free from tripping hazards.
- (5) Repair, replace or repaint the exterior porch, balcony, stairs, fire escape, banisters or railings. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 11/17/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18.

EXHIBIT # 2

CASE NUMBER 22-00000120
PROPERTY ADDRESS 595 BENJAMIN ST

ORDINANCE DESCRIPTION :

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

CORRECTIVE ACTION REQUIRED :

You may abate the violation(s) by the following action(s).

1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, building materials, machinery, boats, or part thereof, trailers or any similar material from the property.
2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 11/17/21
LOCATION:

ORDINANCE DESCRIPTION :

Nuisance Conditions - 38 - 18 (k) Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

CORRECTIVE ACTION REQUIRED :

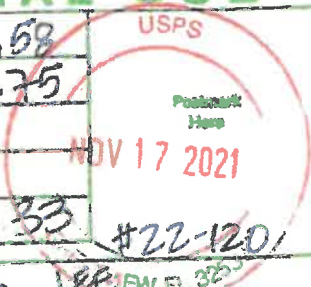
You may abate the violation by removing the vegetation, or weeds from the property.

EXHIBIT # 2

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OFFICIAL USE

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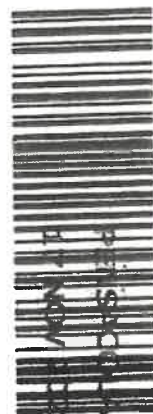
Sent to: **LEONARD ADIB LEE** NEW, FL 32536
 Street & Apt. No., or PO Box No. **320 FOREST PARKWAY**
CRESTVIEW, FL 32539
PS Form 3800, July 2013

TL89 95th 0000 06he 4T02



City of Crestview
 City Hall
 198 North Wilson Street
 Crestview, FL 32536

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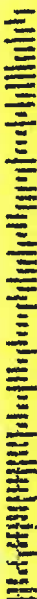
11/17/2021
 US POSTAGE **\$004.28**

Leonard Adib Lee
 320 Forest Parkway
 Crestview, FL
 32539

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 UNABLE TO FORWARD

RC: 32536343698 *2638-01052-17-43



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EXHIBIT # 2



**CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE DIVISION
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: November 16, 2021

**Leonard Adib Lee
320 Forrest Pkwy
Crestview, FL 32539-8586**

RE: CASE# 22-120

Dear Property Owner:

You are hereby formally notified that on January 18, 2022, at 5:30 P.M., there will be a Public Hearing at City Hall, located at 198 Wilson Street North, Crestview, Florida 32536 in the Council Chambers. This meeting is being held concerning violations that continue to exist on a parcel of property belonging to you located at 595 Benjamin St., Crestview, FL 32536 more particularly described as:

**PIN# 20-3N-23-0000-0117-0010 LEGAL DESCRIPTION: BEG SW COR OF SE1/4 OF NW1/4 N
208.75 FT E 208.75 FT 208.75 FT W 208.75 FT TO BEG 1126-82**

The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed.

If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the lien authorized under FS 162.09(3).

A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Encl: Notice of Violation

EXHIBIT # 2

You have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate.

If you desire a verbatim transcript of the proceedings for appeal purposes, you should arrange for a court reporter to attend the hearing.

The Crestview Special Magistrate was created pursuant to Florida Statute 162. The purpose of the Special Magistrate is to facilitate the enforcement of local and state laws.

Sincerely,



Deborah Lawson

Code Compliance Officer

850.305.3702/850.612.9714

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 18 (b)

Accumulation or open storage of trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or refuse of any nature.

Corrective Action Required: Remove the trash, debris, garbage, bottles, paper, cans, rags, dead plants, or trees, dead or decayed animal matter, fruit, vegetables, offal, tools, equipment, lawn and garden products, buckets, containers, appliances, household furniture, bricks, concrete, scrap lumber or any other refuse of any nature, from the property.

Code of Ordinance Violated: Chapter 38 Section 18 (i), (j)

(i) Any worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or part thereof, trailers, or other such items.

(j) The storage of any vehicle or boat, or parts thereof, without a valid current license plate or other registration certificate, showing said vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which said vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that said property is worn-out, scrapped, non-operative, unusable, or discarded.

