



CITY OF
CRESTVIEW
CITY COUNCIL

REGULAR COUNCIL MEETING AGENDA

April 24, 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, please) to cityclerk@cityofcrestview.org.

1. Call to Order

2. Invocation, Pledge of Allegiance

2.1. Elder TJ Hearndon of The Shepherd's Church

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. Employee of the Quarter

6. Consent Agenda

6.1. Okaloosa County Veteran's Memorial Lease Agreement

6.2. Barge Sewer System Hydraulic Modeling

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

6.4. Multi-Agency Law Enforcement MOU Renewal Approval

6.5. Approval of the minutes of April 10, 2023

7. Public Hearings / Ordinances on Second Reading

7.1. Ordinance 1929 Repeal & Replace Chapter 32 Fair Housing to establish SHIP program

7.2. Ordinance 1922 - Richburg Lane Annexation

7.3. Ordinance 1923 - Richburg Lane Comp Plan Amendment

7.4. Ordinance 1924 - Richburg Lane Rezoning

7.5. Ordinance 1925 - Richburg Lane and Third Avenue Annexation

7.6. Ordinance 1926 - Richburg Lane and Third Avenue Comp Plan Amendment

7.7. Ordinance 1927 - Richburg Lane and Third Avenue Rezoning

8. Ordinances on First Reading

8.1. 1. Ordinance 1930 - Ground Mounted Solar Panels

9. Resolutions

10. Action Items

10.1. Brookmeade Park Improvements Conceptual Design

11. City Clerk Report

11.1. Update for March 2023

12. City Manager Report

12.1. Financial Update - Finance Director

12.2. Planning Development Board Membership

13. Comments from the Mayor and Council

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: April 24, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Chance Leavins
DATE: 4/20/2023
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: April 24, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jessica Leavins, Administrative Services Director
DATE: 4/20/2023
SUBJECT: Employee of the Quarter

BACKGROUND:

The City of Crestview appreciates the efforts of employees to achieve our mission. Outstanding employees deserve to be recognized both as a reward for exceptional performance and as a model to other employees.

The “One City One Mission” program recognizes two employees each quarter: one member of the general staff and one public safety employee. Nominations for the award are submitted by employees and the winners are selected by a committee consisting of the department heads. Nominations are based on excellent job performance, dependability and/or innovation during the quarter for which the award is to be given. All nominations relate back to the City’s mission “The City of Crestview’s mission is to improve the quality of life by providing exceptional municipal services” or motto of “One City, One Mission”.

This program is sponsored by All In Credit Union.

DISCUSSION:

The winners for this quarter, January- March 2023, are Code Enforcement Officer Deborah Lawson and Candace McLeod, Administrative Assistant in the Public Services Department.

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

Communication- To engage, inform and educate public and staff

FINANCIAL IMPACT

There is no financial impact to the City as the awards are sponsored by All In Credit Union.

RECOMMENDED ACTION

No action is necessary.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Dominique Vaughn, Executive Assistant, Jerry Whitten, Mayor, Tim Bolduc, City Manager
DATE: 4/20/2023
SUBJECT: Okaloosa County Veteran's Memorial Lease Agreement

BACKGROUND:

The City of Crestview and Okaloosa County Veterans Memorial Inc. have agreed to enter into a 20-year lease for the Veteran's Memorial in the amount of \$1.00 each year. This is the second lease agreement since it's establishment in 2002. The previous lease expired in April 2022.

DISCUSSION:

City Attorney, Jon Holloway, has reviewed the amended lease agreement with County Attorney, Lynn Hoshihara.

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

The financial impacts of this agreement are addressed in the annual budget and are minimal.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the renewal and execution of the attached lease agreement.

Attachments

1. unsigned Lease for Veterans Memorial 2022

**INTERLOCAL AGREEMENT BETWEEN OKALOOSA COUNTY AND
CITY OF CRESTVIEW FOR THE OKALOOSA COUNTY VETERANS MEMORIAL**

THIS AGREEMENT is made and entered into this ____ day of _____, 2023, by and between **OKALOOSA COUNTY**, a political subdivision of the State of Florida (“County”), and the **CITY OF CRESTVIEW**, a municipal corporation organized under the laws of the State of Florida (“City”).

WHEREAS, the County owns property located at _____, as more particularly described on Exhibit “A” (“Property”); and

WHEREAS, on April 2, 2002, the County and City entered into a lease agreement (“Lease”) wherein the Okaloosa County Veterans Memorial, Inc. agreed to provide structure(s) for the Okaloosa County Veterans Memorial to be located on the Property, including gazebo, plantings, benches, etc., all of which were donated to the City upon completion; and

WHEREAS, the Lease expired on April 1, 2022, and the parties wish to enter into this Agreement to continue the existing arrangement; and

WHEREAS, the parties find it is in the best interest of the community to continue utilizing the Property for the Okaloosa County Veterans Memorial.

NOW THEREFORE, in consideration of the foregoing and the mutual obligations set forth below, the parties, intending to be legally bound, agree as follows:

Section 1. Recitals. The above recitals are true and accurate and are incorporated herein as essential terms of the Agreement.

Section 2. Responsibilities.

- A. The County agrees to the continued use of the Property by the City for the Okaloosa County Veterans Memorial.
- B. The County and City shall share equally the cost of repairing, replacing and maintaining the Property and structures thereon and shall use all reasonable precautions to prevent waste, damage, or injury to the Property.
- C. The City shall be solely responsible for all utility charges, including sewer, water, gas, electricity, phone service, etc.

Section 3. Term. This Agreement shall be effective upon execution by the parties and shall continue until terminated by either party upon providing sixty (60) days’ notice in writing. Unless otherwise agreed to by the parties, upon termination of this Agreement all improvements on the Property shall remain on the Property and become property of the County.

Section 4. Third Party Beneficiaries. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof, a third-party beneficiary under this Agreement, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

Section 5. Authority. Each party represents and warrants that it, through its elected governing body, has the right, power, and authority to execute and deliver this Agreement and to perform all of the obligations stated herein.

Section 6. Notice. Any notice or document required to be delivered under this Agreement shall be in writing and shall be deemed received by the other party at the earlier of the date actually received, or five (5) business days after the date deposited in a United States Postal Service depository, postage prepaid, registered or certified mail, addressed to the County or the City, as the case may be, at the addresses set forth below:

As to the County:
County Administrator
Okaloosa County
1250 N. Eglin Pkwy
Suite 100
Shalimar, FL 32579

As to Crestview:
City Manager
City of Crestview
198 North Wilson Street
Crestview, Florida 32536

Section 7. Entire Agreement. This Agreement represents the entire understanding between the parties with respect to the undertakings covered hereunder and there are no oral or collateral agreements with respect thereto between the parties. The provisions hereof may be amended or waived only pursuant to an instrument in writing, approved by the City Council and the Board of County Commissioners, and jointly executed by the parties hereto.

Section 8. Governing Law and Venue. This Agreement shall be interpreted in accordance with the laws of the State of Florida without regard to its principles of conflicts of laws. Venue for any legal proceedings arising out of this Agreement shall be in Okaloosa County, Florida.

Section 9. Indemnification. Subject to the limitations provided in section 768.28, Florida Statutes, and without otherwise waiving sovereign immunity, the County and the City shall indemnify and hold harmless each other from and against any and all third-party claims, demands, damages, losses, and expenses, including attorney's fees and costs, except for those claims, demands, damages, losses, and expenses arising out of the party's own negligence, malfeasance, nonfeasance, or misfeasance.

Section 10. Severability. If any portion of the Agreement, the deletion of which would not adversely affect the receipt of any material benefit by either party, is for any reason held or declared to be invalid or unenforceable, such determination shall not affect the remaining portions of this Agreement. If this Agreement or any portion of this Agreement is held or

declared to be inapplicable to any person, property or circumstance, such determination shall not affect its applicability to any other person, property or circumstance.

Section 11. Conflicting Provisions. Any provision(s) of past agreements, entered into by the parties, in conflict with this Agreement are deemed repealed and the terms in this Agreement shall control.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

OKALOOSA COUNTY, FLORIDA

CITY OF CRESTVIEW, FLORIDA

Robert A. "Trey" Goodwin, III,
Chairman

JB Whitten, Mayor

Date: _____

Date: _____

ATTEST:

ATTEST:

J.D. Peacock II, Clerk

Maryanne Schrader, City Clerk



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Michael Criddle, Public Services Director
DATE: 4/20/2023
SUBJECT: Barge Sewer System Hydraulic Modeling

BACKGROUND:

The City of Crestview Sewer Division manages and operates a wastewater collection, transmission, and treatment system. The system is divided into four major basins that can each be divided into subbasins that contribute flow to a pump station. Crestview currently has approximately 85 active lift stations and several planned to handle future growth, in addition to various private lift stations. Phase 1 includes providing sewer basin infrastructure planning support to map lift stations and their contributing collection system. This pilot project will provide the City with an updated GIS system with the known features and a hydraulic model for a select part of the system, delineated as pump station basins that can be used to evaluate the existing system (for superfluous inflows) and help the City plan for the future. The project also includes developing sewer improvement projects for the Pump Station #10 basin and providing support for planning sewer capacity improvement projects to support long-term growth.

DISCUSSION:

Task Order 2023-2 for Barge Design Solutions is for wastewater collection, and transmission hydraulic modeling. The subtasks for the modeling are as follows:

The scope of services is summarized into the following major tasks:

Task 1 – Sewer GIS Review -This task will review the City's GIS system and compare with industry standards. The review will incorporate recommendations for improvements as well as recommendations for incorporation of the GIS features under this Task Order.

Task 2 – Sewer Data Collection and Review - To begin the process of updating the information for the basin evaluation and sewer modelling activities, it is important to gain an understanding of the sewer network layout and City operational preferences and strategies.

Task 3 – Pilot Model - A pilot hydraulic sewer model will be assembled for an area of the collection system, encompassing Pump Station #10, which is the most critical and vulnerable in the collection system.

Task 4 – Sewer Basin Infrastructure Plan Development - Barge will review the parcel development densities using GIS tools to identify areas within each sewer basin that have likely potential for future development. Development densities will be used to develop flow projections. Flow projections for each sewer basin will be documented within each sewer basin plan with a future development overview figure and flow projection summary table for the 2040 plan period. Barge will incorporate the flow projections distributed by parcels into the pilot basin sewer model and the capacity assessment tool, using GIS spatial analysis tools and manual review. Rainfall-derived inflow and infiltration (RDII) parameters will be assigned based on available data from pump station recorded data or flow monitors. Barge will evaluate the basins under

future flow conditions to identify components of the existing infrastructure that fail defined level of service criteria. Portions of the system that fail level of service criteria within the sewer collection and transmission system are the basis for developing sewer improvements. Infrastructure requiring sewer improvements will be documented within the sewer basin planning document. The pilot hydraulic model including network(s), queries, selection sets, and simulation results reflecting the impact of projected development on existing infrastructure will be provided to the City in the form of a transportable database.

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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FINANCIAL IMPACT

The estimated cost for the Barge Task Order 2023-2 is \$245,000.00. Funding is currently available in the Capital Improvement Fund, Water Division #332.1633.533.63.00.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the Mayor to execute Task Order 2023-2 to proceed with the sewer hydraulic modeling.

Attachments

1. TO4 Sewer Model_04032023_Package - Signed



This Task Order, effective the date last signed below, by and between City of Crestview, Florida (**City**) and Barge Design Solutions, Inc. (**Barge**) for the **Sewer System Hydraulic Modeling, Phase 1** (Project) is in accordance with the terms and conditions of the Professional Engineering Continuing Services Contract dated May 11, 2021, as renewed/extended August 12, 2022, and as amended January 9, 2023 (Agreement), all of which terms and conditions are incorporated herein by reference.

The Project is described in **Exhibit A – Scope of Services**, attached.

For performance of the Project authorized under this Task Order, **Client** agrees to pay **Barge** for time worked on the project by various personnel plus applicable outside services and other expenses properly charged to the project in accordance with **Exhibit B – Schedule of Standard Charges**. The estimated cost to perform the scope of work as defined in **Exhibit A** is estimated to be \$245,000.00. The budget status will be summarized monthly in our progress report and invoice submittal.

City of Crestview, Florida	Barge Design Solutions, Inc.
By:	By: 
Printed Name:	Printed Name: Kevin W. Kennoy
Title:	Title: Vice President
Address:	Address: 495 Grand Boulevard, Suite 206 Miramar Beach, FL 32550
Date Signed:	Date Signed: April 10, 2023

Barge Design Solutions, Inc. (Barge) is proposing the following scope of services for the City of Crestview, Florida (Client) to provide hydraulic modeling and planning services for Phase 1 of the Sewer System Hydraulic Modeling Project, in accordance with Task Order No. 2023-2. The scope of work is presented in the following elements:

- I. Project Description
- II. Scope of Services
- III. Project Schedule

I. Project Description

The City of Crestview Sewer Division manages and operates a wastewater collection, transmission, and treatment system. The system is divided into four major basins that can each be divided into subbasins that contribute flow to a pump station (see Figure 1). Crestview currently has approximately 80 active lift stations and several planned or private lift stations. Phase 1 includes providing sewer basin infrastructure planning support to map lift stations and their contributing collection system, for a part of the system.

This “pilot” project will provide the Client with an updated GIS system with the known features and a hydraulic model for a select part of the system, delineated as pump station basins that can be used to evaluate the existing system (for superfluous inflows) and help the Client plan for the future. The project also includes developing sewer improvement projects for the Pump Station #10 basin and providing support for planning sewer capacity improvement projects to support long-term growth.

Discussions with the Client and review of the Client’s existing GIS information have been the sources of information for determining the tasks and estimated level of effort for this task order. Given the preliminary nature of the information, the level of effort may change as new information is obtained. The budget status will be summarized monthly in our progress report and invoice submittal.

II. Scope of Services

The scope of services is summarized into the following major tasks:

- Task 1 – Sewer GIS Review
- Task 2 – Sewer Data Collection and Review
- Task 3 – Pilot Model
- Task 4 – Sewer Basin Infrastructure Plan Development

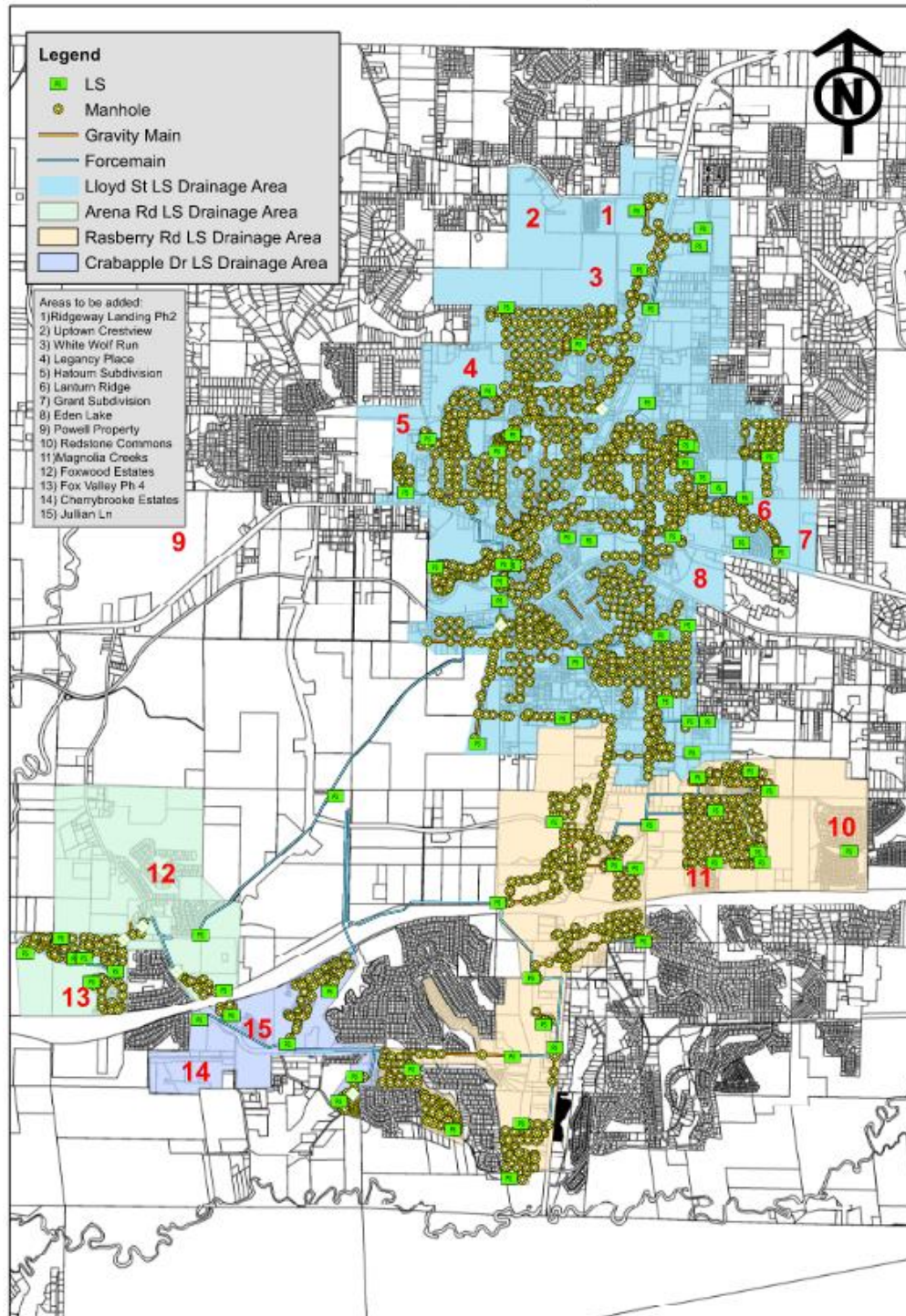


Figure 1, Crestview Sewer System

The following sections provide a description of the purpose, activities, deliverables, and assumptions anticipated for each of the tasks. Throughout the project, Barge will manage the activities of our staff and subconsultants, coordinate monthly status meetings with the Client's staff, and submit monthly invoices with updated schedules and cost projections as applicable.

Task 1 – Sewer GIS Review

This task will review the Client's GIS system and compare with industry standards. The review will incorporate recommendations for improvements as well as recommendations for incorporation of the GIS features under this Task Order. Barge will provide the following services:

- Meet with Client staff to review its current GIS (to take place during the project kickoff meeting).
- Evaluate the GIS databases and provide recommendations for structuring, security, reliability, and future additions.

Meetings:

The following meetings will be conducted as part of this task:

- Initial GIS review meeting

Deliverables:

The following deliverables will be provided as part of this task:

- Presentation of findings and recommendations for data collection schema

Task 2 – Sewer Data Collection and Review

To begin the process of updating the information for the basin evaluation and sewer modelling activities, it is important to gain an understanding of the sewer network layout and Client operational preferences and strategies.

- Barge will review received data including:
 - GIS files
 - Record drawings
 - Pump station records
 - Daily Monitoring Report (DMR) records
 - Billing records (in conjunction with the records received for the water model)
 - Land use maps
 - Planned developments

After reviewing infrastructure and operational data, Barge will assess data gaps impacting future tasks. Additional data required will be flagged for collection. This Task Order is based on an assessment of the service area of Pump Station #10, however, if possible, additional data may be collected if permissible within the project budget.

As part of this task, Barge will collect information for sewer system features within the Pump Station #10 service area as required for the assembly of the model, including installed metered data for up to three pump stations that feed Pump Station #10. Barge will propose a basin delineation for this pilot area for review with the Client prior to beginning the data collection task. The data collection task includes the following activities:

1. System connectivity and attributes will be developed by collecting data on the sewer system manholes and structures necessary to complete a contiguous sewer system network within Pump Station #10 service area. Service laterals and other private assets are excluded from this survey.
2. Barge's data collection will include a level and format of data that allows for incorporation into (1) GIS software, (2) modeling software, (3) future sewer maintenance planning, and (4) future hydraulic capacity analyses. Collection of the attributes to allow for these future benefits only adds a small amount of effort when already visiting a sewer structure for inventory purposes. Barge proposes to collect/develop the following attributes for the manholes and structures.
 - a. Unique facility identifier
 - b. Photograph of location, photograph of interior, photograph inside connecting pipes
 - c. Survey-grade horizontal coordinates (x, y) and elevation data (z) (rim elevation for structures and invert elevation of pipes)
 - d. Sewer structure type
 - e. Dimensions for connecting pipes
 - f. Flow direction for connecting pipes
 - g. Condition assessment – include a condition grade of structures (assessed from ground level) while collecting the field data that can be used to prioritize future maintenance planning activities. The proposed format will follow a simplified NASSCO based format:
 - i. Grade 0: The asset is in excellent condition and has no documented defects. It is similar to that of new construction with no installation defects. This asset is at or near the beginning of its design life.

- ii. Grade 1: The asset is in good condition with only minor installation defects or defects which are minor in nature as a result of its service life so far. This asset is expected to have 20 or more years of remaining service life.
 - iii. Grade 2: The asset is in moderate condition with several minor defects. These minor defects, although not currently affecting its intended use, will likely impact the overall length of the asset's service life. This asset is expected to have 10-20 years of remaining service life.
 - iv. Grade 3: The asset is in fair condition and has one or more moderate defects, but such defect(s) do not appear to be ones that would be considered being of imminent risk of failure. This asset is less than 10 years from the end of its useful or design life.
 - v. Grade 4: Although the asset is partially or fully serving its intended purpose, the asset is in poor condition and has significant defects which are of imminent risk of failure. Failure may occur at any time resulting in this asset being upgraded to a Grade 5. This asset is at the end of its useful or design life.
 - vi. Grade 5: The asset has already failed and is no longer serving its intended purpose. This asset has already surpassed its useful or design life.
- h. Crews will be formed with one Barge employee and one Client employee. The Client employee will have the use of a City of Crestview truck. Barge will provide the survey equipment (including pole camera). The crews will be equipped with mobile devices capable of storing referenced attributes based on the schema developed in Task 1. Spatially enabled photographs will be taken with the device to automatically tie-in with the data form. Data collection tasks are anticipated to include:
- i. Collect field data using GPS equipment.
 - ii. Conduct systematic spot-checks and compare surveyed data to existing GIS data.
 - iii. Format the collected information for incorporation into the Client's GIS database.
 - iv. Transfer to the Client for continued use.
 - v. Produce overview maps indicating extent of inventory.

- i. Barge will provide and install, through its subconsultants, three flow monitoring devices at pre-selected pump stations for temporary flow monitoring. The flow monitoring is anticipated to be for a three-month period, pending weather that will provide usable data.
- j. Barge will perform draw-down tests for the pump stations included in the pilot model.

Meetings:

The following meetings will be conducted as part of this task:

- Kickoff-Meeting (includes Data Collection Review and Model Development)
- Up to two Microsoft Team Meetings, as needed, during the data collection task

Deliverables:

The following deliverables will be provided as part of this task:

- Final deliverable of a single geodatabase containing the up-to-date data of the pilot area of the sewer system. This information will be in a usable format for future system analyses. This will contain the information listed in a. through g..

Assumptions:

The following assumptions are applicable to the above scope of services:

- The Pump Station #10 basin is assumed to contain a maximum of 100 manholes.
- Barge will require access to manholes from 7am – 7pm during weekdays.
- Notices will be sent out by the Client to property owners that have manholes located on their property.
- The sewer system to be inventoried has right-of-way access and no entry to private property is required.
- Private manholes or manholes belonging to other utility companies will not be surveyed.
- Barge personnel will not be entering manholes or confined spaces to collect assessment data; pipe sizes, materials, and other attributes will be determined based on a visual inspection from the ground surface, outside of the manhole.

- This survey includes collection of assets that are on the mainline gravity sewer system; clean outs and lateral pipes will not be located unless they are visible inside of the manhole structure.
- Client will provide access to lift stations and assist in operating the pumps for performing drawdown tests (up to three tests).
- Client will provide available SCADA data for lift stations and any available flow monitors.
- This scope includes three months of flow monitoring at three locations. Additional monitoring locations or duration will be additional services.
- Inaccessible structures will be noted in the geodatabase for informational purposes for later access and collection. A list will be developed for a monthly coordination meeting with the Client to give the Client the opportunity to clear the required access, after which the feature will be revisited at the end of the basin survey.
- The basic condition assessment is assumed to be completed visually from ground level during the field data collection with the use of a pole camera, but without CCTV.

Task 3 – Pilot Model

A pilot hydraulic sewer model will be assembled for an area of the collection system, encompassing Pump Station #10.

For this task, Barge will provide the following services:

- Lift Station Data:
 - Perform drawdown tests on the pump stations (up to 8) to be included in the model with assistance from the Client.
- Flow Monitoring Data:
 - Delineate monitoring areas and linear footage serving each area.
 - Develop a plan for temporary flow monitoring at up to three monitoring sites.
 - Implement temporary flow monitoring program.
 - Collect confirmation data by the flow monitoring vendor one week after installation.
 - Collect 5-minute (or shorter interval) flow data by the flow monitoring vendor on their web service.

- Service the monitors and rainfall gauges for up to three months by the flow monitoring vendor.
 - Identify dry-weather periods.
 - Develop diurnal flow patterns for flow monitoring locations.
 - Identify rainfall events for further analysis. Optimally, the rainfall event will be isolated (with at least 72 hours preceding dry conditions), large enough to show a system response and widespread so that all flow monitors and rain gauges experience a response.
- The wastewater system hydraulic model for the pilot area will be developed using pre-selected software in consultation with Barge. The data collected in the previous task will be used to develop the model. The model development process and assumptions will be discussed with the Client in a workshop. Any information gaps or issues with model development will be discussed with the Client.
 - Manhole invert and rim elevations will be based on survey data collected during the project and input into GIS. This GIS infrastructure data will be imported into the model.
 - Manning's roughness for sewers will be based on pipe material (where available) and adjusted as needed during the model calibration.
 - C-factors for force mains will be based on pipe material and age and adjusted as needed during the model calibration.
 - Force main alignment will be imported from GIS data.
 - Locations of high points as well as rising and falling sections will be obtained from record drawings.
 - Manufacturer pump curves supplied by the Client will be used to define pumps in the model. Drawdown testing, where available, will be used to validate the pump curves.
 - As-built drawings will be used to input area and depth for wet wells.
- The hydraulic model will be developed and calibrated using flow data collected. The calibration will be performed for dry-weather conditions and wet-weather conditions. Industry guidelines will be used to develop calibration criteria.

Dry-Weather Flow Calibration

The dry-weather calibration will use flow data from a multi-day dry-weather period preceded by 72 hours without rainfall.

- Analyze data to develop system diurnal flows.
- Develop weekday and weekend diurnal curves.
- Calibrate based on weekday and weekend average dry weather flow data.
- Match peak and average flow within industry guidelines.

Wet-Weather Flow Calibration

The wet-weather calibration will use data from at least three rainfall events each preceded by a dry-weather period.

- Use calibrated dry-weather model.
 - Develop initial RTK parameters for each delineated area, where R represents the fraction of rainfall entering the sewer system as RDII, T is the time to peak RDII flow, and K is the ratio of recession time to time-to-peak (T).
 - Simulate response to observed events and adjust RTK parameters.
 - Achieve match on peak and volume within the respective industry guidelines for any monitoring location in the pressure system.
 - Achieve match on peak, volume, and depth within the respective industry guidelines for any monitoring location in the gravity system.
- The calibrated wastewater system hydraulic model will be used to evaluate the existing system in the pilot area.

Meetings:

The following meetings will be conducted as part of this task:

- System Evaluation Workshop
- Up to three additional Microsoft Team Meetings, as needed, during system evaluation and model development
- Model Development/Calibration Workshop

Deliverables:

The following deliverables will be provided as part of this task:

- Flow Monitoring Database
- Electronic Modeling Files

Assumptions:

The following assumptions are applicable to the above scope of services:

- The Client will provide as built or record drawings for all force mains to be included in the model.
- Barge will provide, install, and maintain three hybrid lift station flow monitors with level sensors for constant speed monitors for the temporary study.
- Where data are unavailable or not attainable in a timely manner, the infrastructure will be included in the model as inactive elements. These elements can be activated when data is available to input into the model.

Task 4 – Sewer Basin Infrastructure Plan Development

Barge will review the parcel development densities using GIS tools to identify areas within each sewer basin that have likely potential for future development. Development densities will be used to develop flow projections. Flow projections for each sewer basin will be documented within each sewer basin plan with a future development overview figure and flow projection summary table for the 2040 plan period.

Barge will incorporate the flow projections distributed by parcels into the pilot basin sewer model and the capacity assessment tool, using GIS spatial analysis tools and manual review. Rainfall-derived inflow and infiltration (RDII) parameters will be assigned based on available data from pump station recorded data or flow monitors. Barge will evaluate the basins under future flow conditions to identify components of the existing infrastructure that fail defined level of service criteria. Portions of the system that fail level of service criteria within the sewer collection and transmission system are the basis for developing sewer improvements. Infrastructure requiring sewer improvements will be documented within the sewer basin planning document. The pilot hydraulic model including network(s), queries, selection sets, and simulation results reflecting the impact of projected development on existing infrastructure will be provided to the Client in the form of a transportable database.

Barge will develop recommendations for sewer improvements for portions within the sewer system pilot area failing level of service criteria as previously identified or in areas requiring new sewer. Potential sewer improvements will include upsizing of existing gravity mains, extension of new gravity mains, pump station improvements, pump station decommissioning, new pump stations, and temporary storage. The proposed sewer improvements will be evaluated using the hydraulic model in the pilot area. Other areas will be evaluated based on the existing pump station capacity for the anticipated flows. Planning-level budgets will be developed using Client-provided unit costs for sewer improvements.

The areas of potential development, projected flows, and identified capacity issues will be organized in a sewer infrastructure summary document for the pilot sewer basin.

Meetings:

The following meetings will be conducted as part of this task:

- Up to two Microsoft Team Meetings, as needed, during the model development task

Deliverables:

- Database containing future flow sub-catchments
- Sewer Basin Planning Document (for the pilot sewer basin), including:
 - Flow projection summary figure and table
 - Sewer improvements for the pilot area

Assumptions:

The following assumptions are applicable to the above scope of services:

- One round of draft development, Client review, and finalization is assumed for the development of sewer improvements and the sewer basin planning document.
- Detailed opinions of probable construction costs are assumed not to be part of this scope.

III. Project Schedule

The preliminary project schedule for the described activities is shown in the table below. Approximate durations are shown in calendar days after Notice to Proceed, from the previous sequential task. All dates are based on timely receipt of field and Client-supplied data and may be adjusted after data is received.

Tasks	Duration (Calendar Days)
Sewer System Hydraulic Modeling, Phase 1	300 days total
Task 1 – Sewer GIS Review	30
Task 2 – Sewer Data Collection and Review	90
Task 3 – Pilot Model	90
Task 4 – Sewer Basin Infrastructure Plan Development	90



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Stephen McCosker, Police Chief
DATE: 4/20/2023
SUBJECT: Authorization to Proceed with the Foreclosures of Code Compliance Liens

BACKGROUND:

This item was brought before council on April 10, 2023 and passed. On review of the item, it was discovered the support documentation for 457 Blakely Avenue was not uploaded properly. This item is being brought back before council with the support documentation for 457 Blakely Avenue. The original staff report is as follows:

Since November 2020, Code Enforcement has utilized the special magistrate for properties that remain in violation. Once the magistrate finds the property in violation of the City code of ordinance, a certified copy of an order imposing a fine is recorded in the public record and constitutes a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

DISCUSSION:

When property owners refuse to comply with the magistrate's order, Florida Statute 162.09 Administrative Fines; Costs of Repair; Liens provide a process that allows municipalities to foreclose on the property. The statute states that a fine imposed by the magistrate shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit filed, whichever occurs first. A lien arising from a fine imposed runs in favor of the local governing body.

After three months from filing the lien, if it remains unpaid, the governing body may authorize the local governing body attorney to foreclose on the lien or to sue to recover a monetary judgment for the amount of the lien plus accrued interest. The property located at 457 Blakely Avenue remains non-compliant as of the date of this report, and authorization is sought to initiate foreclosure proceedings.

Staff will continue to work with the property owner to bring the property into compliance throughout the foreclosure process. Properties brought into compliance and whose fines are settled before the completion of the process will be removed from foreclosure.

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

The cost of legal services related to this process is included in the budget. Costs to abate violations will be recovered through the lien process and sale of foreclosed properties.

RECOMMENDED ACTION

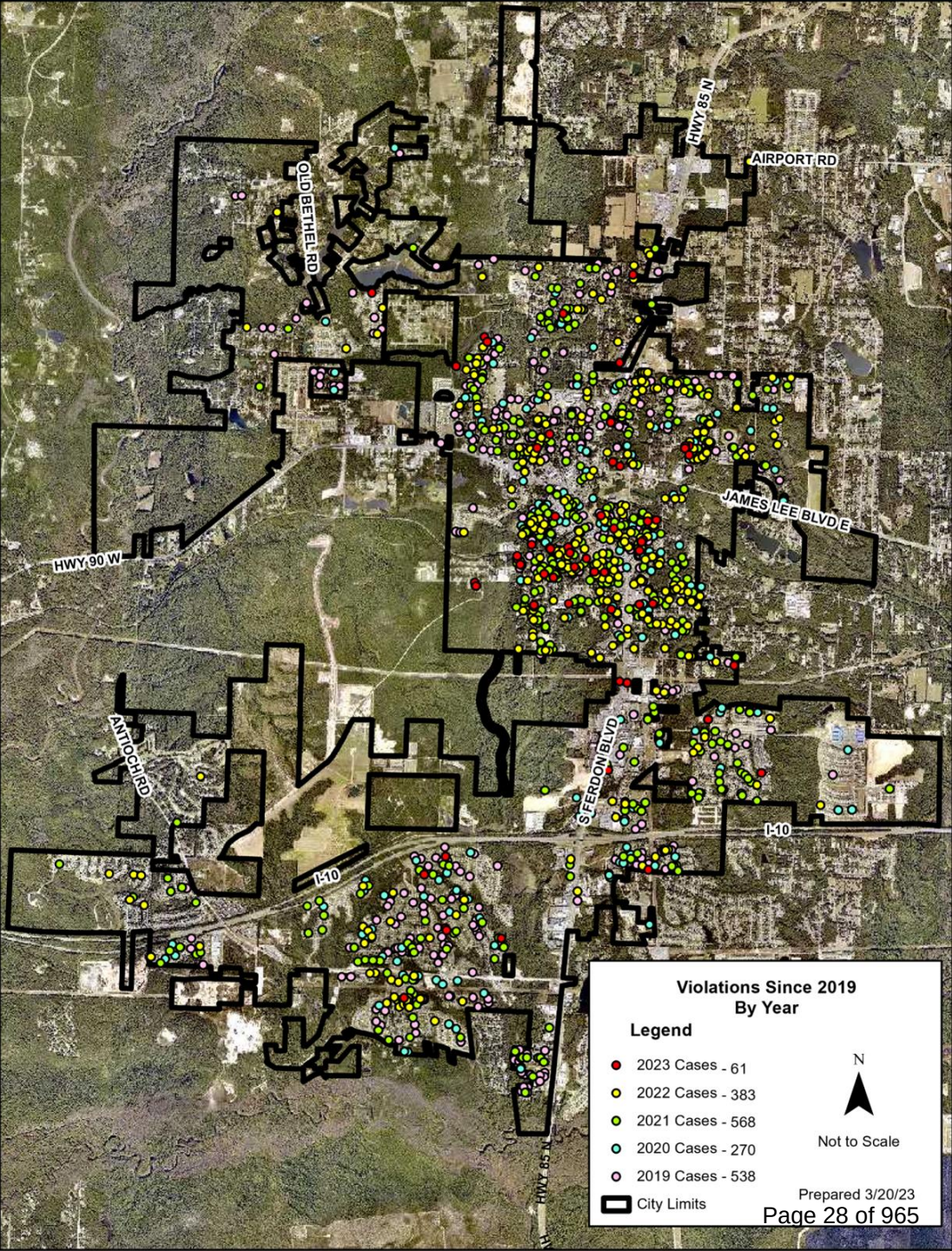
Staff requests a motion directing the City Attorney to proceed with the foreclosure process for 457 Blakely Avenue per Florida State Statute. Under the magistrate's order, the staff further requests permission to abate the noncompliant property during foreclosure.

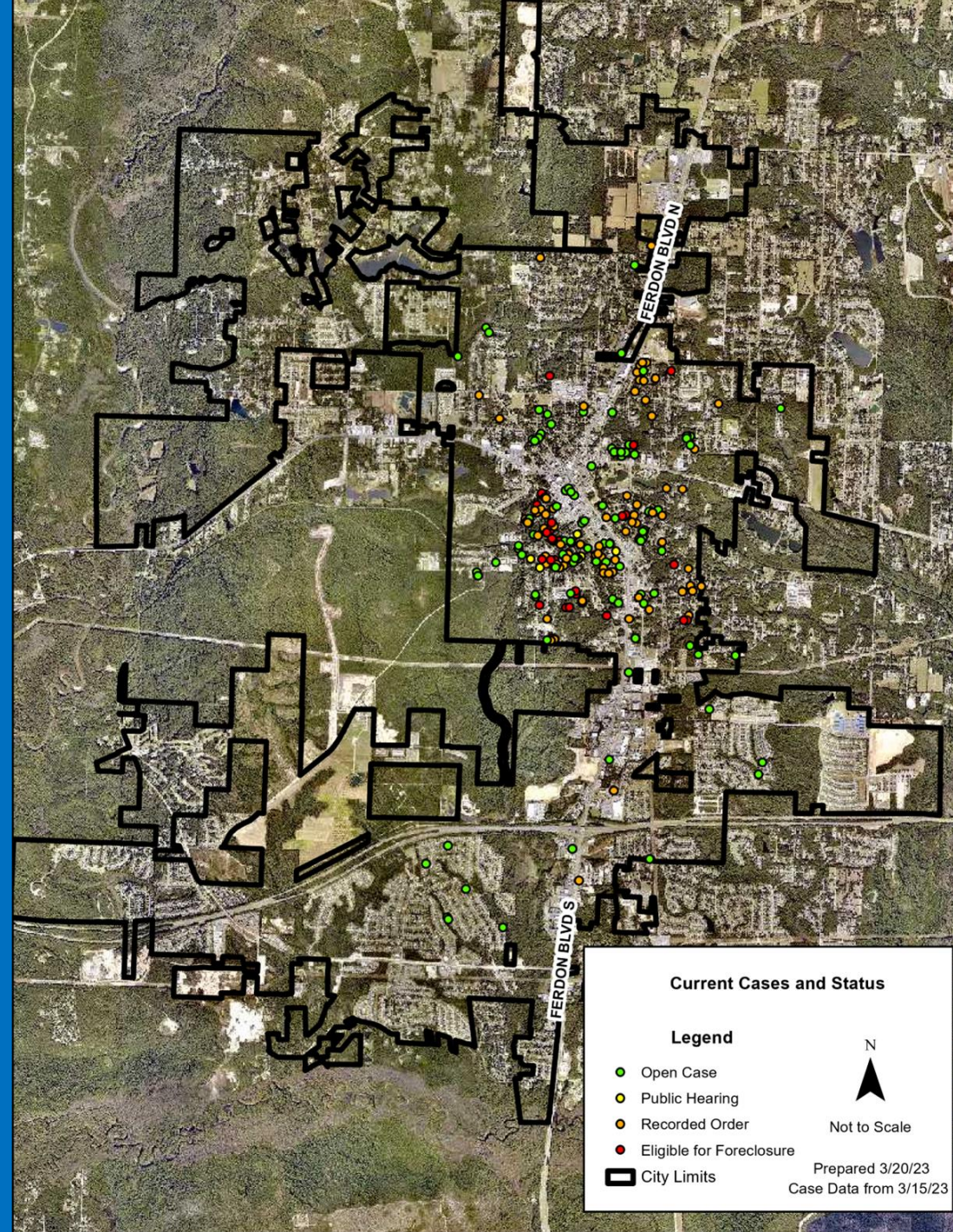
Attachments

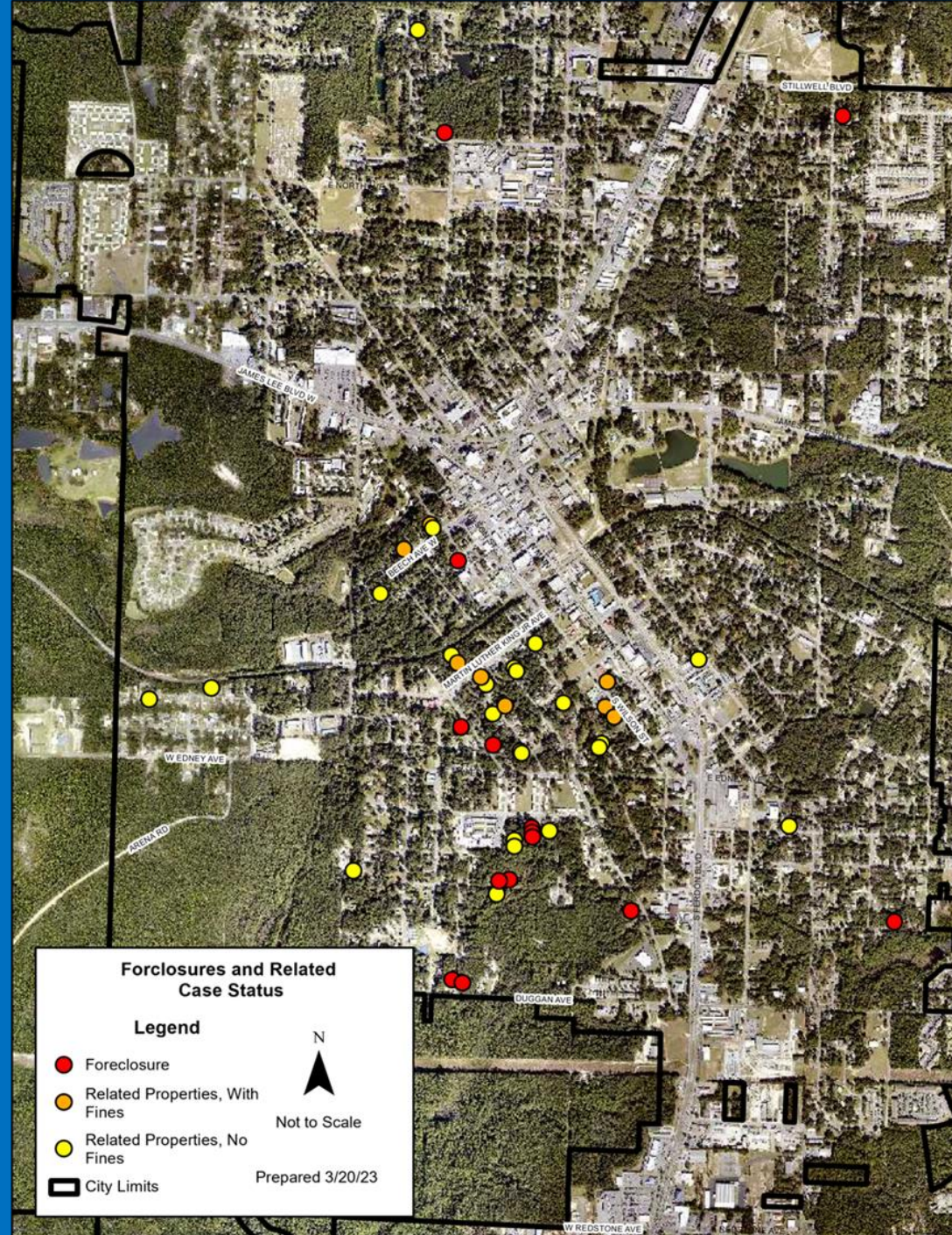
1. Code Compliance Comparison Maps
2. 21-1553 455 Blakely Foreclosure
3. 21-1515 594 Benjamin Foreclosure
4. 21-1038 132 S Booker Foreclosure
5. 21-858 653 Sixth Foreclosure
6. 21-791 418 N Spring Foreclosure
7. 21-566 621 W Walnut Foreclosure
8. 21-477 650 Shortwell Foreclosure
9. 21-435 165 Washington Foreclosure
10. 21-434 145 Washington Foreclosure
11. 21-433 142 Washington Foreclosure
12. 21-322 525 Brackin Foreclosure
13. 21-257 868 Bay Foreclosure
14. 22-827, 828 221 S Booker Foreclosure
15. 22-346 311 Oakdale Foreclosure
16. 22-120 595 Benjamin Foreclosure
17. 457 Blakely Ave