Corrective Action Required: 1. Remove the worn-out, scrapped, partially dismantled, non-operative, unusable, or discarded materials or objects, such as motor vehicles or parts thereof, trailers, or any similar material from the property.

2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

Code of Ordinance Violated: Chapter 38 Section 18 (k)

Grass, weeds, and uncultivated vegetation: All grasses or weeds, and uncultivated vegetation, shall not exceed twelve (12) inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

Corrective Action Required: Remove the vegetation, or weeds from the property.

Code of Ordinance Violated: Chapter 38 Section 64 (e) Exterior walls

Exterior walls of building shall be:

(1) Maintained free from holes, breaks, and loose or rotting materials: and maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative

Statement of Violation

features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

Corrective Action Required: Obtain the necessary permits and repair or paint the exterior walls of the building that contains holes, breaks, and loose or rotting materials. Repair or replace any decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features.

Code of Ordinance Violated: Chapter 38 Section 65 (f) Windows

(1) Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(2) Openings originally designed as windows shall be maintained as windows unless approved by the Building Official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall not remain for a period of more than 90 days from the date of the initial violation. When an act of God, such as hurricane or tornado, the City Manager may extend the time as needed.

Corrective Action Required: Obtain the necessary permits and repair or replace the windows.

Code of Ordinance Violated: Chapter 38 Section 65 (h) Exterior Doors

Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

Corrective Action Required: Obtain the required permits and repair or replace the exterior doors.

Code of Ordinance Violated: Chapter 38 Section 65 (j) Exterior Surface Treatment

All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences, and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

Corrective Action Required: Obtain the necessary permits and repair, replace or repaint, the exterior surface of the building to include, doors, window frames, cornices, porches, decks, trim, balconies, fences, and docks.

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 65 (k) Structural Supports

Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

Corrective Action Required: Obtain a building permit to replace the wood or metal supports that are rusty or rotten.

Code of Ordinance Violated: Chapter 38 Section 65 (l) Porches and Balconies

All exterior porches, balconies, stairs, and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs, and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

Corrective Action Required: Obtain the necessary permits and repair or replace the porches and balconies.

Code of Ordinance Violated: Chapter 38 Section (n) Roofs

Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

Corrective Action Required: Obtain a roofing permit and repair or replace the roof.

Code of Ordinance Violated: Chapter 38 Section 65 (q) Overhang Extension

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay, or rust. For properties located in the Downtown Overlay District, any commercial awning in disrepair must be repaired to original condition. Awnings in this district may not be removed but must be repaired. In the event the original material cannot be located, the property owner must obtain a permit and replace with a similar product.

Corrective Action Required: Obtain the necessary permits and repair or replace the overhang extensions.

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 65 (v) Exterior Lighting

All outdoor lighting shall comply with the following:

- (1) Non-vehicular light sources that shine into the eyes of drivers of vehicles or pedestrians which could impair safe traverse are prohibited.
- (2) All lighting shall be shielded and aimed at the owner's premises, or sidewalk and street abutting the premises.
- (3) Lighting shall be in safe working order, in compliance with the Florida Building Code.

Corrective Action Required: Obtain the necessary permits and repair or replace the exterior lighting.

EXHIBIT # 2

FAQs >

USPS Tracking®

Track Another Package +

Remove X

Tracking Number: 70143490000041567168

Your item was delivered to an individual at the address at 1:52 pm on December 4, 2021 in CRESTVIEW, FL 32539.

 **Delivered, Left with Individual**

December 4, 2021 at 1:52 pm
CRESTVIEW, FL 32539

Feedback

7014 3490 0000 054E 4102

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$.58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.33

#22-120

LEONARD ADIB LEE
Street & Apt. No.
or PO Box No. 320 FOREST DR NW
CRESTVIEW, FL 32539

PS Form 3800, July 2014 See Reverse for Instructions

_____ ✓

_____ ✓

_____ ✓

_____ ✓

S ^

EXHIBIT # 2

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

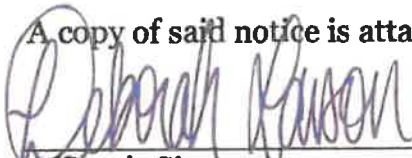
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 22-120

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 6th day of January 2022, I personally posted said Notice of Hearing at: 595 Benjamin Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

1/6/2022
Date

Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 6th day of January 2022.