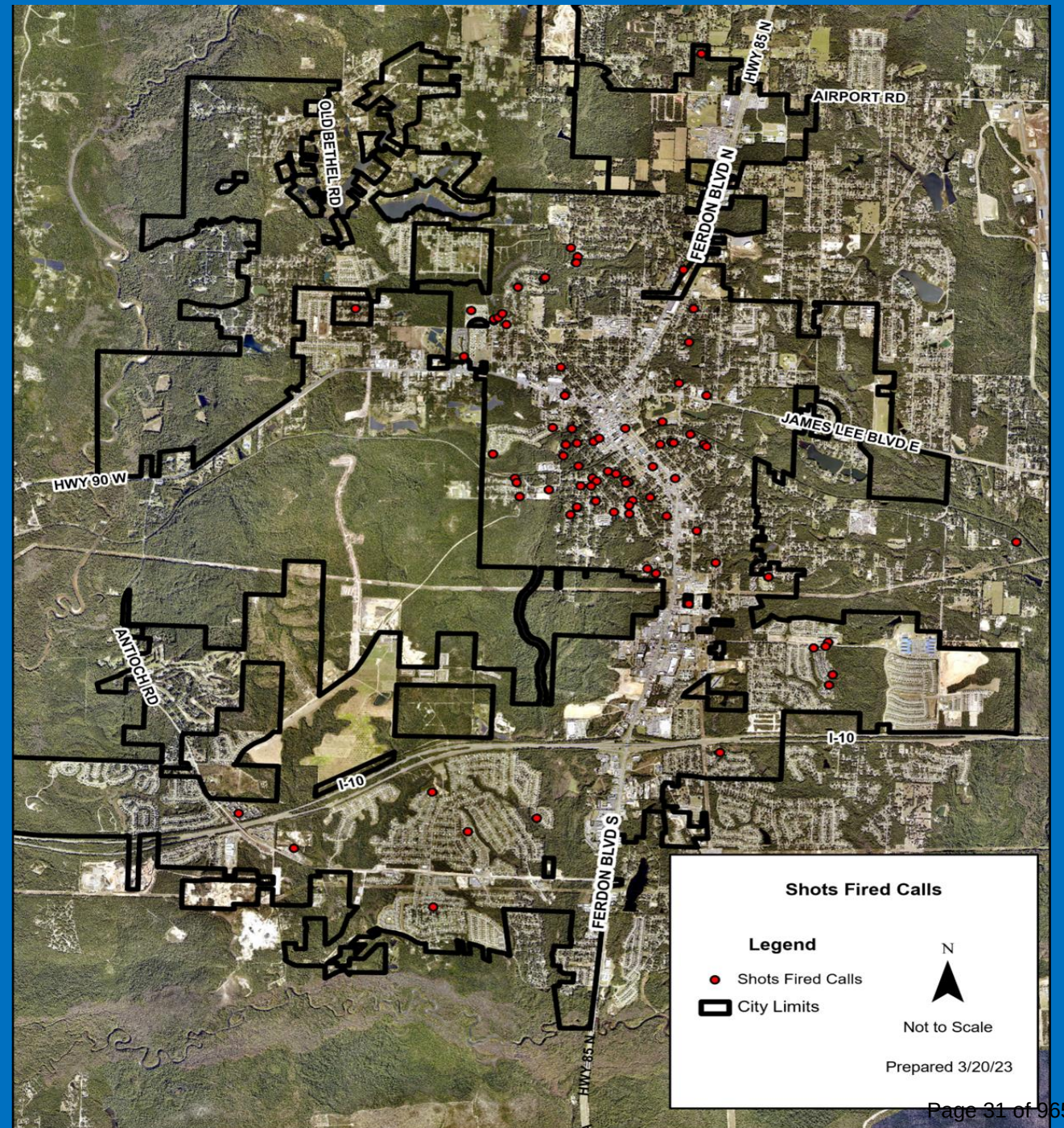
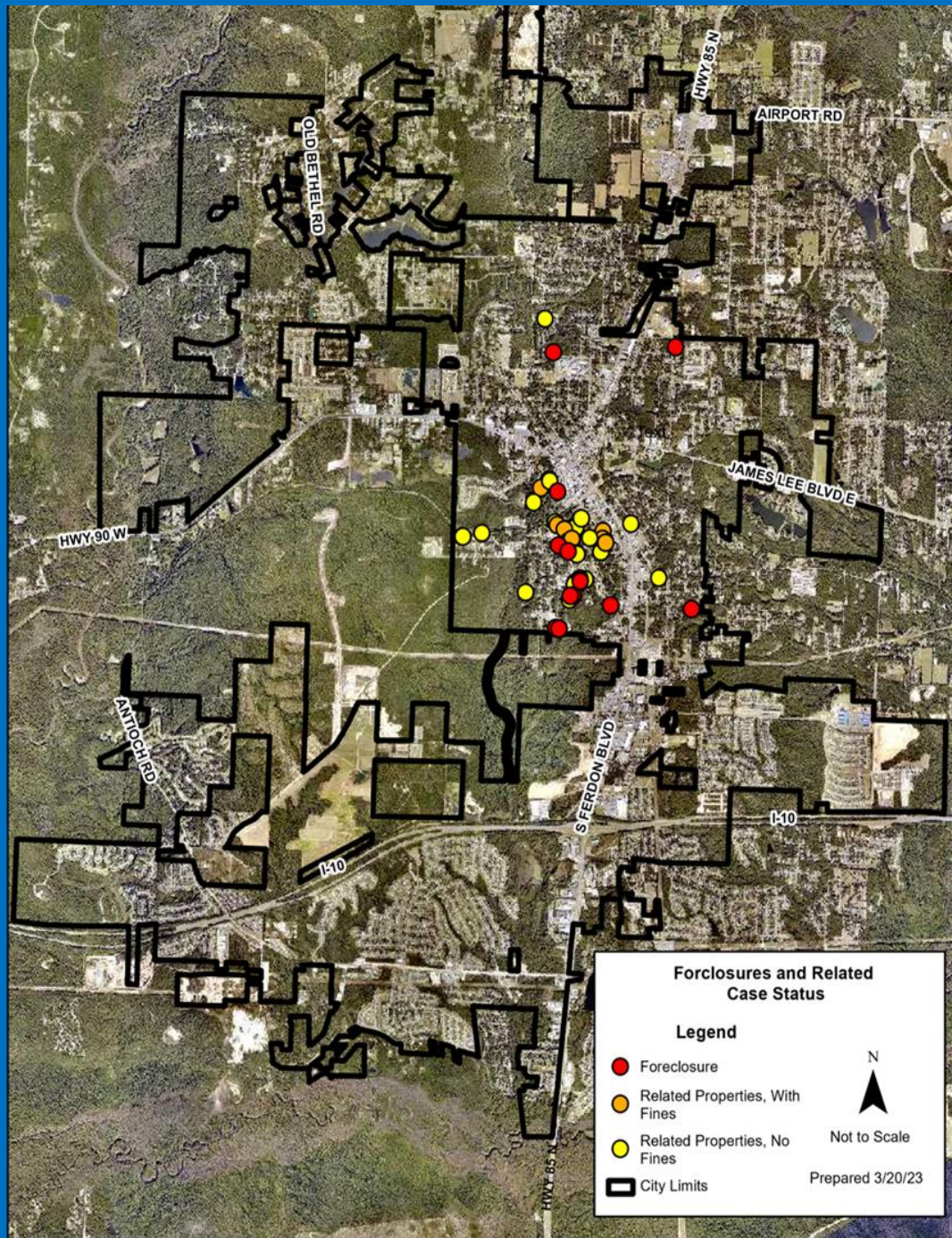
Code Compliance Comparison Maps

2019	2022
Foreclosure: 4	Active: 49
Closed: 534	Closed: 281
Total Case: 538	Public Hearing: 4
	Recorded Order: 47
2020	Total Compliance: 2
Recorded Order: 6	Total Case: 383
Foreclosure: 6	
Closed: 258	2023
Total Case: 270	Active: 52
	Public Hearing: 1
2021	Closed: 8
Recorded Order: 27	Total Case: 61
Foreclosure: 24	
Closed: 507	
Total Compliance: 7	
Total Case: 568	
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.

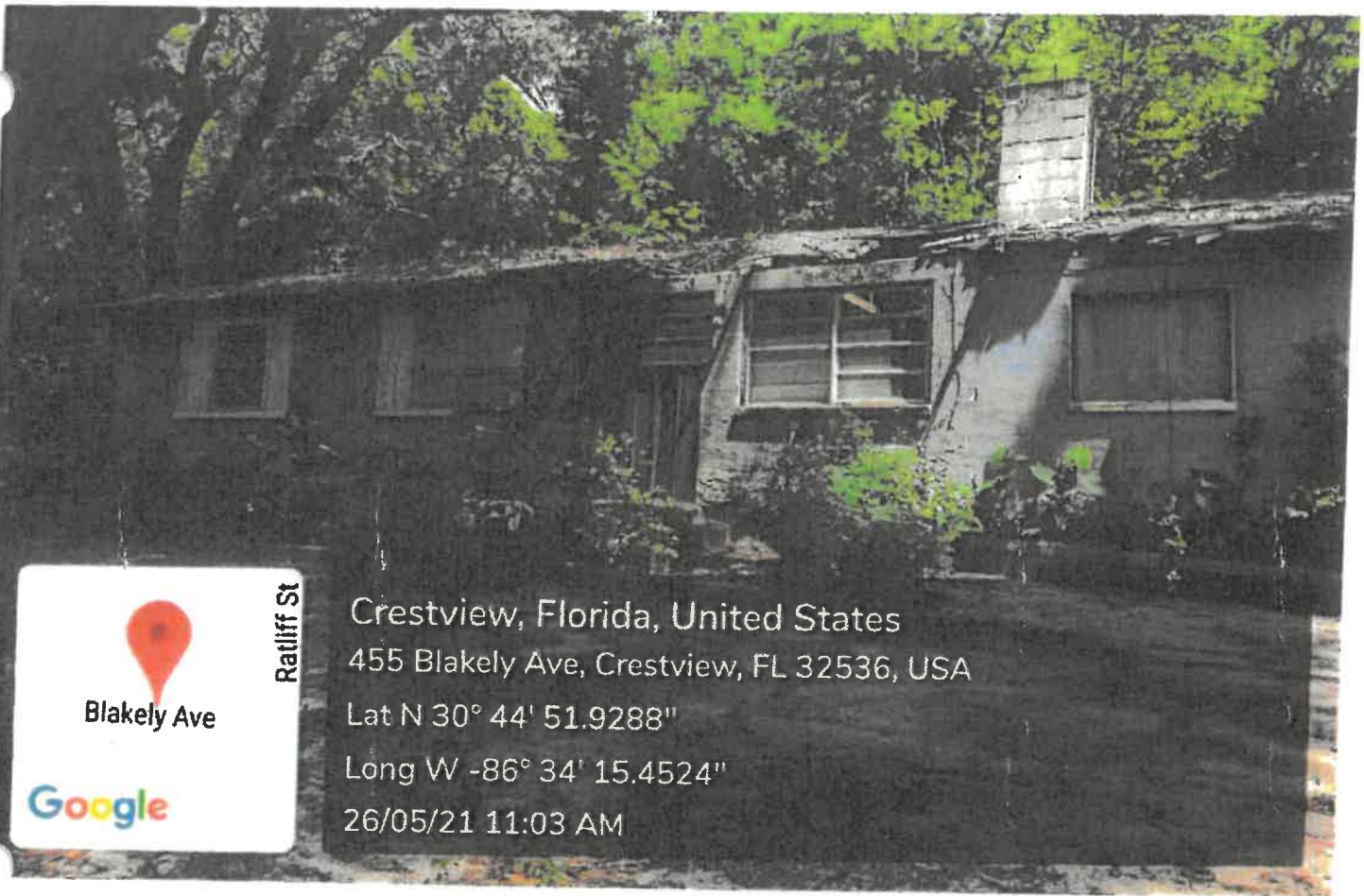
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

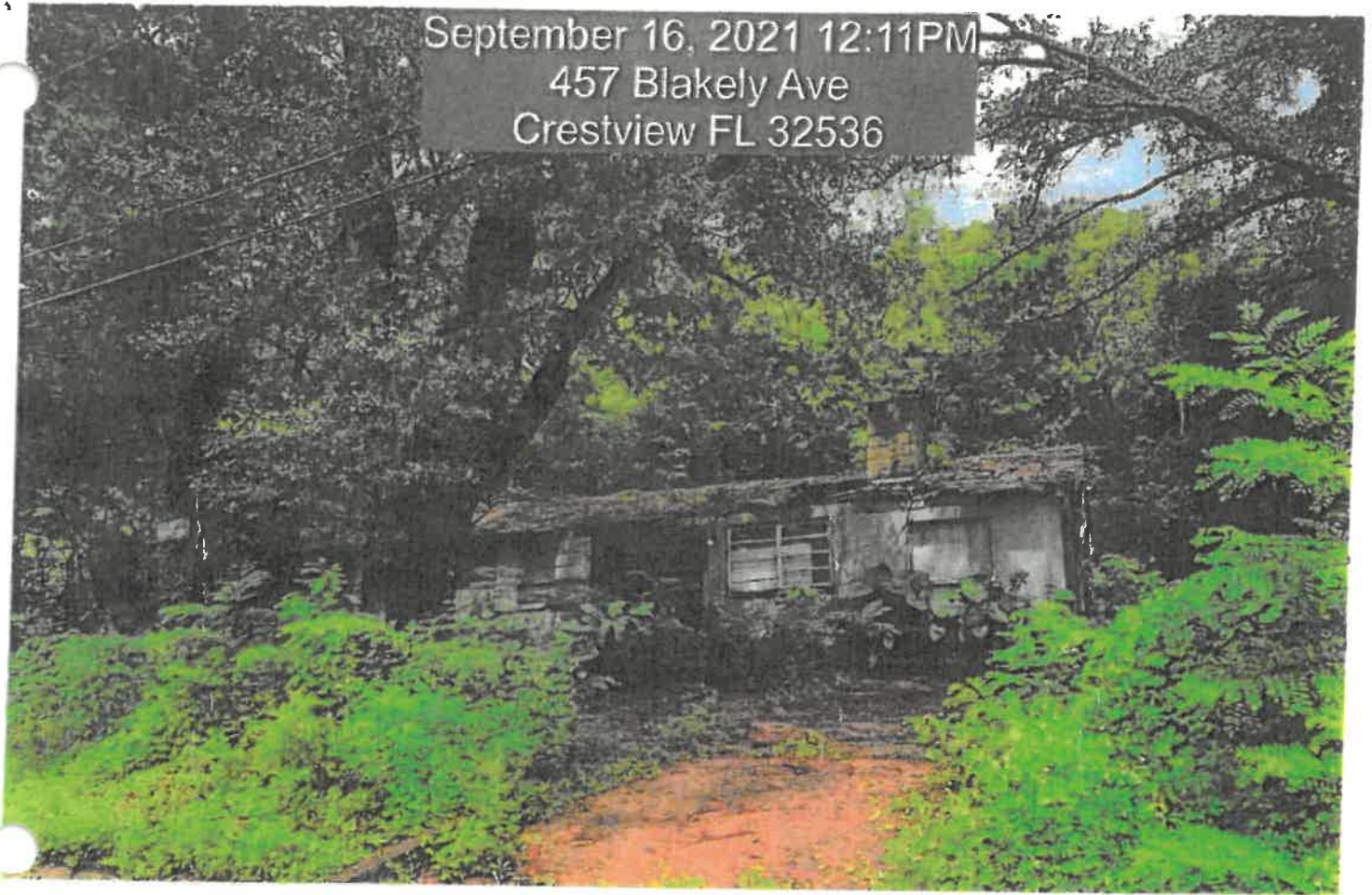
5/25/21

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

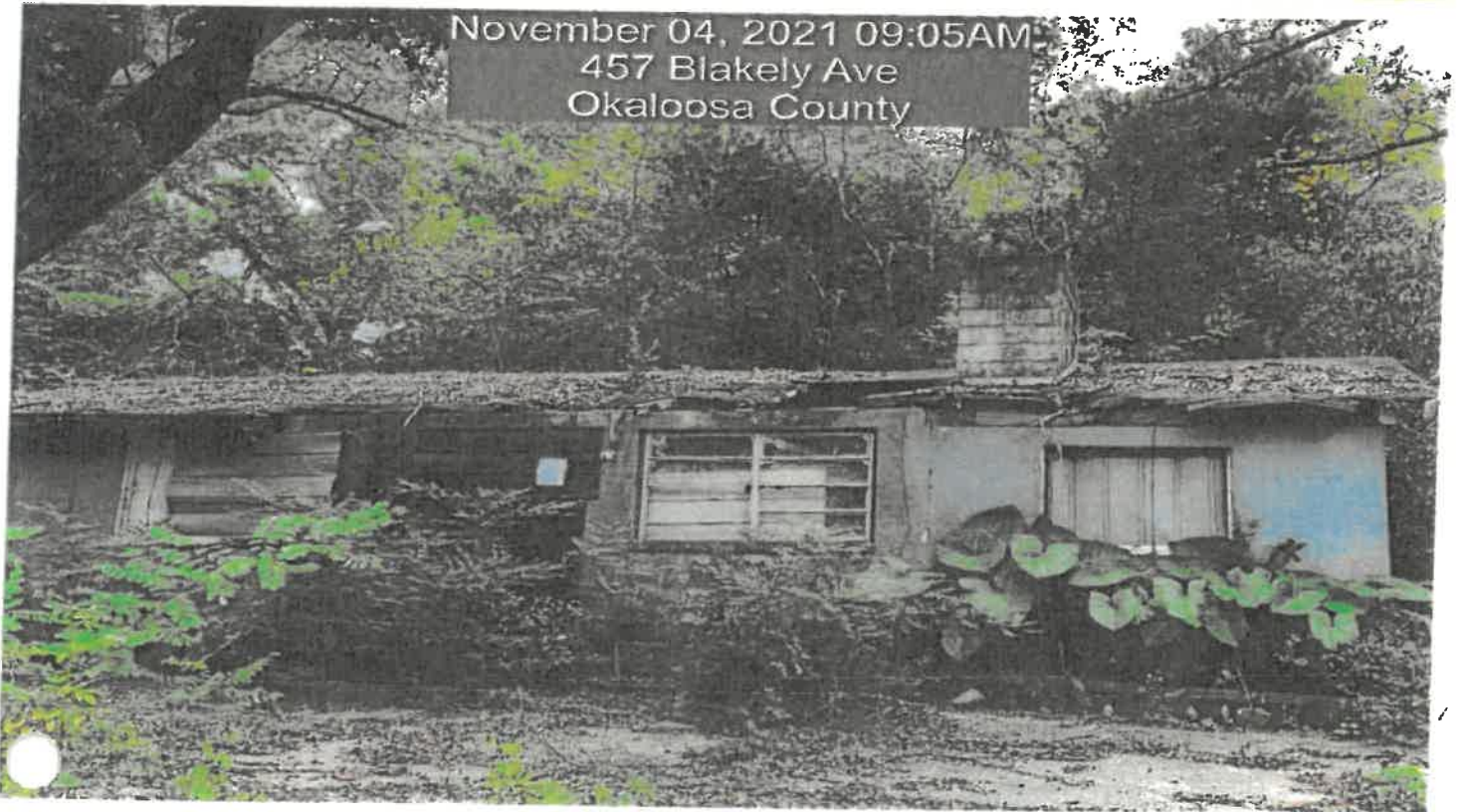


EXHIBIT # 2

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:

PN# 20-JN-23-2990-0011-0120 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

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

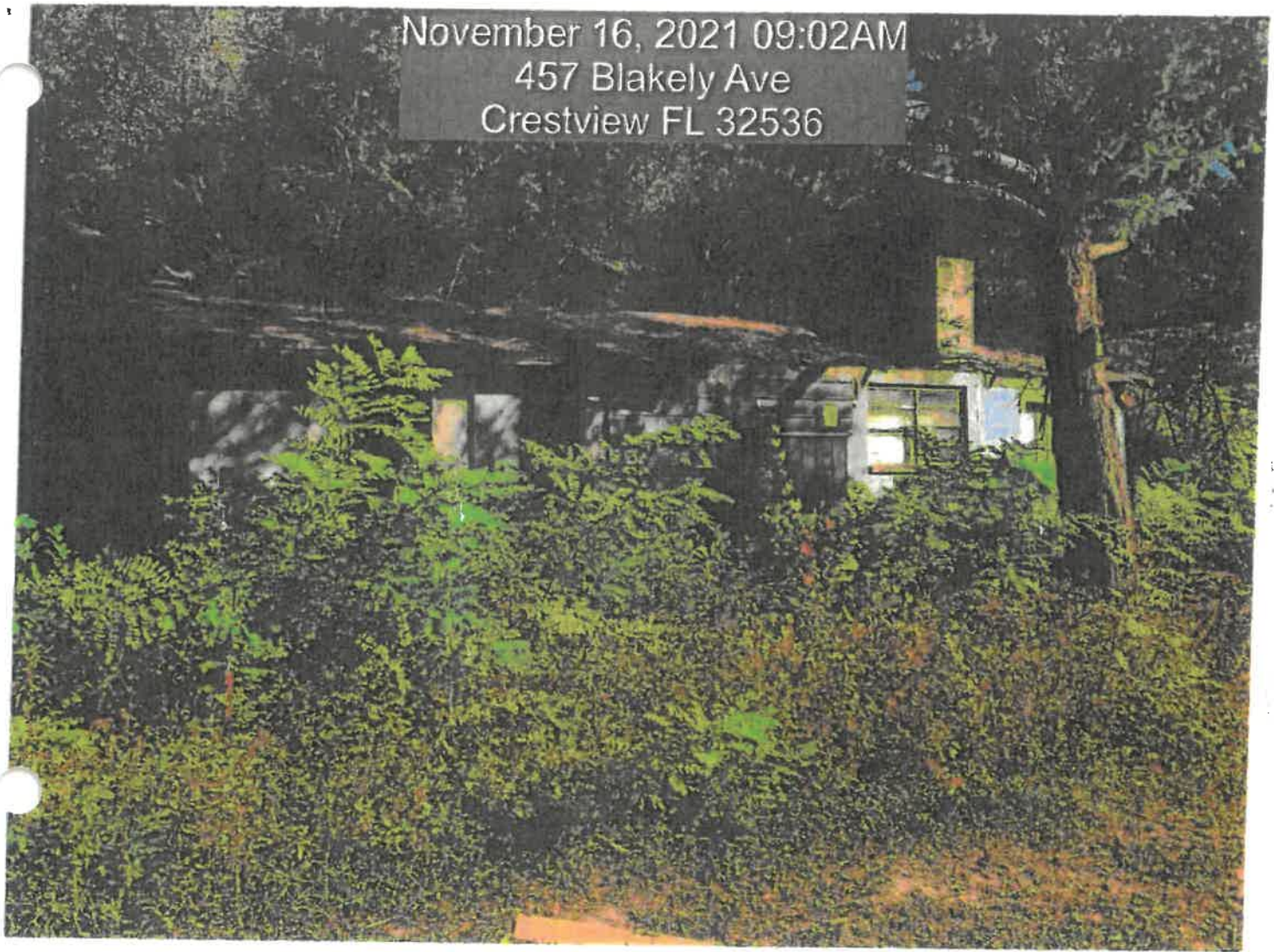


EXHIBIT # 2



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

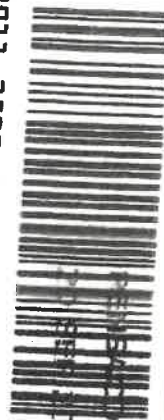
OFFICIAL USE

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 32507**

CERTIFIED MAIL



7012 3500 0000 9133 8663

CRESTVIEW, FL 325
 70 SEP 20 2021 PM 1 L

NEOPOST
 09/17/2021
 FIRST CLASS MAIL
 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

UNC
 3250758615436

*2638-01109-20-37

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,

A handwritten signature in blue ink, appearing to read "Deborah Lawson", is written over the word "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.

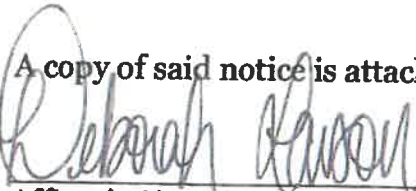
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

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.

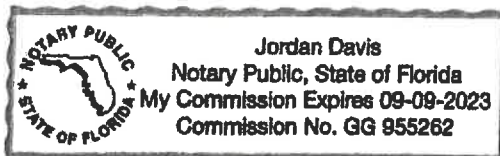

Affiant's Signature

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: Jordan Davis

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
- ☒ (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

EXHIBIT # 2A



EXHIBIT # 2A

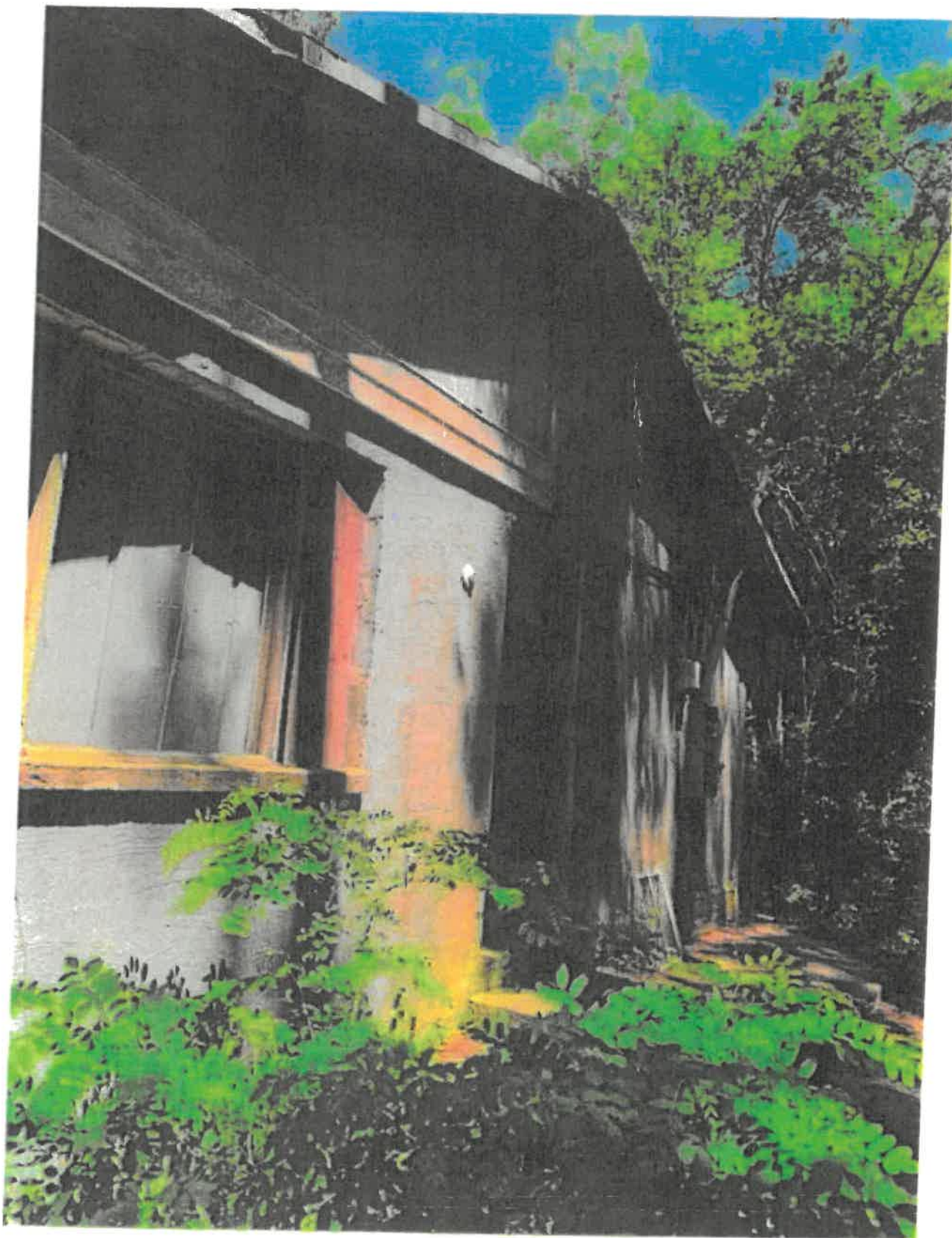


EXHIBIT # 2A



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: _____
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
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**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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**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. #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

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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

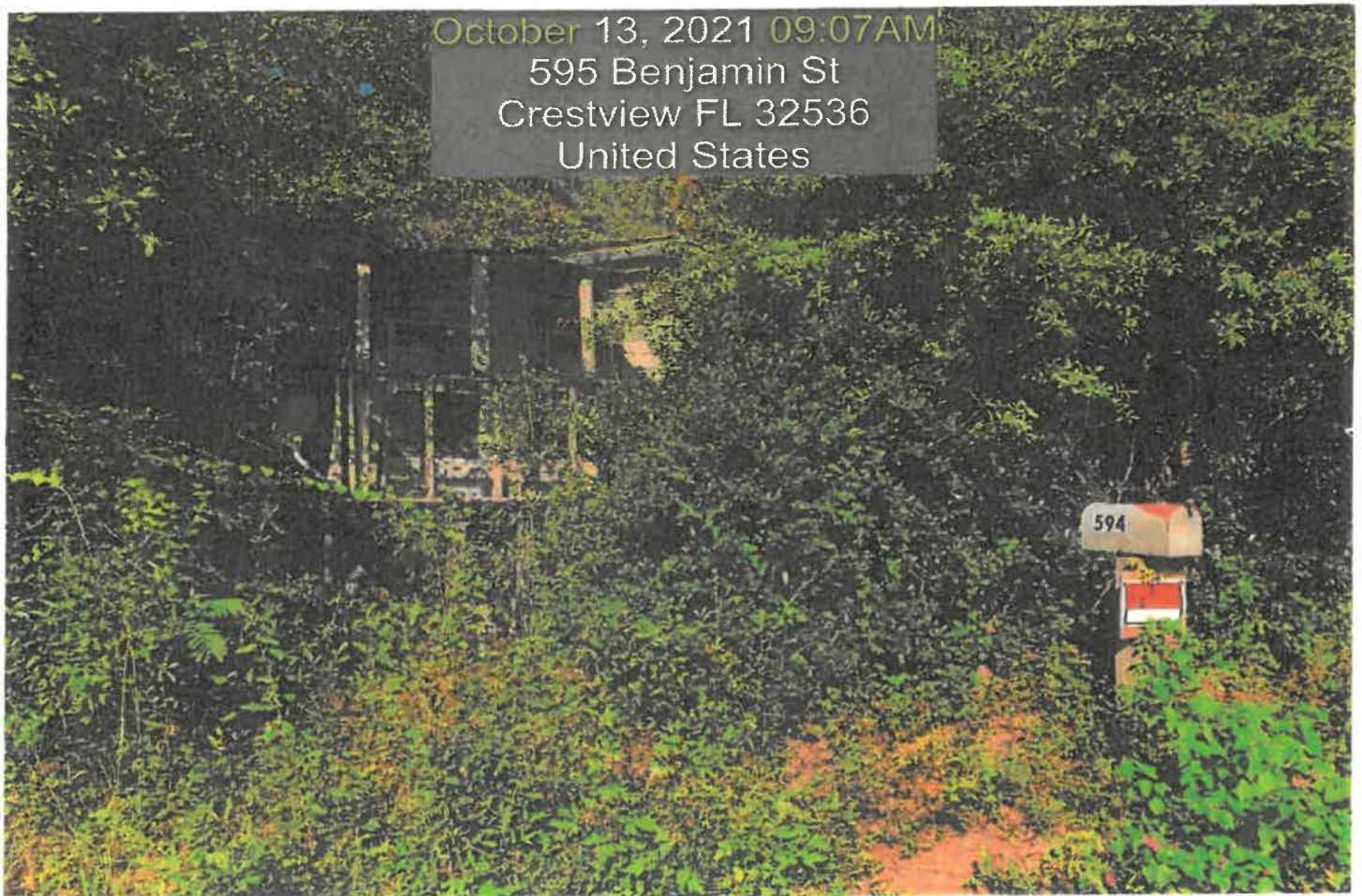
PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 3