(SEAL)



OFFICIAL NOTARY SEAL
Christi L. Sheals
Commission No. GG326168
My Commission Expires
April 21, 2023

NOTARY PUBLIC: Christi L. Sheals

MY COMMISSION EXPIRES: April 21, 2023

EXHIBIT # 2

BUILDING OFFICIAL STRUCTURAL DETERMINATION

595

11/1/21
DATE

21-1515 598 Benjamin

ADDRESS/LOCATION OF VIOLATION

Unsafe structure
NATURE OF VIOLATION(S) OBSERVED

Provide engineer drawings and permit or Remove from property
CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- | | |
|--|--|
| ☐ (a) FOUNDATION | ☐ (m) STAIRS |
| ☐ (b) WOOD SUPPORTS | ☒ (n) ROOFS |
| ☐ (c) METAL SUPPORTS | ☐ (o) GUTTERS AND DOWNSPOUTS |
| ☐ (d) SKIRTING | ☐ (p) CHIMNEYS, FLUES, AND VENT ATTACHMENTS |
| ☒ (e) EXTERIOR WALLS | ☒ (q) OVERHANG EXTENSIONS |
| ☒ (f) WINDOWS | ☐ (r) INSECT SCREENS |
| ☐ (g) SHUTTERS | ☐ (s) ACCESSORY STRUCTURES |
| ☒ (h) EXTERIOR DOORS | ☐ (t) SWIMMING POOLS |
| ☐ (i) EXTERIOR DOOR FRAMES AND STOREFRONTS | ☐ (u) RODENT HARBORAGE |
| ☒ (j) EXTERIOR SURFACE TREATMENT | ☒ (v) EXTERIOR LIGHTING |
| ☒ (k) STRUCTURAL SUPPORTS | ☐ (w) FENCES AND WALLS |
| ☒ (l) PORCHES AND BALCONIES | |

COMMENTS: This structure is unsafe. Electrical and structural issues exist on structure. Windows, doors, siding, roofing all needs to be repaired. Tarp is laid over a portion of structure. Structure is open to the elements and is unsafe.


SIGNATURE OF BUILDING OFFICIAL

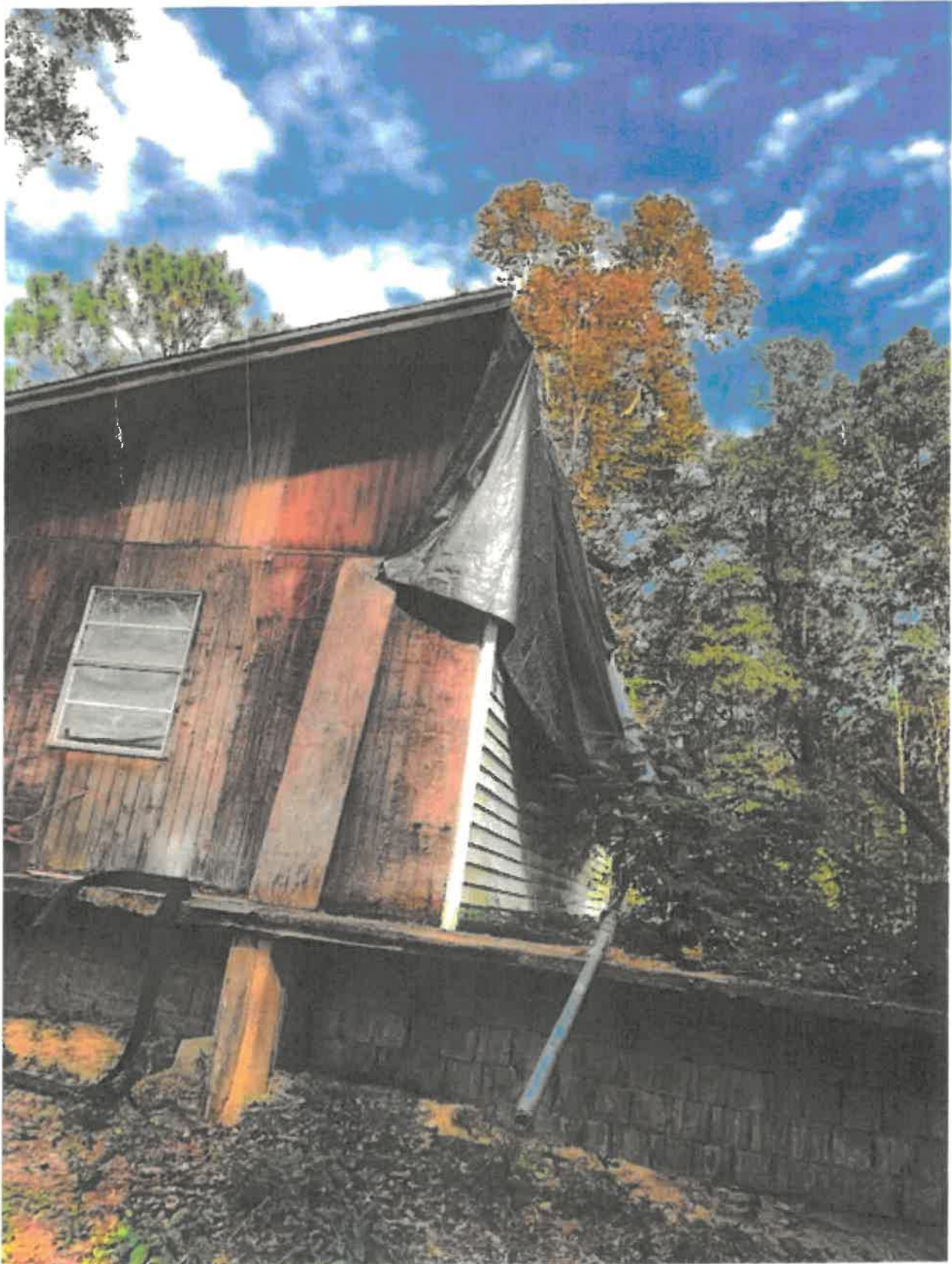
Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