Case # 21-1515

594 Benjamin

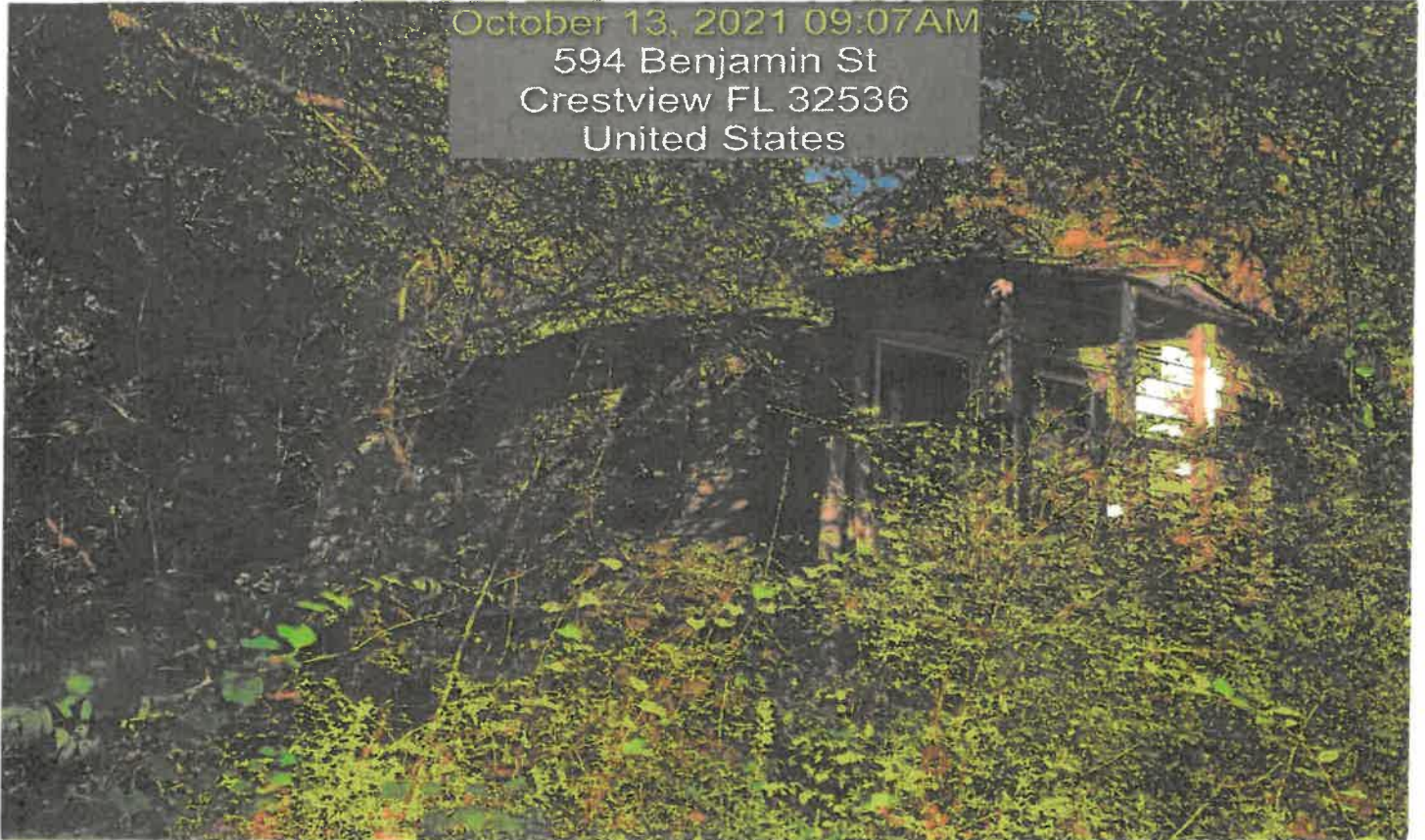


Case # 21-1515

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

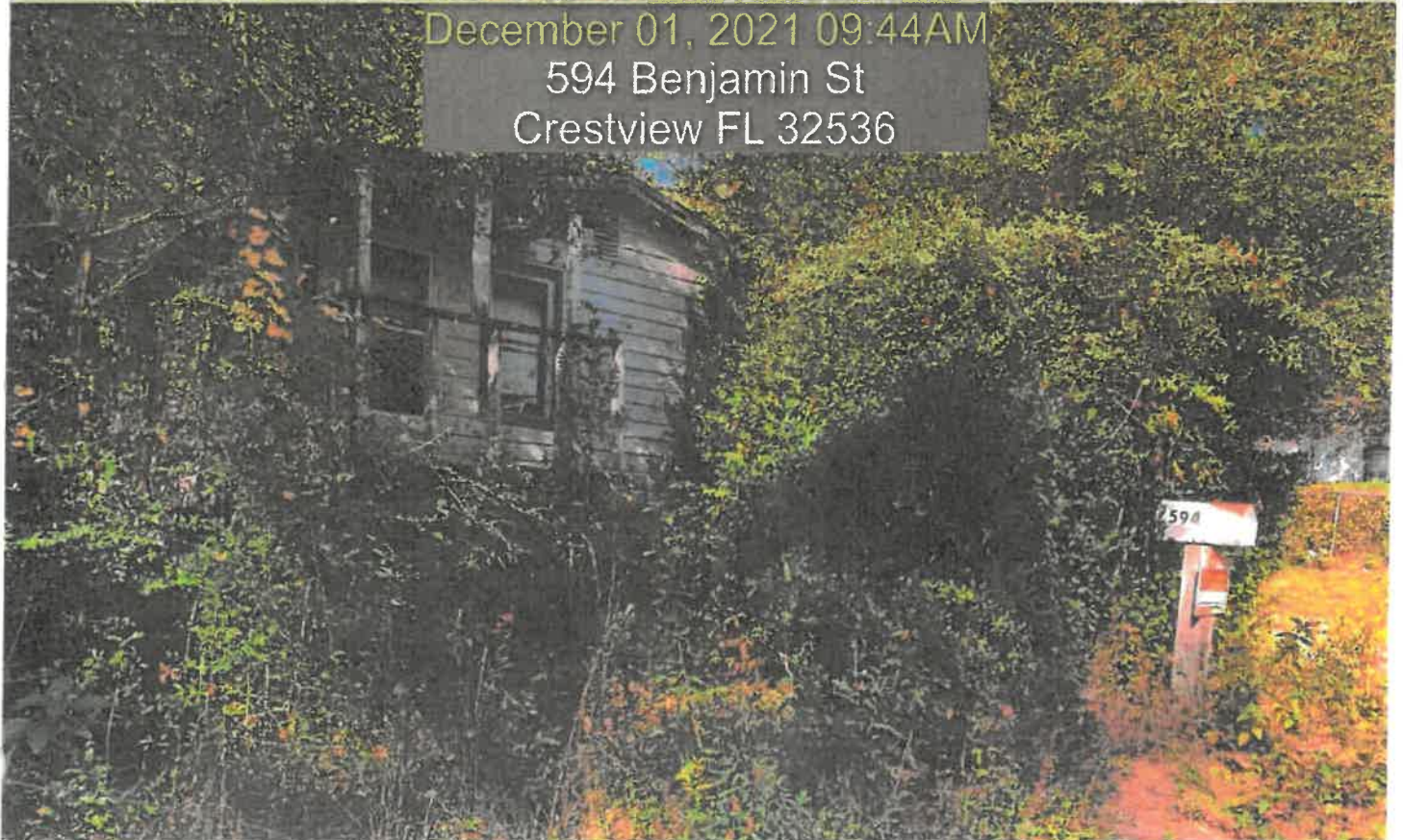
November 16, 2021 08:58AM

594 Benjamin St
Crestview FL 32536



December 01, 2021 09:44AM

594 Benjamin St
Crestview FL 32536



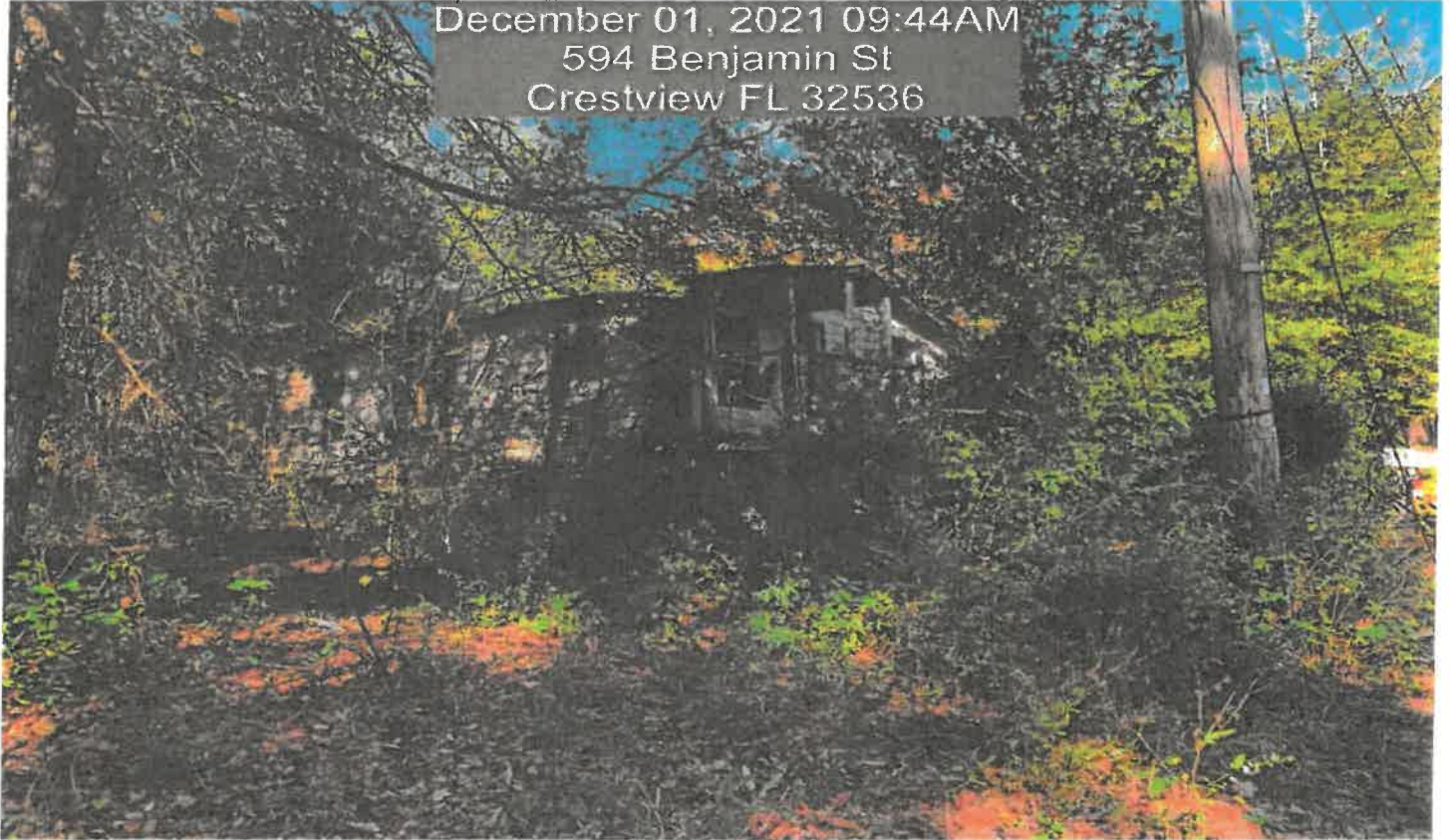
Case # 21-1515

594 Benjamin

December 01, 2021 09:44AM

594 Benjamin St

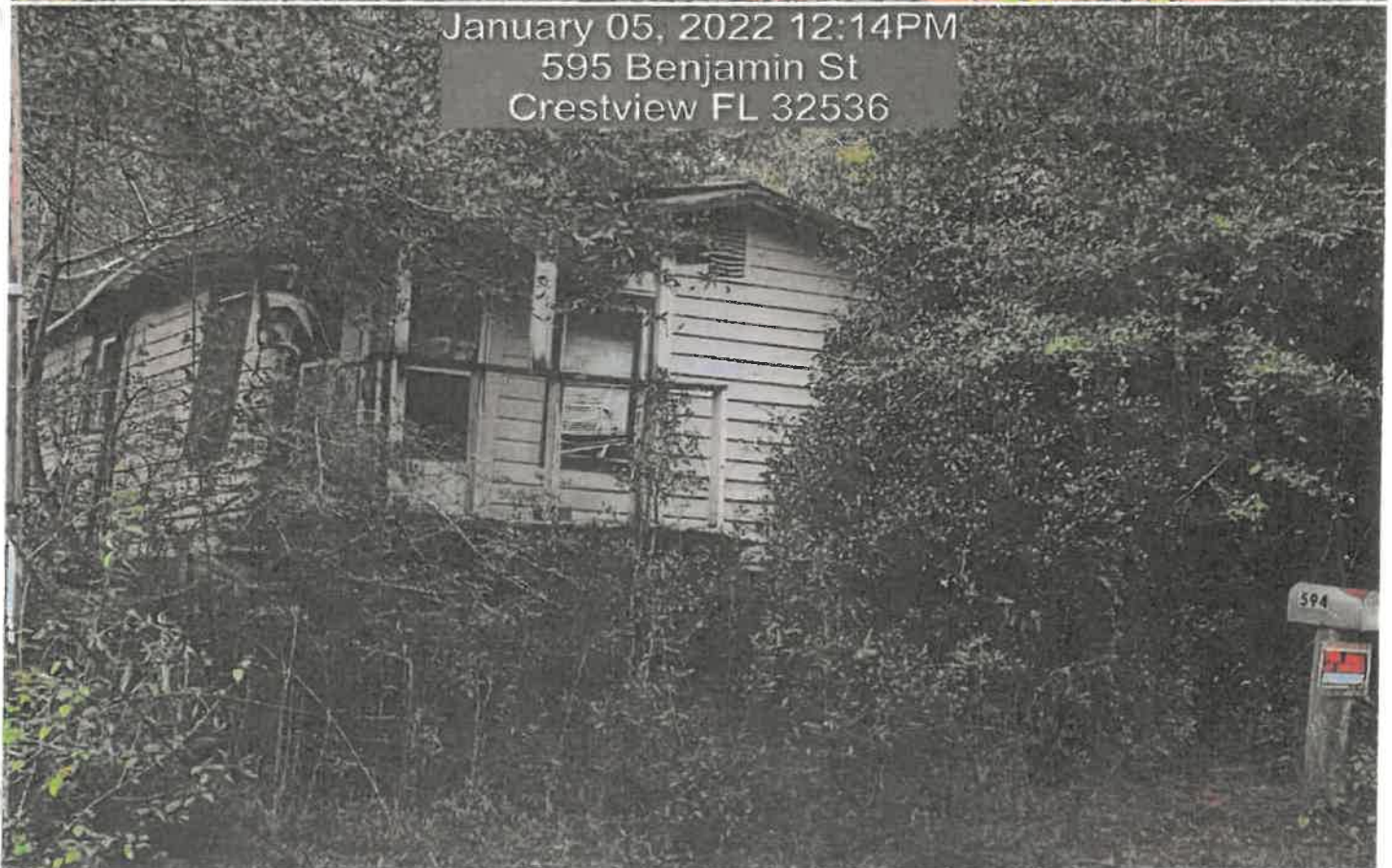
Crestview FL 32536



January 05, 2022 12:14PM

595 Benjamin St

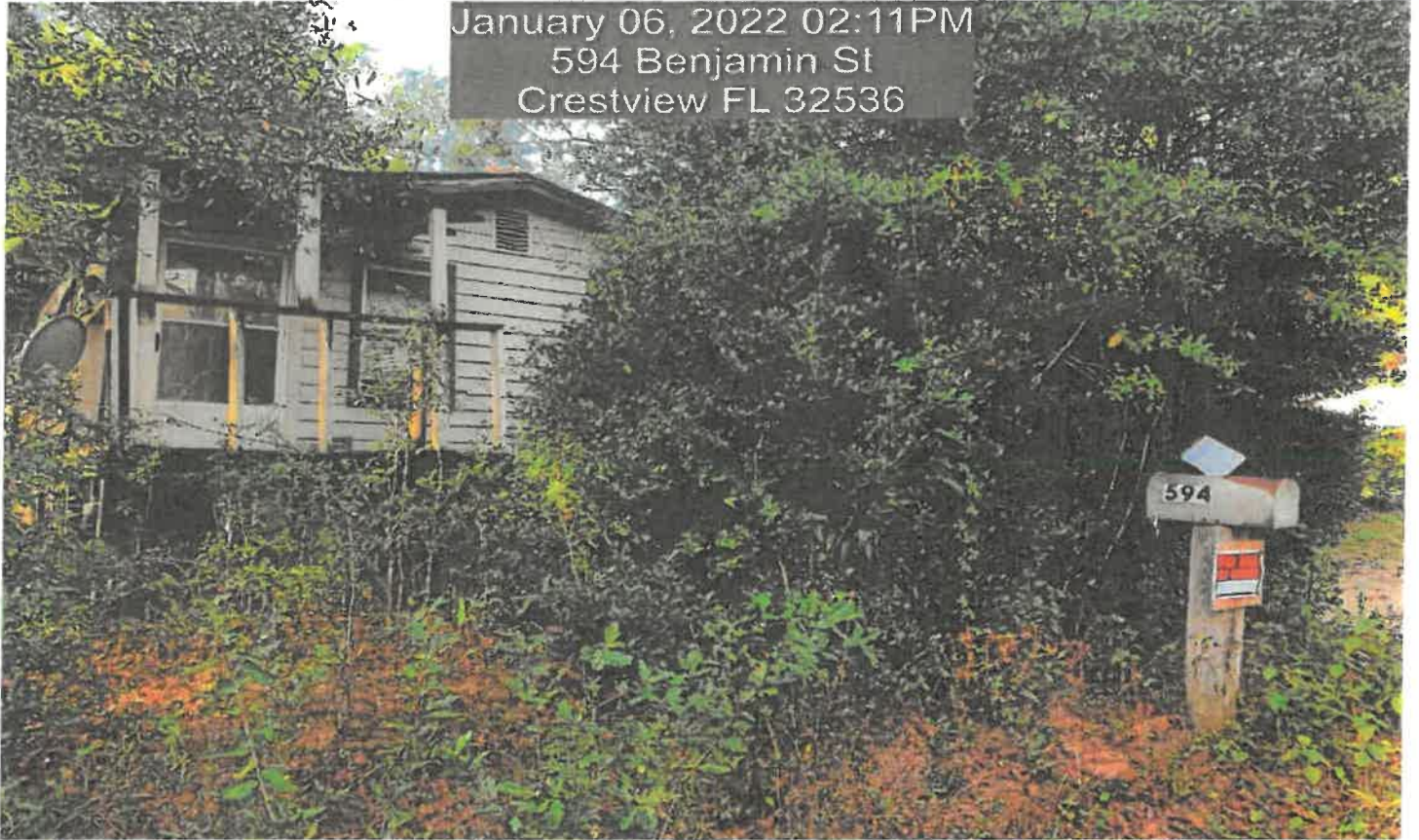
Crestview FL 32536



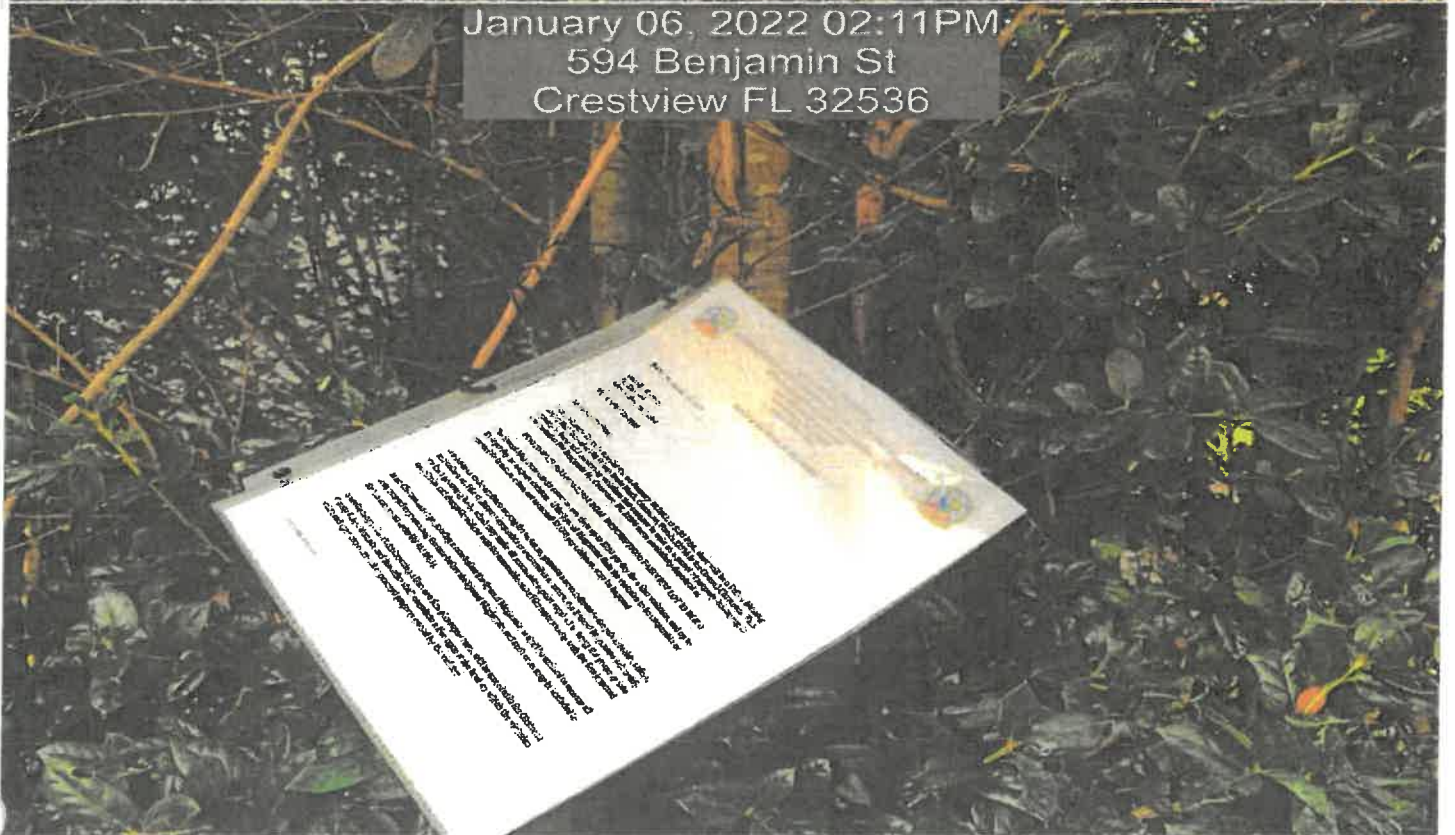
Case # 21-1515

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

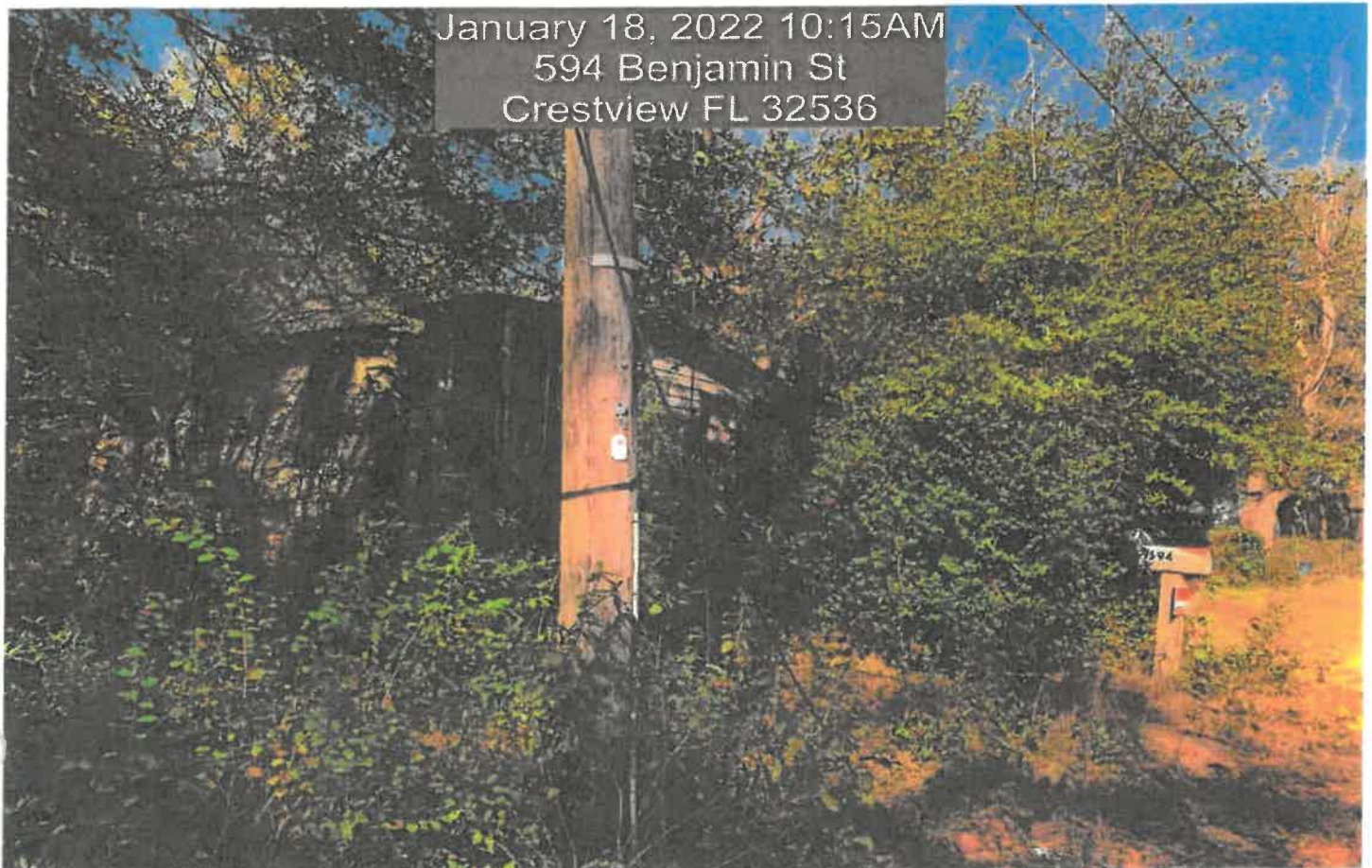


EXHIBIT # 3



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:

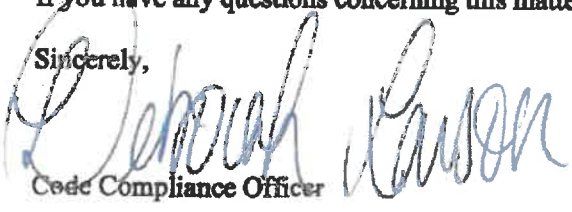
Location of Violation: 594 BENJAMIN ST
Tax Identification Number: 20-3N-23-0830-0004-0230
Legal: FAIRVIEW LOT 23 BLK 4, ,

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.



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

U.S. Postal Service™
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OFFICIAL USE

Postage	\$ 1.58	Postmark	NOV 22 2021
Certified Fee	\$ 3.75		
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$ 4.33		

PRISCILLA ROBBINS #21-1615
 Street & Apt. No.,
 or PO Box No. P.O. Box 307
 City, State, ZIP+4® MARY ESTHER, FL 32569

1429 9514 0000 064E 4102

CERTIFIED MAIL



7014 3490 0000 4156 6741

NEOPOST
 11/02/2021
US POSTAGE \$004.28
 ZIP 32536
 041M11297338

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

NIXIE 322 DE 1 0011/22/21

32569-0307
 32569-0307

BC: 3256343698 *2638-06950-02-35
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD



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:

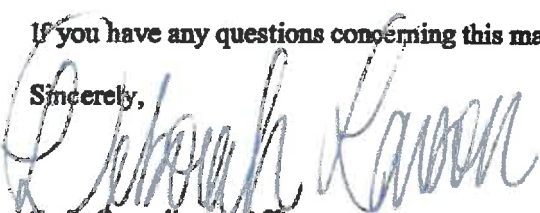
Location of Violation: 594 BENJAMIN ST
Tax Identification Number: 20-3N-23-0830-0004-0230
Legal: FAIRVIEW LOT 23 BLK 4, ,

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
 Crestview, FL 32536
 11/17/2021 11:11 PM

7014 3490 0000 4256 6840

NEOPOST

FIRST CLASS MAIL

11/17/2021
 US POSTAGE
\$004.28

ZIP 32536
 041M11297338

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OFFICIAL USE

Postage	\$ 98
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
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 32514

0489 95TH 0000 064E 4T02

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

32569-0304
 32536-3436

MIXIE 322 DE 1 0012/10/21
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 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

CERTIFIED MAIL



CRESTVIEW FL 325
 2021 DEC 21 PM 1 L

70J4 3490 0000 4J56 7J5J



ZIP 32536
 041M11297338

NEOPOST

FIRST CLASS MAIL

12/02/2021
 US POSTAGE

\$004.28

U.S. Postal ServiceSM
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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



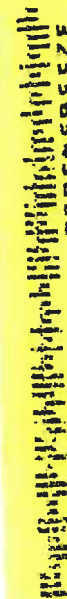
PRISCILLA ROBBINS #21-1516
 Street & Apt. No.,
 or PO Box No. P.O. BOX 307
 CITY STATE ZIP+4[®] MARY ESTHER, FL 32509

PS Form 3800, July 2014 See Back for Restrictions

TS12 95TH 0000 064E 4T02

UNC
 32536343698

BC: 32536343698 *2536-03576-02-35



RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

Priscilla Robbins
 PO Box 307
 Mary Esther FL 32569

NIXIE

322 DE 1

0012/22/21

12/3/21
 12/11/21

EXHIBIT # 3

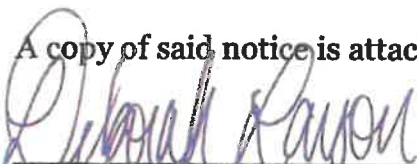
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

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:

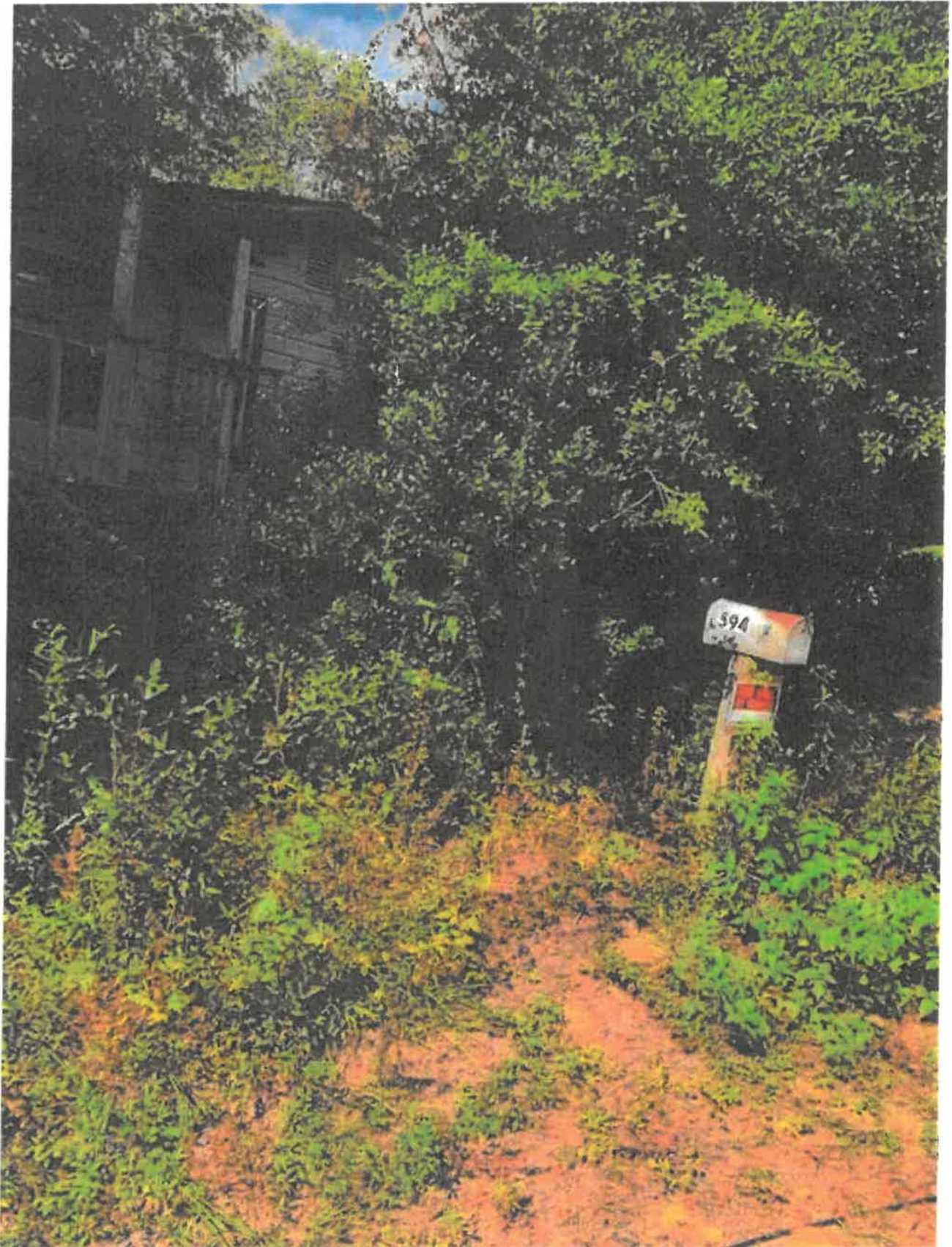
Structure needs to be removed from property. By definition in the Florida Building Code this structure meets the requirements of "Substantial Damage." It is an unsafe structure from all aspects.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

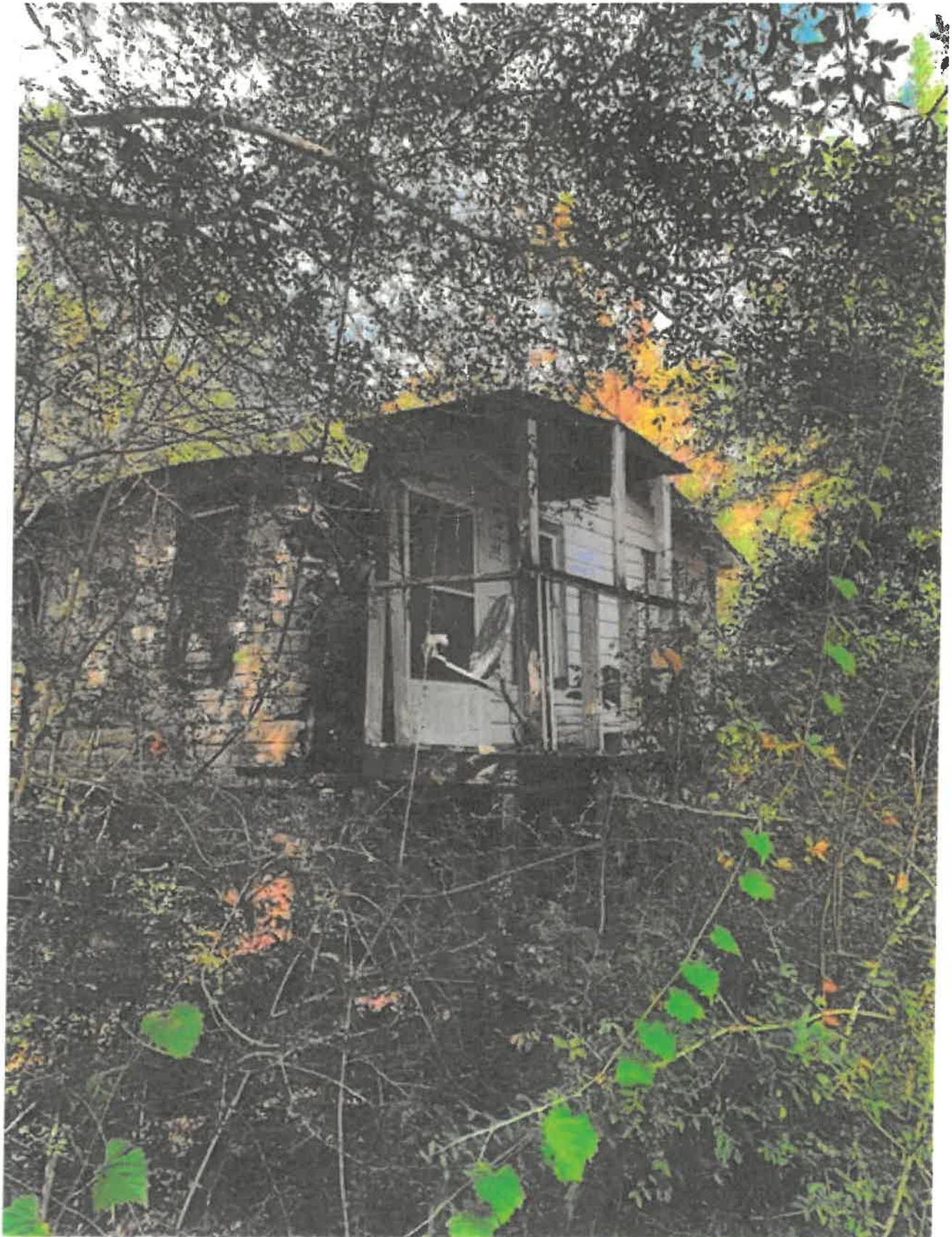
EXHIBIT # 314













**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.

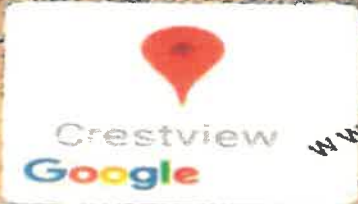
CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☒ 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