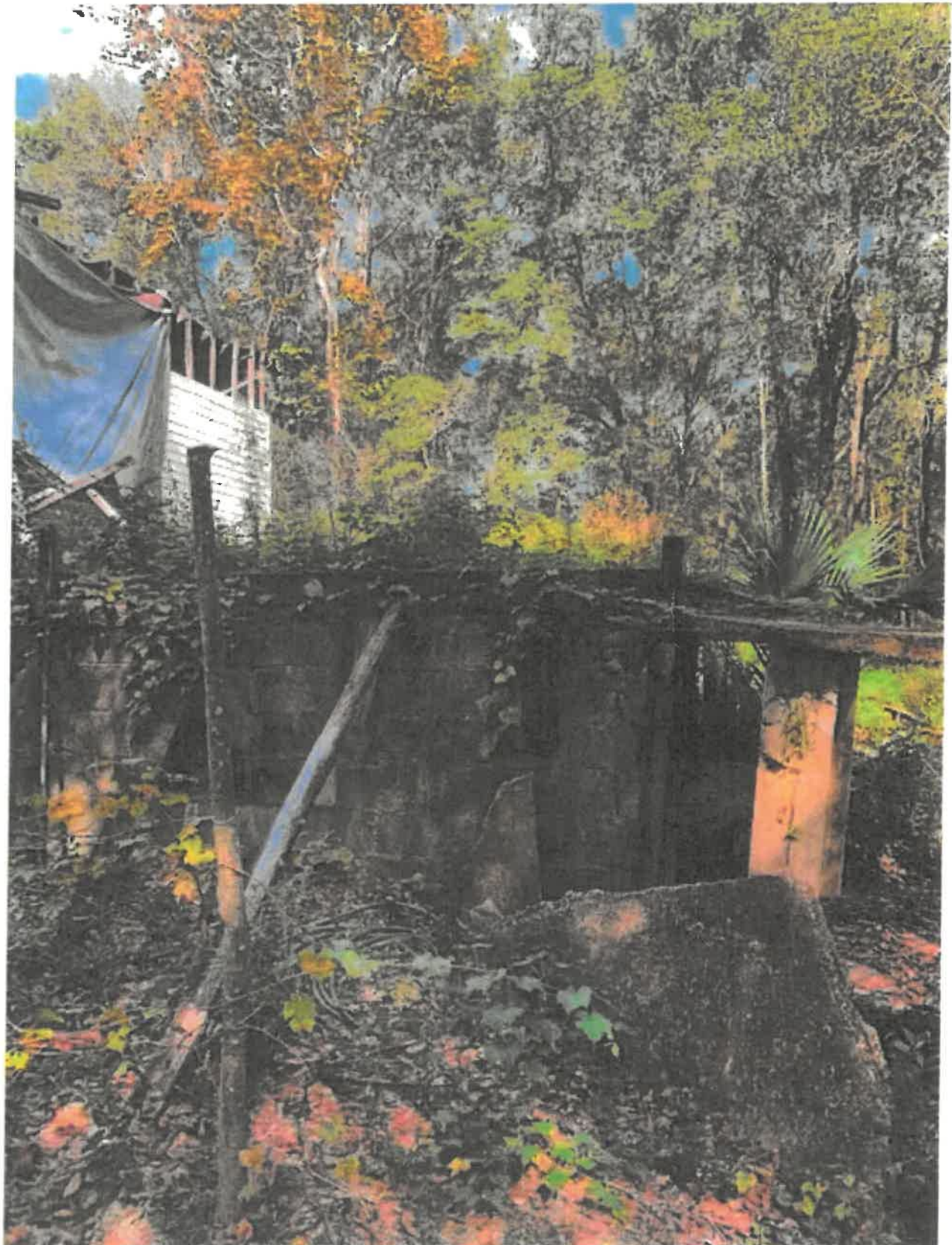
11/1/21
DATE

EXHIBIT # 2A











**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3520851 Bk: 3599 Pg: 3137
Page 1 of 3 Recorded: 1/19/2022 3:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

vs.

Leonard Adib Lee
320 Forrest Parkway
Crestview, FL

Respondents.

DEPUTY CLERK jleibold
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 22-120

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on January 18, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Leonard Adib Lee, whose last known mailing address is 320 Forrest Parkway, Crestview, FL 32539, is the owner of the property located at 595 Benjamin Street, Crestview, FL 32536, AKA PIN# 20-3N-23-0000-0117-0010, and more particularly described as: BEG SW COR OF SE1/4 OF NW1/4 N 208.75 FT E 208.75 FT 208.75 FT W 208.75 FT TO BEG 1126-82
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on November 1, 2021. A Notice of Violation was mailed by certified mail November 3, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18, (b), (i), (j), (k) and Sec. 65 (e), (f), (h), (j), (k), (l), (n), (q), (v) of the City of Crestview's Code of Ordinances and requested correction of the violation by November 16, 2021. Re inspection of the property on November 16, 2021, confirmed that violation(s) continue to exist on the property.
3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18 (b), (i), (j), (k) and Sec. 65 (e), (f), (h), (j), (k), (l), (n), (q), (v) of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before February 18, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before February 18, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove all vegetation exceeding twelve inches.
 - b. Remove all inoperable vehicles from the property or bring them into an operable state.
 - c. Remove all junk, debris, buckets, containers and trash from the property.
 - d. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property, or,

e. Obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.

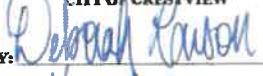
10. If the violation(s) are not corrected by February 18, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th of January 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.01.19
13:31:57 -06'00'

Special Magistrate
City of Crestview, Florida


CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW
BY: 
DATE: 1/19/2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Leonard Adib Lee
320 Forrest Parkway
Crestview, FL
Respondents.

Inst. #3595751 Bk: 3654 Pg: 3409
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK damiles
JD PEACOCK II CLERK OF COURTS,
OKALOOSA COUNTY, FLORIDA

CASE# 22-120

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on January 18, 2022. After due notice to the respondent, having heard testimony under oath, received evidence and considered stipulations, the Special Magistrate finds as follows:

FINDINGS OF FACT:

1. The respondent, Leonard Adib Lee, whose last known mailing address is 320 Forrest Parkway, Crestview, FL 32539, is the owner of the property located at 595 Benjamin Street, Crestview, FL 32536, AKA PIN# 20-3N-23-0000-0117-0010, and more particularly described as: BEG SW COR OF SE1/4 OF NW1/4 N 208.75 FT E 208.75 FT 208.75 FT W 208.75 FT TO BEG 1126-82
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on November 1, 2021. A Notice of Violation was mailed by certified mail November 3, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18, (b), (i), (j), (k) and Sec. 65 (e), (f), (h), (j), (k), (l), (n), (q), (v) of the City of Crestview's Code of Ordinances and requested correction of the violation by November 16, 2021. Re inspection of the property on November 16, 2021, confirmed that violation(s) continue to exist on the property.
3. Proper notice of the cited violations and the notice of hearing was served on the Respondents, and the Respondents were provided with the opportunity to be heard and submit testimony and evidence at the properly noticed hearing.

CONCLUSIONS OF LAW:

4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards - Section 18 (b), (i), (j), (k) and Sec. 65 (e), (f), (h), (j), (k), (l), (n), (q), (v) of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

ORDER: Based on the foregoing, it is hereby ORDERED and ADJUDGED that:

8. On or before February 18, 2022, the Respondents shall pay to the City of Crestview the costs incurred in prosecuting this case before the Special Magistrate in the amount of \$250.00.
9. On or before February 18, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove all vegetation exceeding twelve inches.
 - b. Remove all inoperable vehicles from the property or bring them into an operable state.
 - c. Remove all junk, debris, buckets, containers and trash from the property.
 - d. Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property, or,

- e. Obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.
10. If the violation(s) are not corrected by February 18, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm compliance.
11. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within thirty (30) days from the mailing date, the costs incurred by the City shall be added to any unpaid costs, fines, or fees hereunder and shall be a lien on the property as authorized by law.

Done and Ordered on the 19th of January 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.12.06 11:12:46
-06'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 12-13-2022

RIGHT TO APPEAL – You have the right, at your own expense, to appeal this Order entered by the Special Magistrate by filing a writ of certiorari for appeal to the Circuit Court. Any appeal must be filed with the Circuit Court within 30 days of this order.

NOTICE OF LIEN AND INTENT TO RECORD – A certified copy of this Order may be recorded in the official records of Okaloosa County, and thereafter, shall become a lien against any real and personal property owned by Respondent(s), until satisfied, and at which the City may seek to foreclose on said recorded lien after 90 days from the date of filing, pursuant to City of Crestview Code of Ordinances and Florida Statutes Section 162.09. Name and address of lien holder: City of Crestview, 198 North Wilson Street, Crestview, Florida 32536.



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader
DATE: 3/21/2023
SUBJECT: Monthly Update

BACKGROUND:

A monthly update on some projects that the office is working on.

DISCUSSION:

Municode – Working on Code review for the codification upgrade, as well as awaiting receipt of Supplemental No. 28. The Ordinances encompassing Supplement 28 are Ordinance 1838 – 1910.

Public Records – For the February 1 -28, 2023 period, we received 57 new requests, with 28 open, the average number of days to fulfill all requests was 3, 60 requests were closed, and 10 requests were fulfilled outside of the average response time by the end of the period. The average number of hours to fulfill a request was 1.01 hours at a cost of staff time averaging \$16.83. We released 67 documents for the period. We have received \$116.68 from invoices for the February 2023 reporting period.

Laserfiche –The public records portal located on the City Clerk page at: <https://city-of-crestview-fl.nextrequest.com/>. The portal is utilized to enhance the historical integrity and preservation of our records and ensure records are accessible on a routine basis, as well as in the event of a disaster. The total as of the end of February 2023 is 88,398 pages.

We have received estimates from Business Systems & Consultants, Inc. (BSC) regarding scanning of records to free up much needed storage space.

Records Management – Working on a training session for records management liaisons from each department.

Training Update – No new training sessions for the month of February.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

RECOMMENDED ACTION

No action at this time.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Gina Toussaint, Finance Director
DATE: 3/22/2023
SUBJECT: Financial Update - Finance Director

BACKGROUND:

This is a presentation of the monthly financial information as required by the City Charter.

DISCUSSION:

Below you will find the link to the February disbursement registers. Also provided are the monthly Unaudited Schedules of Revenues & Expenditures ending January 31, 2023.