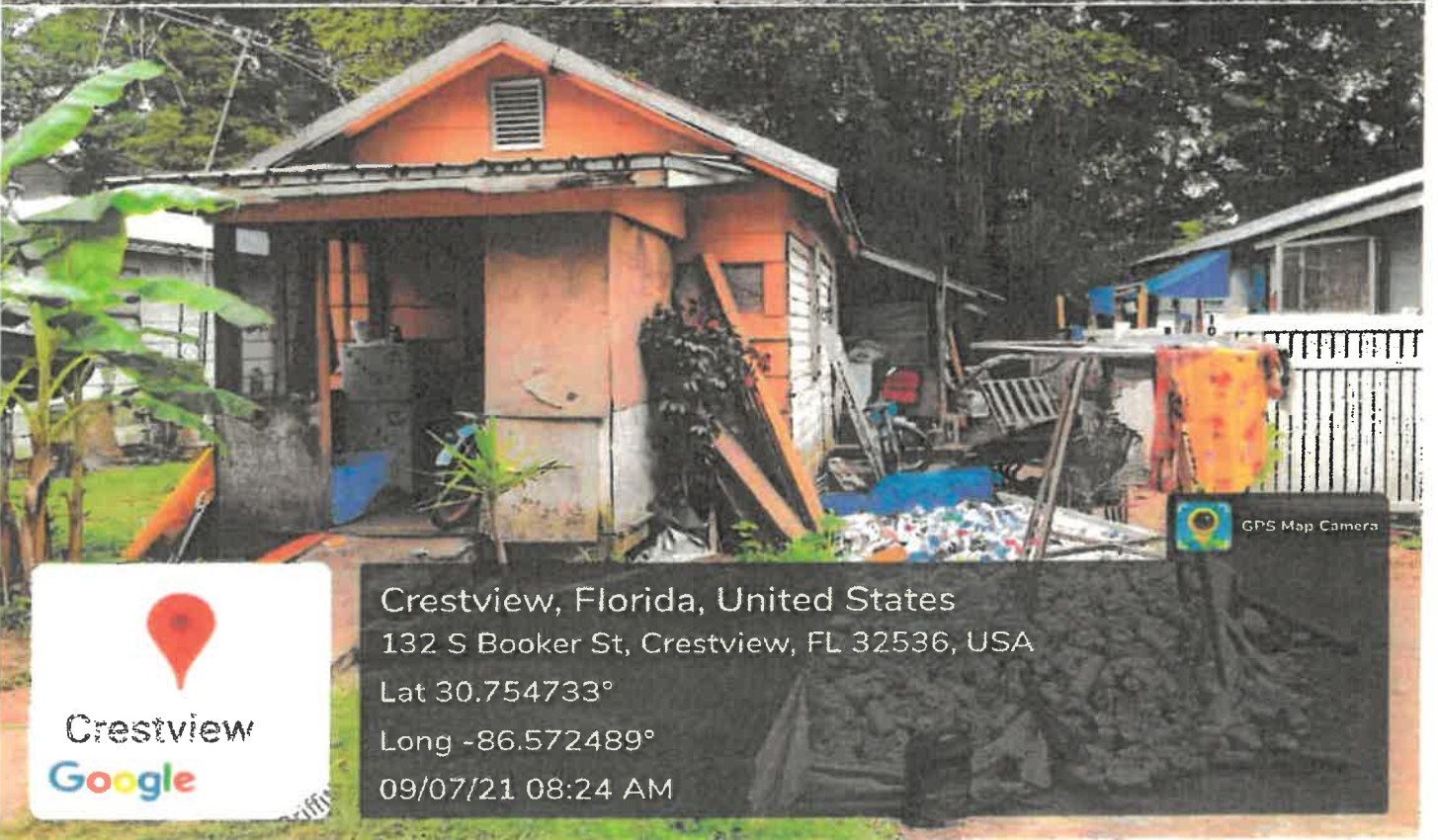


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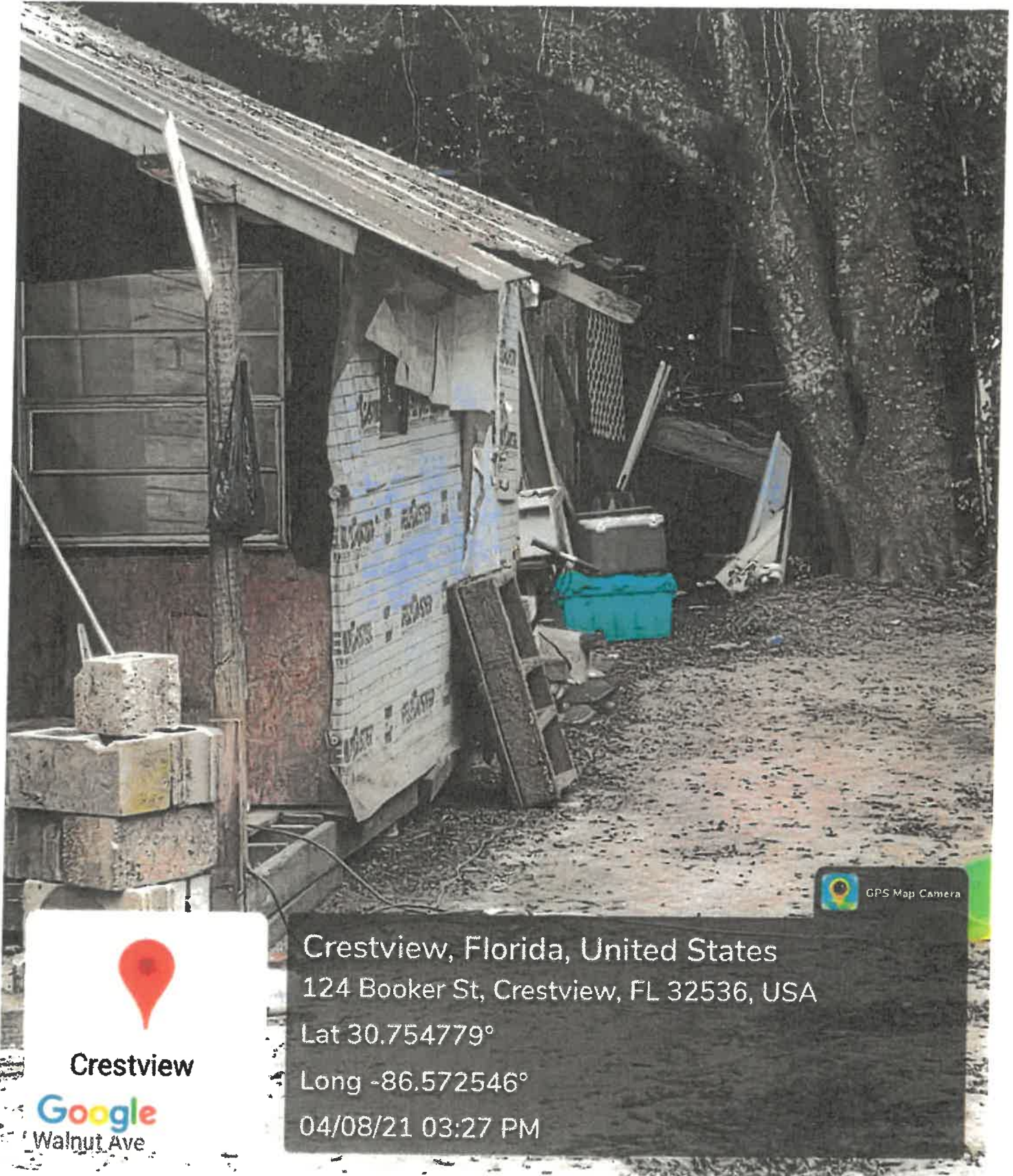


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18/05/21 01:28 PM









Crestview

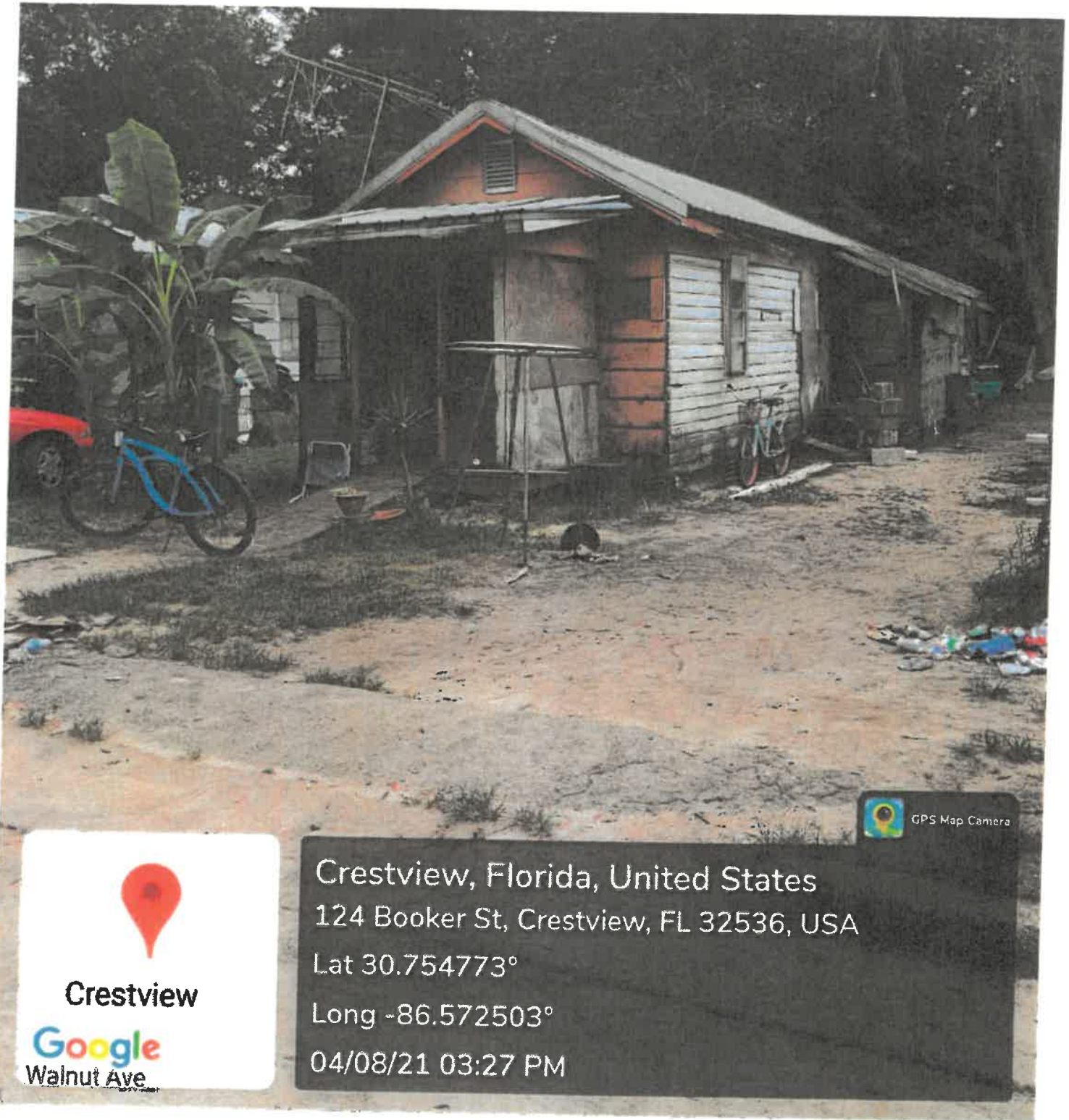
Google
Walnut Ave

Crestview, Florida, United States
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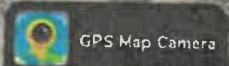


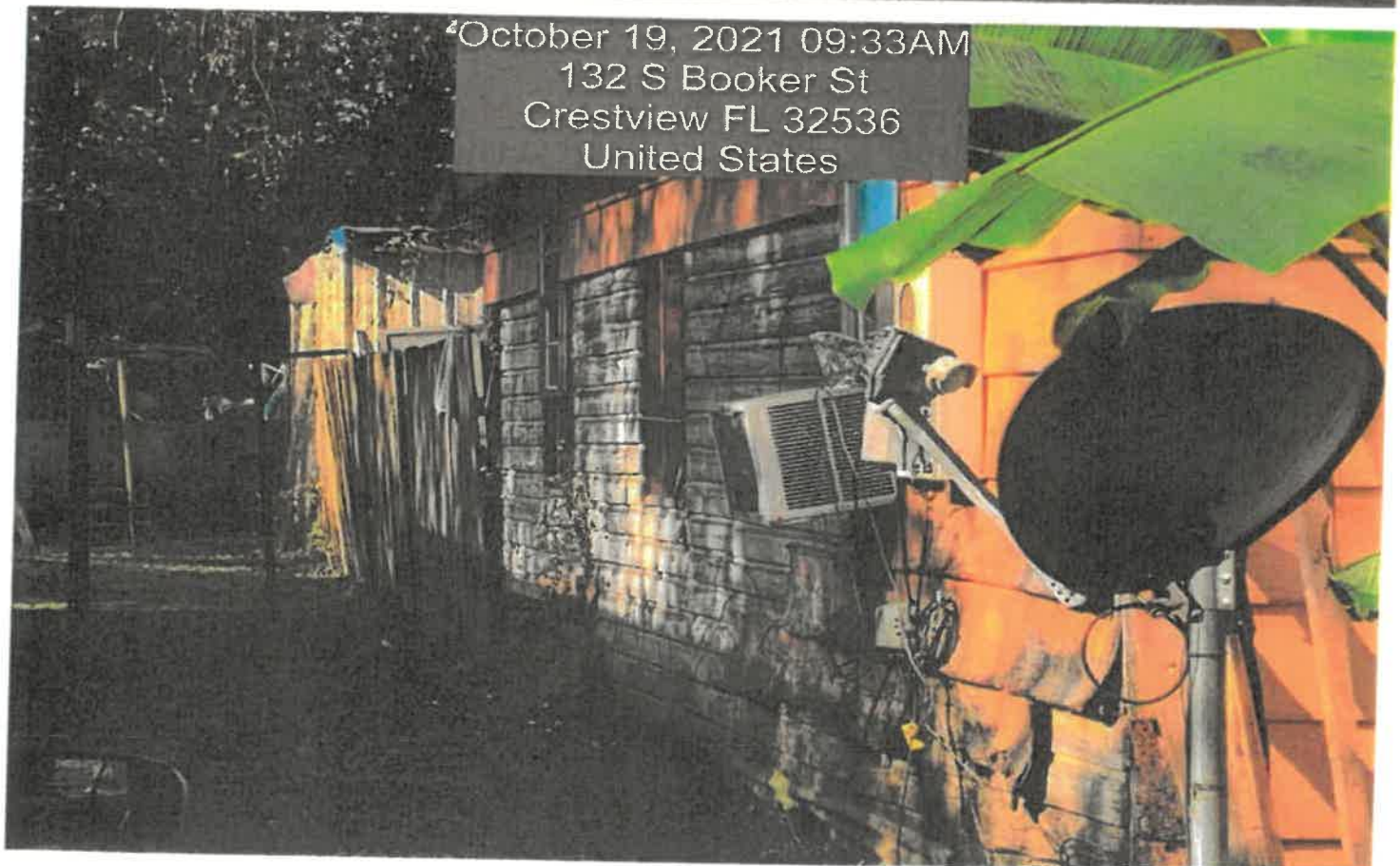
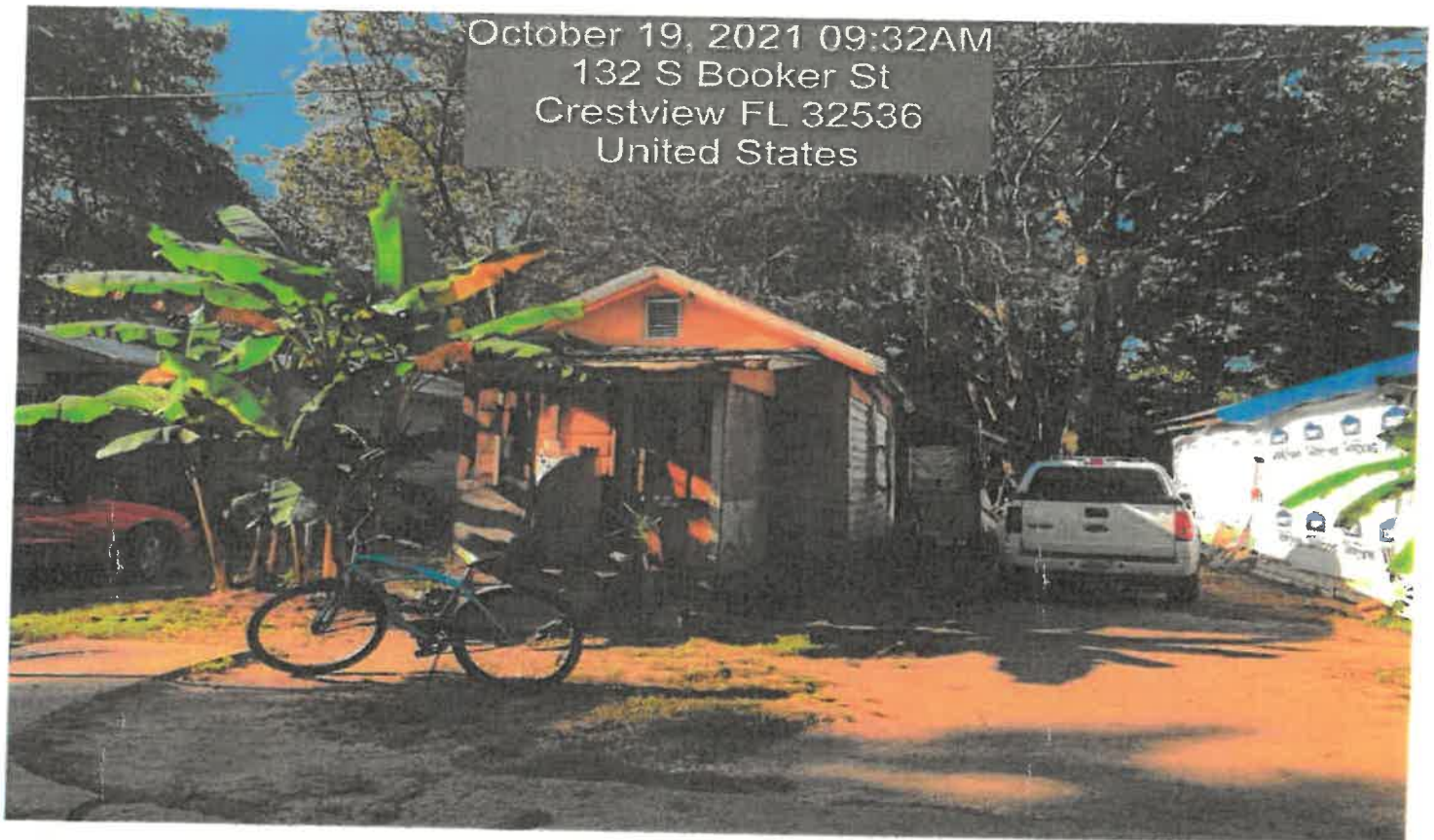
GPS Map Camera

EXHIBIT # 5



Crestview, Florida, United States
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Long -86.572503°
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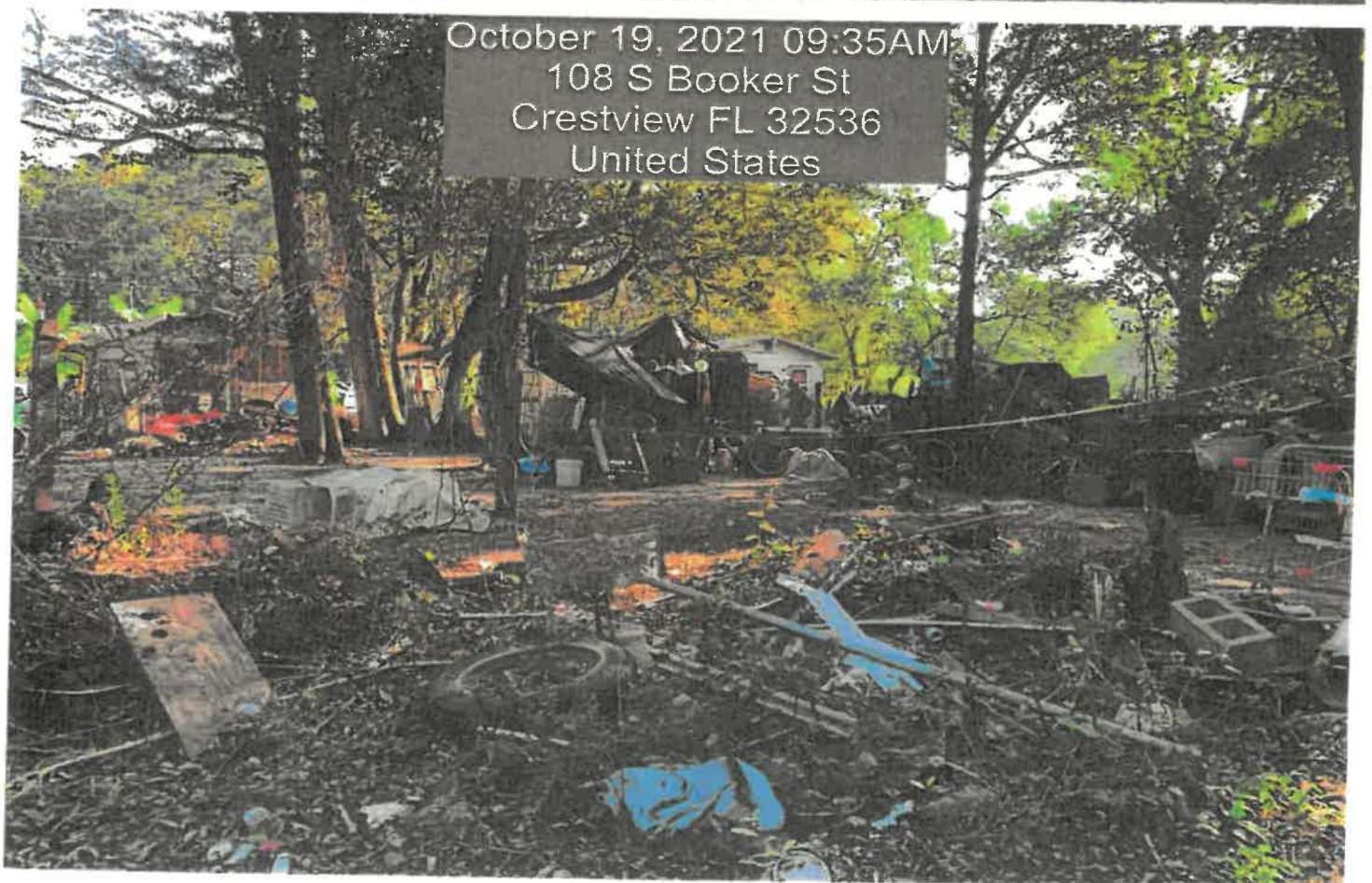
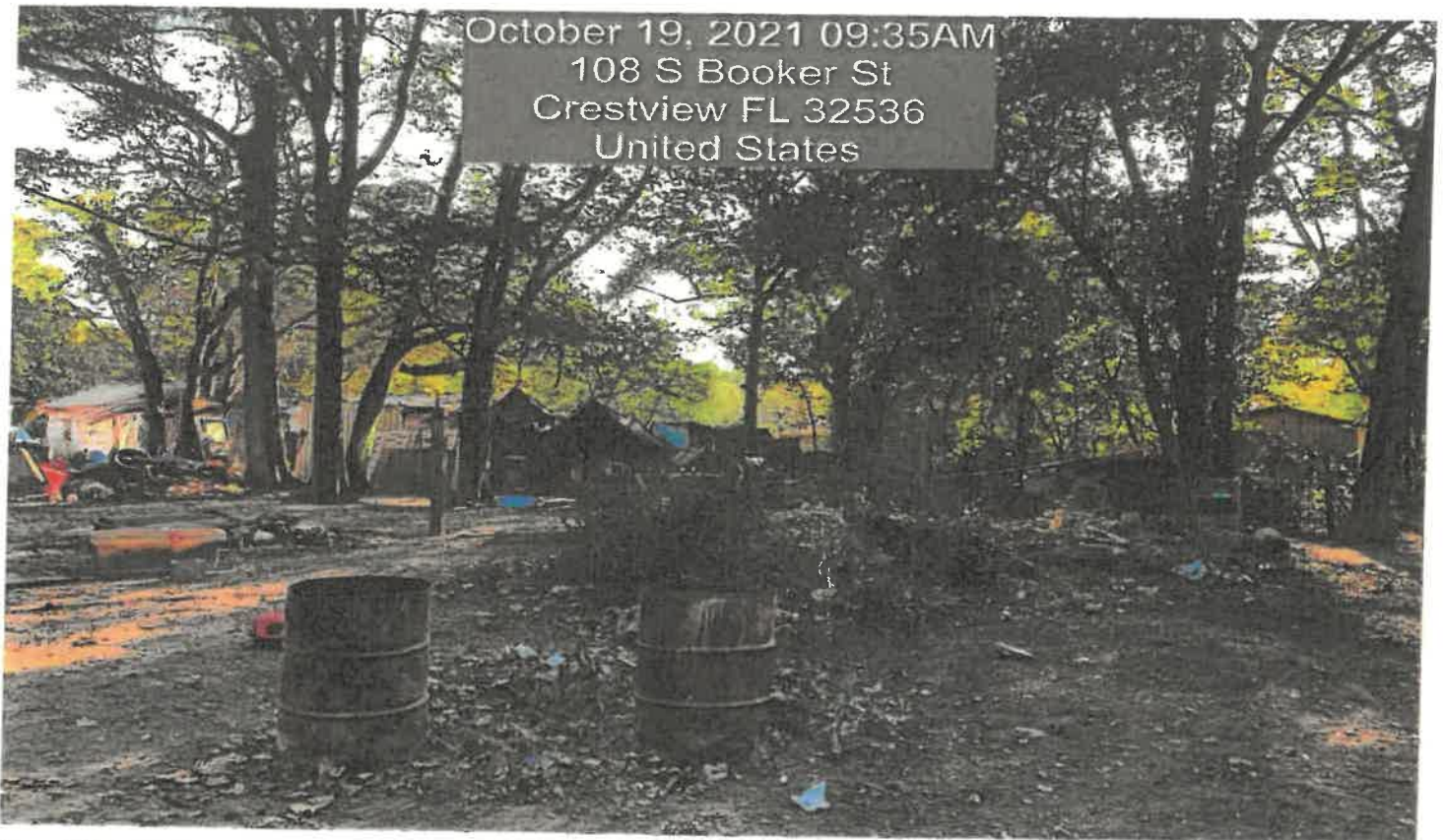


EXHIBIT # 5



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

PAGE 1

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

7020 1290 0001 5682 0058

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
 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: **LEONARD LEE**
320 FORREST PKWY
CRESTVIEW, FL 32539

Postmark Here: **JUL 20 2021**
32539
USPS

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 <i>[Signature]</i> ☒ Agent ☐ Addressee 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)
alcobla@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

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.

VIOLATION: CH 38 SEC 65 ROOFS
DESCRIPTION: ROOFS
LOCATION:

QUANTITY: 1
DATE: 6/08/21

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.

(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

EXHIBIT # 5

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
☐ Adult Signature Required
☐ Adult Signature Restricted Delivery

Postage: 0.51
 Total Postage and Fees: 6.96

Postmark Here: **CRESTVIEW FL 21-1038**

Service and Address:
LEE LEONARD
320 FORREST PKWY
CRESTVIEW, FL 32539

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.	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.

EXHIBIT # 5

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

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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</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 [®]												
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☐ Certified Mail [®]	☐ Registered Mail Restricted Delivery												
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☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery												
☐ Collect on Delivery Restricted Delivery													
2. Article Number (Transfer from service label) 7011 3500 0000 9133 0476													

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

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

EXHIBIT # 5A



EXHIBIT # 5A



EXHIBIT # 5A



EXHIBIT # 5A

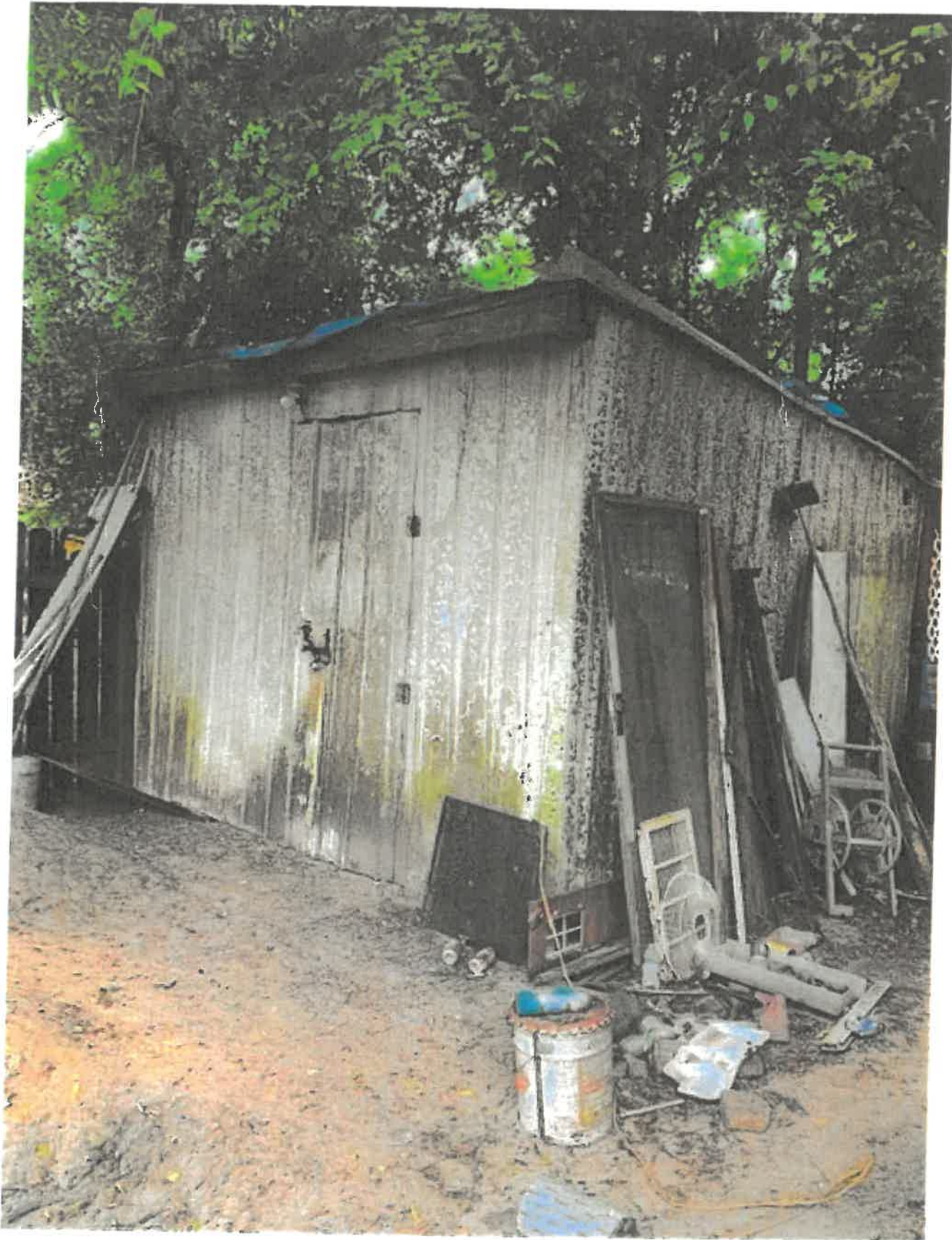


EXHIBIT # 6A



EXHIBIT # 5A

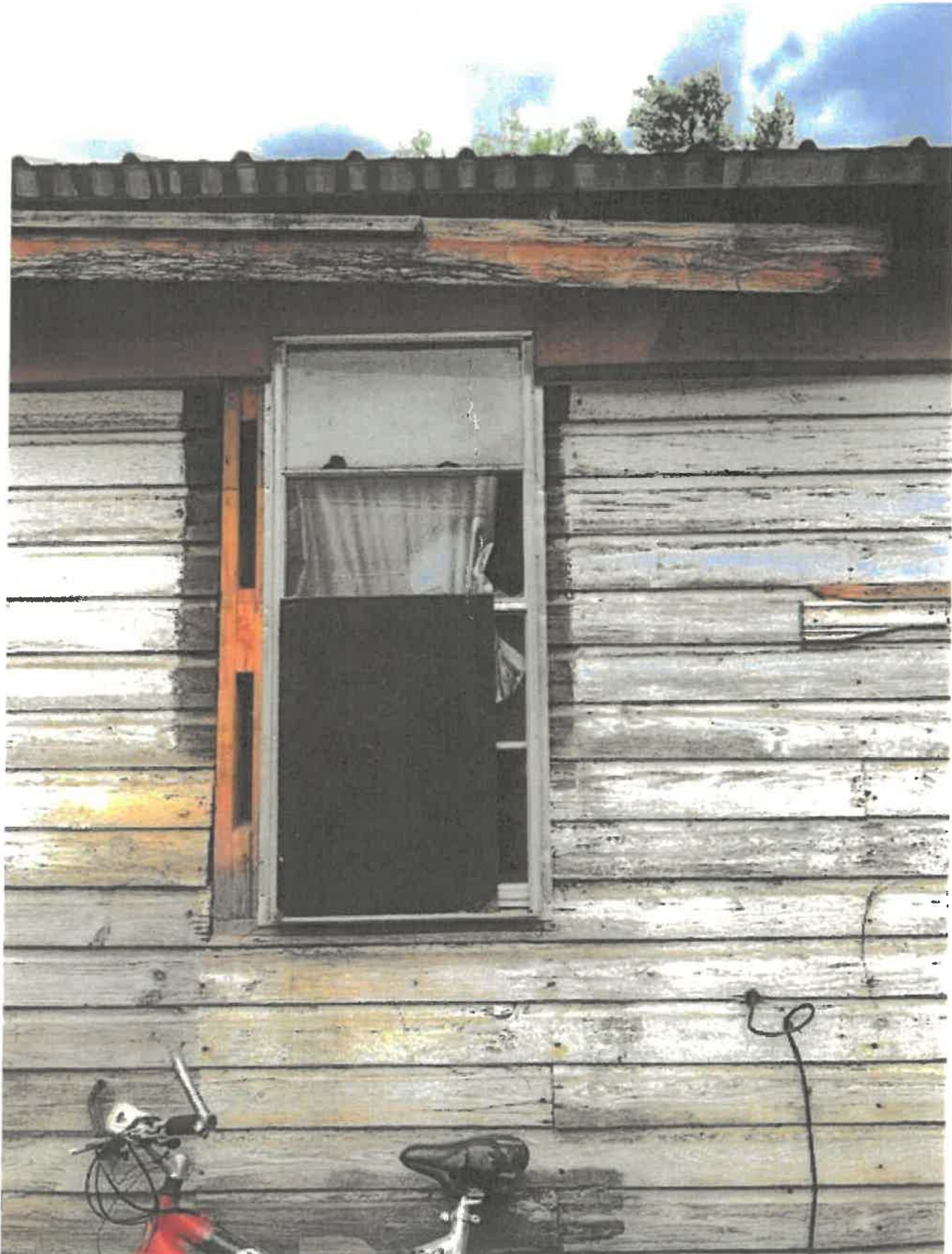


EXHIBIT # 5A

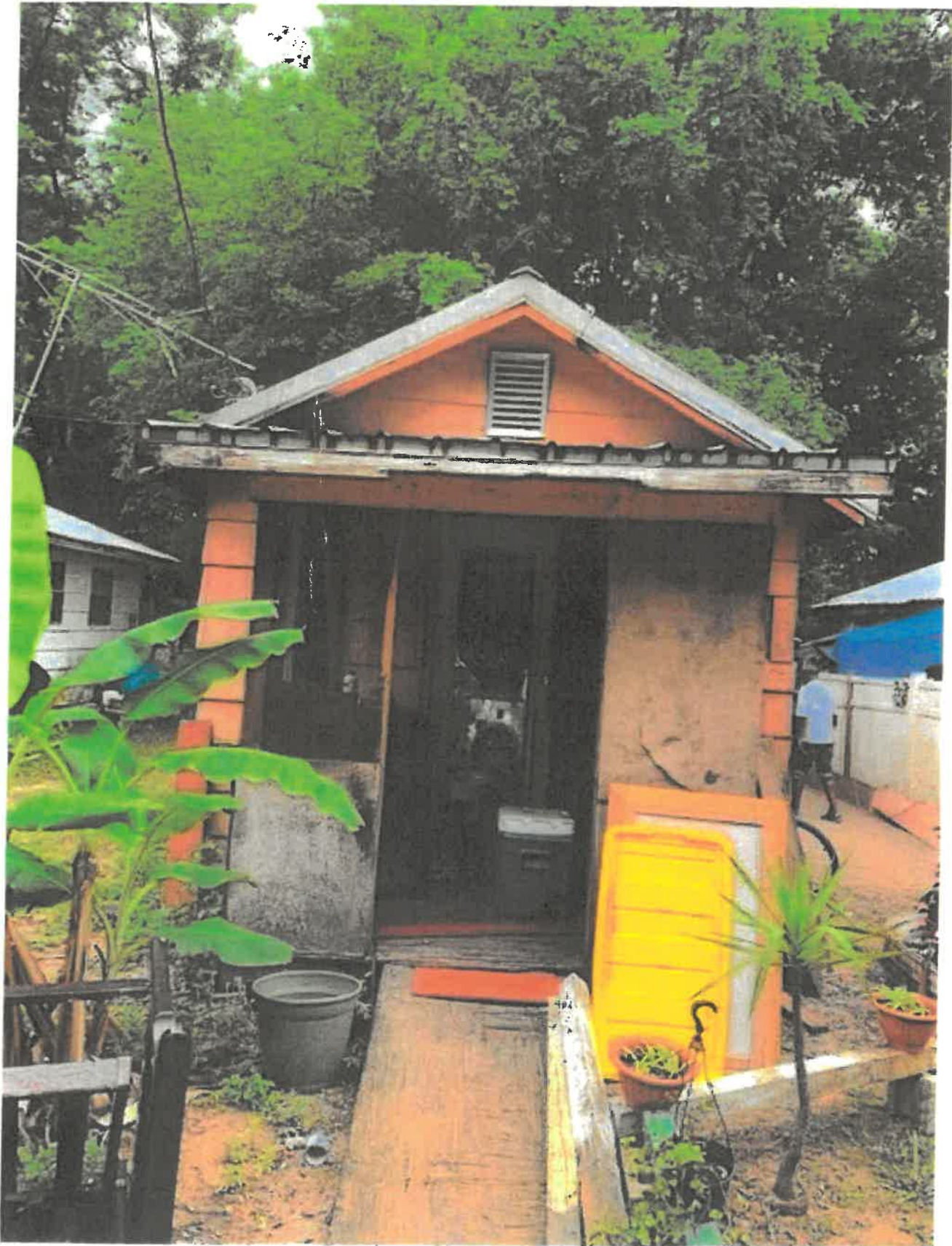


EXHIBIT # 5A



EXHIBIT # 5A



EXHIBIT # 5A



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



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

City of Crestview, Florida,

Petitioner,

vs.

CASE# 21-1038

Leonard Lee
320 Forrest Pkwy
Crestview, FL 32539-8586

Respondent.

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.
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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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 - 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.
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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 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

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

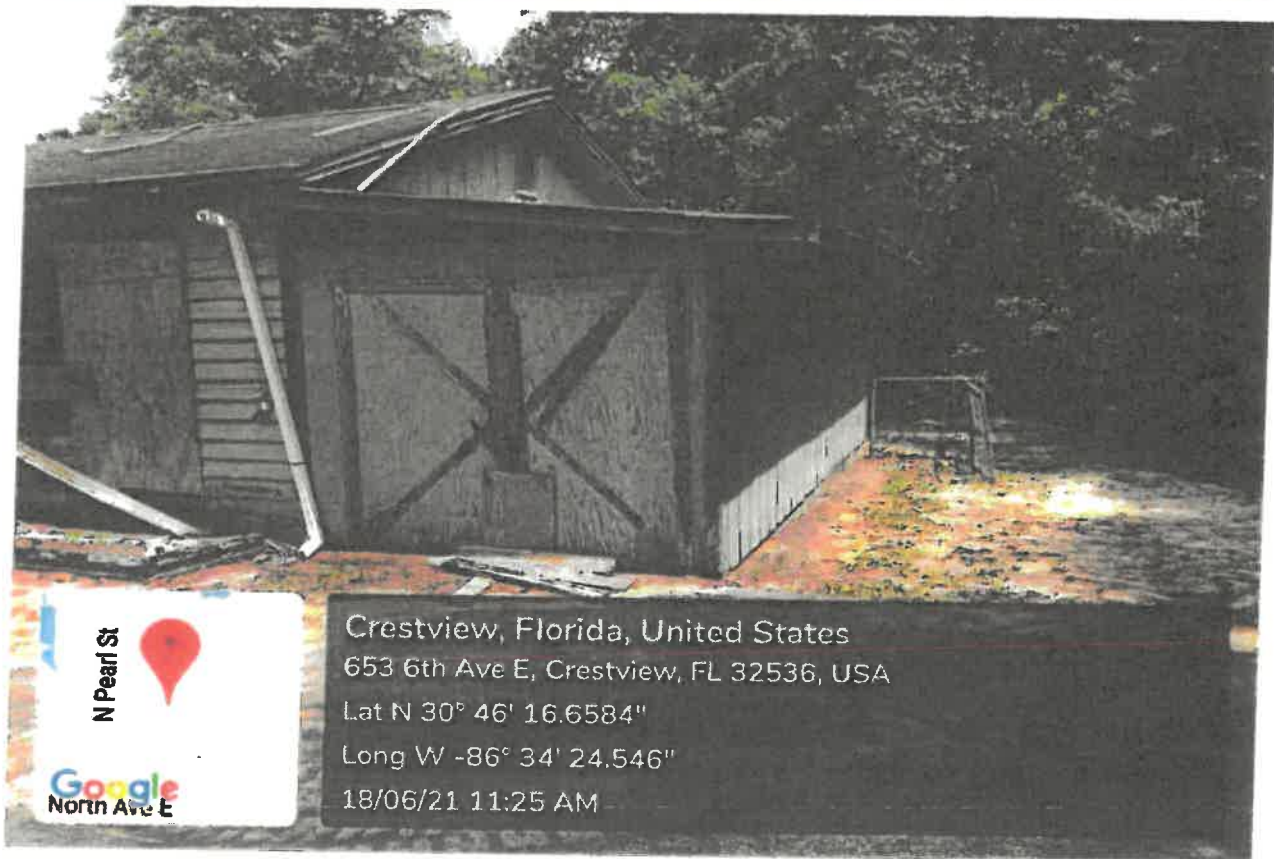
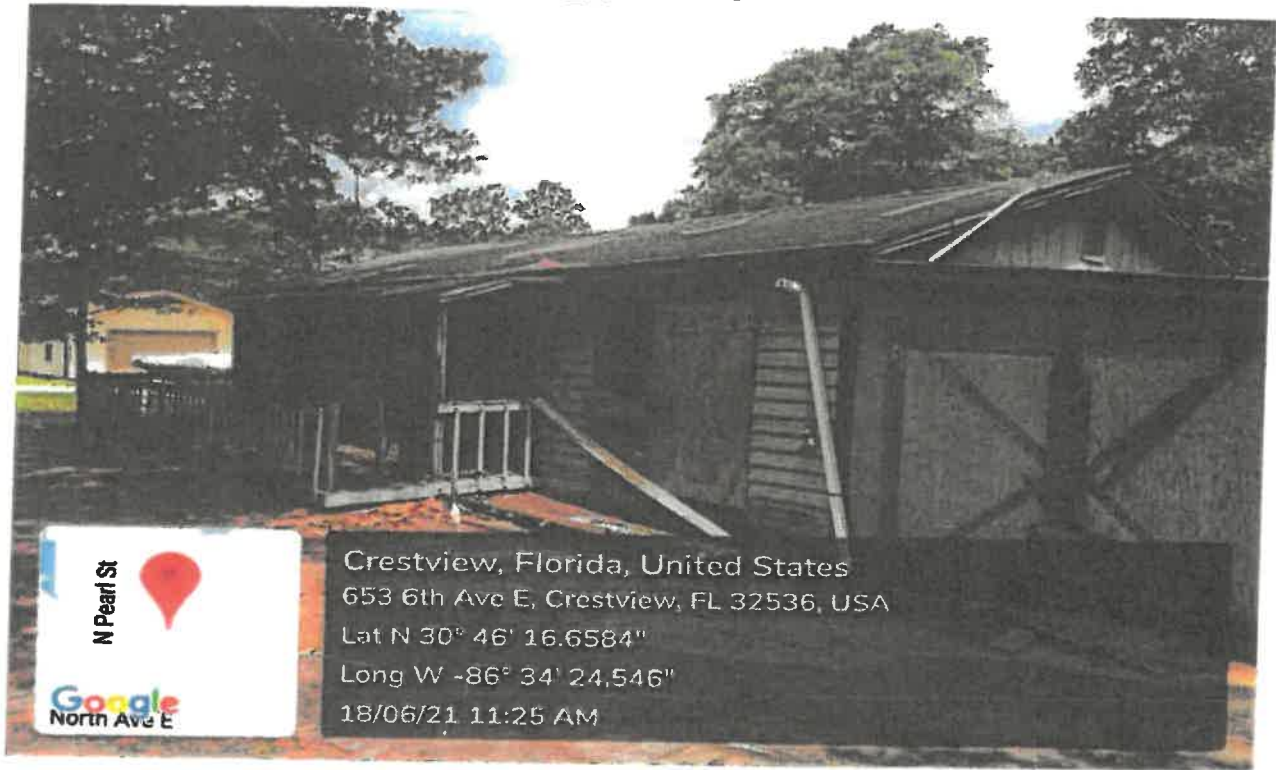
Ronald Rayson
PRINTED NAME OF BUILDING OFFICIAL