Follow this link by clicking on the icon with the arrow for the February check registers and financial statements:

[February Check Register](#)

[February Epayables Register](#)

[January Financial Statement](#)

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

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Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

N/A

RECOMMENDED ACTION

For informational purposes. No action required.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: March 27, 2023

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director, Doug Capps
DATE: 3/22/2023
SUBJECT: Ground-Mounted Solar Energy Systems Update

BACKGROUND:

Currently, the Land Development Code does not contain requirements or restrictions explicitly pertaining to ground-mounted solar panels. Since the last discussion, staff has discussed the proposed language amongst themselves as well as with officials from other jurisdictions to revise the proposed language.

DISCUSSION:

Brought forward by Councilmember Doug Capps. A draft ordinance is attached to this item.

Since the previous discussion, Community Development Services staff has discussed the placement provisions, potential existing structures, and safety considerations pertaining to the fence requirement previously included. There is one pre-existing permitted ground mounted solar system that was identified. It was also identified to be in compliance with the requirements of this ordinance as previously drafted, and as revised. Staff was able to revise the language to allow placement of solar systems in front yards of deeper lots, similar to the existing placement provisions for accessory buildings and sheds on deeper lots. Additionally, staff determined, following internal discussions as well as discussions with building officials from other jurisdictions, that ground mounted solar, when constructed to-code, is at least as safe if not safer than the electrical panel on the side of one's house. As such, staff removed the requirement for the fencing surrounding the solar systems from the draft language, though a homeowner could still install a fence if they wanted to.

If there is consensus on the draft language by the Council, staff will begin the Ordinance adoption process, first bringing this Land Development Code Amendment to the Planning and Development Board on April 3th, for first reading before the Council on April 10th.

GOALS & OBJECTIVES**FINANCIAL IMPACT**

No known impact.

RECOMMENDED ACTION

Staff respectfully requests consensus on the provisions in the draft language.

Attachments

None

ORDINANCE: 1928

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING SECTION 2.02.00 – DEFINITIONS AND SECTION 7.01.00 – ACCESSORY STRUCTURES, OF THE CITY OF CRESTVIEW LAND DEVELOPMENT CODE TO DEFINE AND PROVIDE STANDARDS FOR GROUND MOUNTED SOLAR ENERGY SYSTEMS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is section 166.041, Florida Statutes, and The City of Crestview Land Development Code.

SECTION 2 – AMENDING SECTION 2.02.00 – DEFINITIONS, OF THE LAND DEVELOPMENT CODE. Section 2.02.00 of the Land Development Code is hereby amended with the addition of the following definition:

Ground-mounted solar energy system: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground.

SECTION 3 - AMENDING SECTION 7.01.00 – ACCESSORY STRUCTURES, OF THE LAND DEVELOPMENT CODE. Section 7.01.00 of the Land Development Code is hereby amended with the addition of Section 7.01.05, as follows:

7.01.05 – Ground Mounted Solar Energy Systems

A. Placement:

1. Lots within recorded subdivisions and un-platted lots with a depth less than 250 feet:
 - a. Systems shall only be permissible in side and rear yards and shall be setback three (3) feet from side and rear property lines.
 - b. Systems located closer than five (5) feet to the principal structure shall meet the same minimum setbacks required for the principal structure.
2. Lots with a depth of 250 feet or greater:
 - a. Systems placed in side and rear yards shall be setback three (3) feet from side and rear property lines.
 - b. Systems placed in any primary or secondary front yard shall not be placed within any required front setback.
 - c. Systems located closer than five (5) feet to the principal structure shall meet the same minimum setbacks required for the principal structure.
3. Systems shall not be located within any required buffer area, required landscape area, required parking lot landscaping, required parking spaces, stormwater management area, wetland buffer, driveway, or easement.
4. If located in a floodplain project must comply with LDC Section 5.05.00.

- B. Height standards. The maximum height of a ground-mounted solar energy system shall not exceed fifteen (15) feet as measured from the natural grade at the base of the structure to the highest point of the array or solar structure.

SECTION 4 - SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect

the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5 - SCIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6 - ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8 - REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

Passed and adopted on second reading by the City Council of Crestview, Florida on the ____ day of _____, 2023.

ATTEST:

Maryanne Schrader
City Clerk

Approved by me this ____ day of _____, 2023.

J. B. Whitten
Mayor