6/1/21
DATE

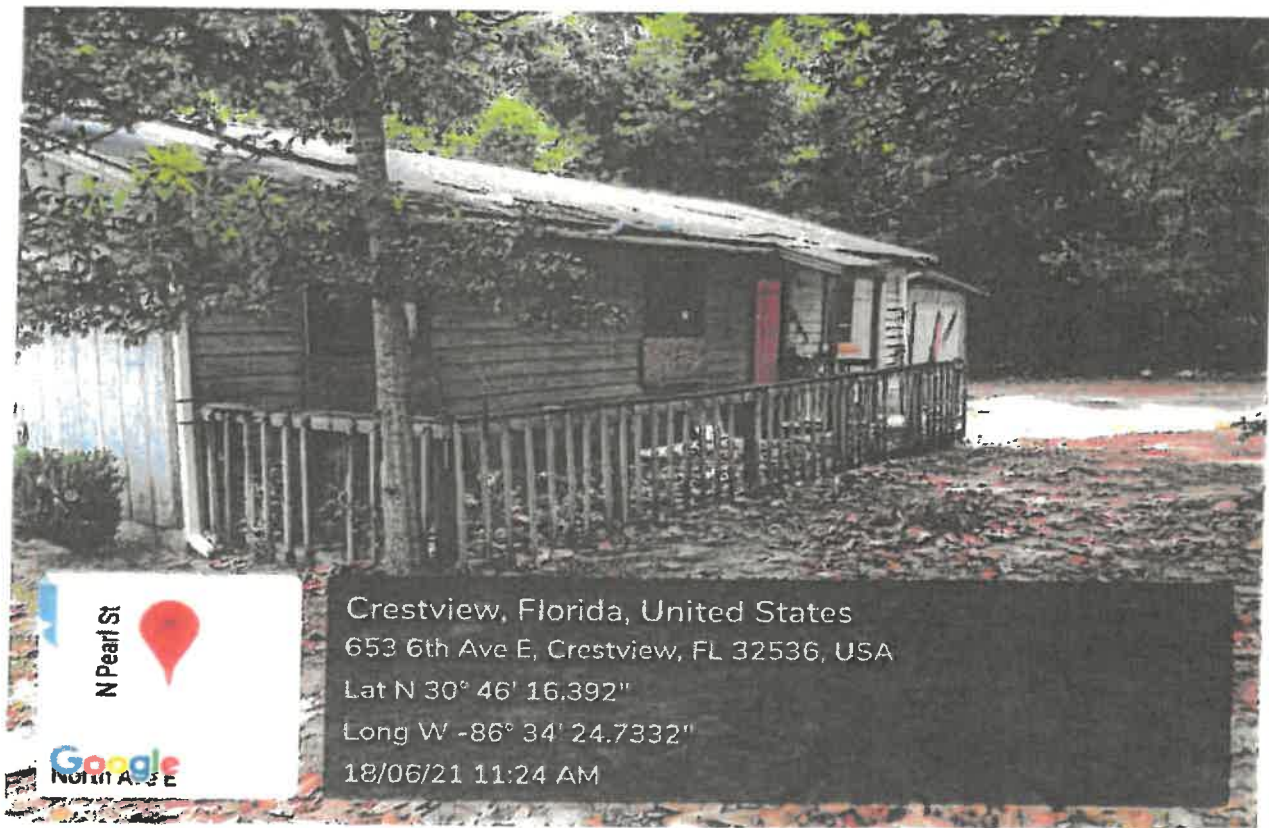
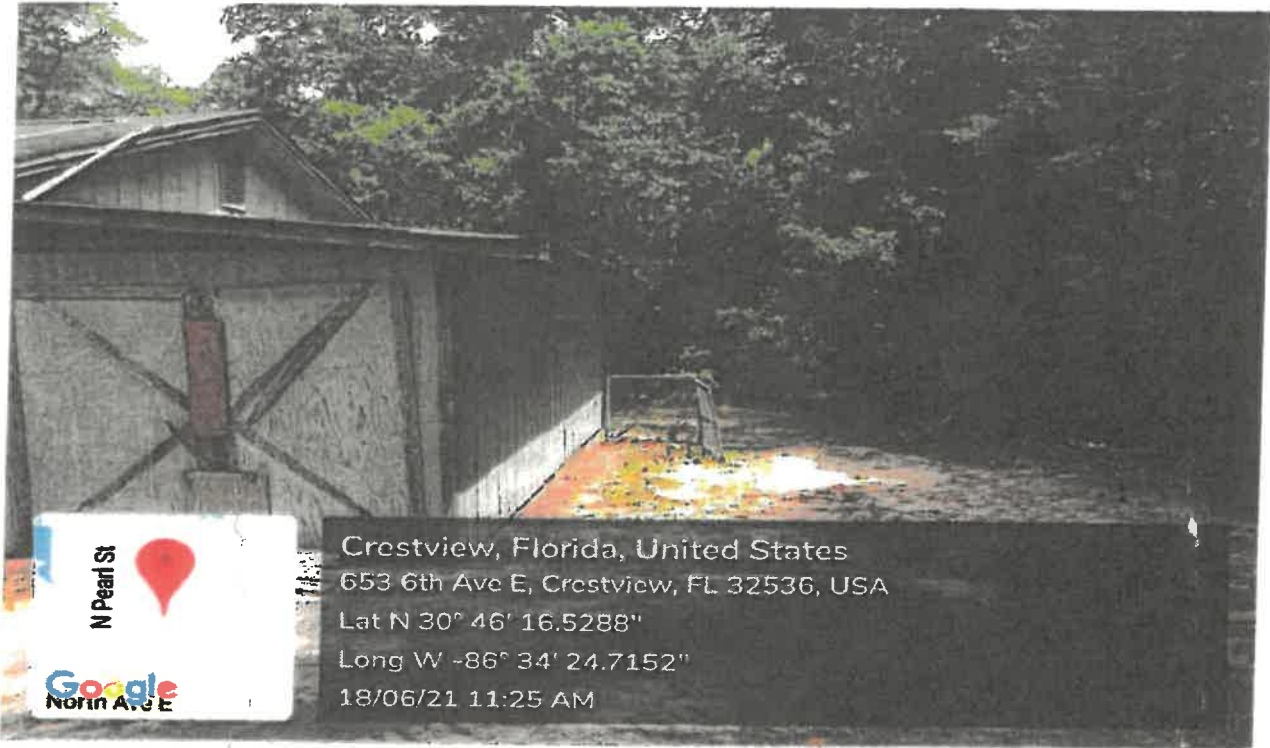
EXHIBIT #

7

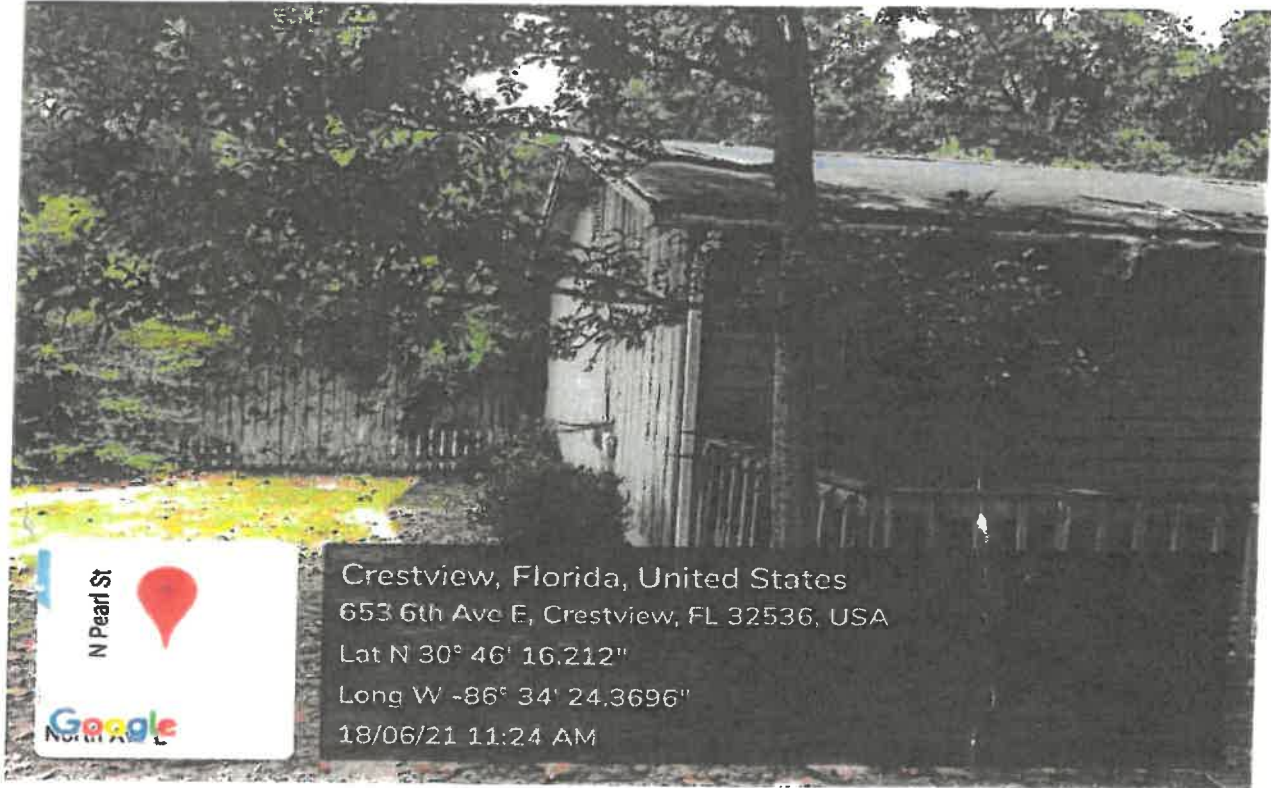
21-858
EXHIBIT 7



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 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

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Peter R. Cooper

C. Date of Delivery

6-18-15

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

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 no 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



**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).

Encl: Notice of Violation

EXHIBIT # 7

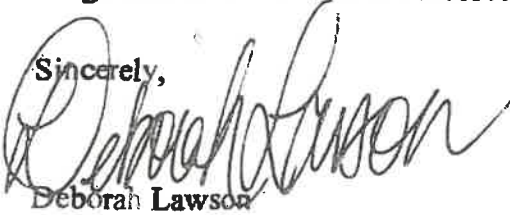
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

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,



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 *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

[Signature]

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
- ☐ Mail Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

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 | |

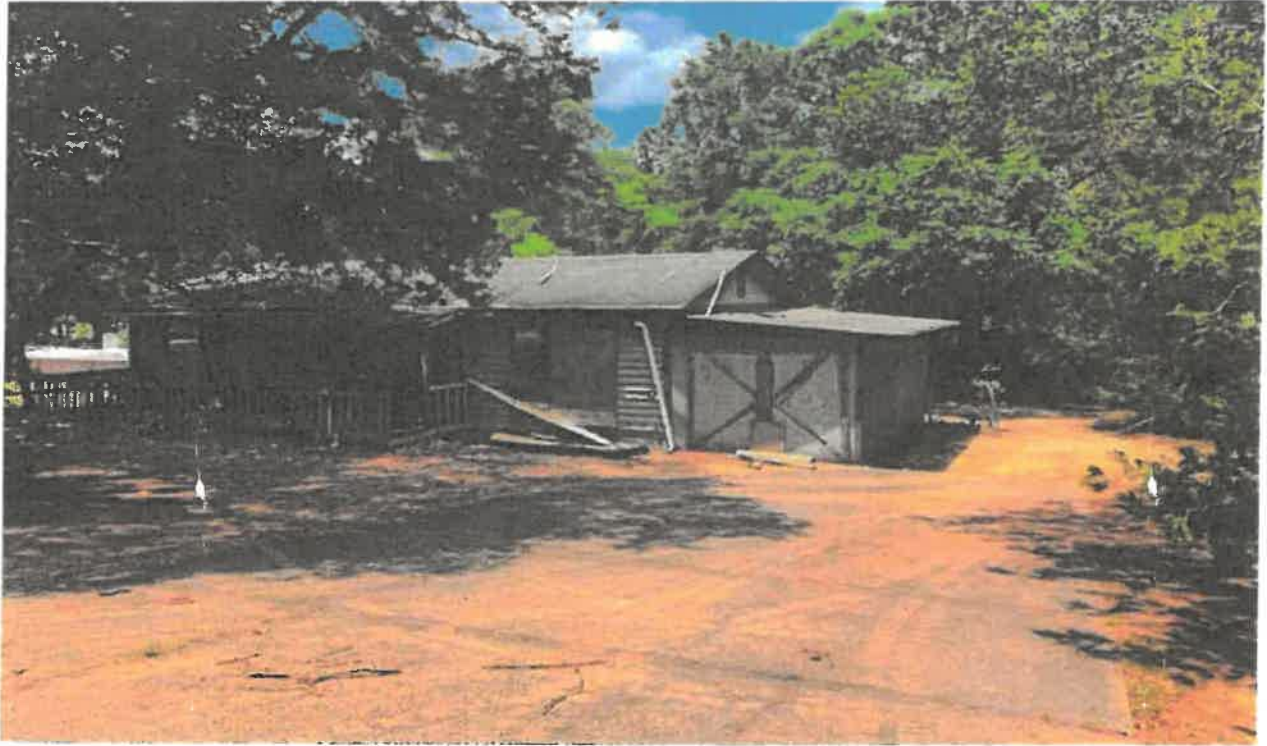
COMMENTS: Windows, doors, siding, roofing would need permits to repair. No steps leading to either door. Areas of roof decking have rot which may have caused structural damage to roof rafters/trusses s/b. Electrical wiring hanging out of exterior wall. Chain link gate area not maintained.


SIGNATURE OF BUILDING OFFICIAL

Ronald Pearson
PRINTED NAME OF BUILDING OFFICIAL

6/1/21
DATE

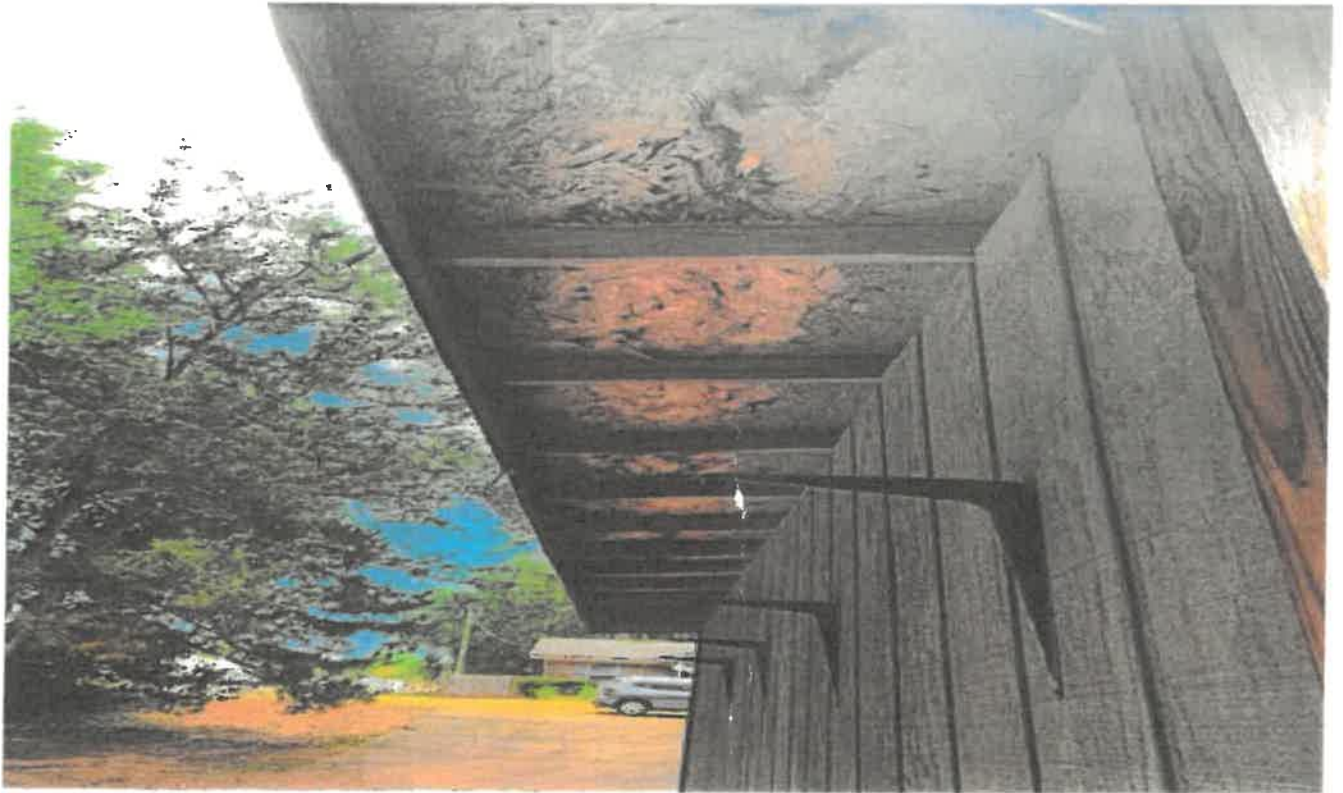
**653 SIXTH
EXHIBIT 7A**



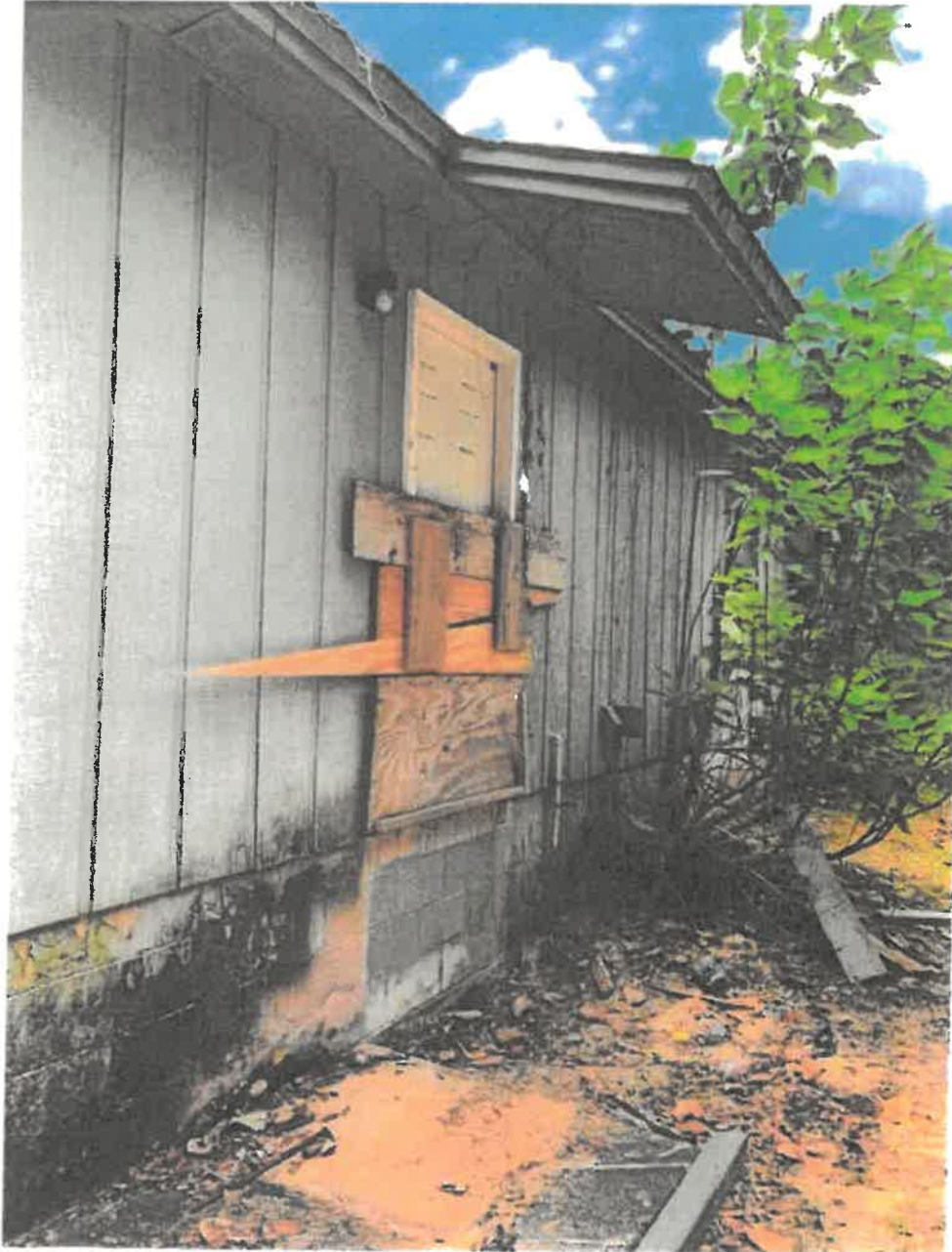
**653 SIXTH
EXHIBIT 7A**



**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:

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 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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only
 For delivery information, visit our website at www.usps.com

0207 0921 1000 2845 2227

3.60
 2.85
 0.51
 6.96
 21.792

CRESTVIEW, FL 32539
 MAY 2 2011
 USPS

0.51
 6.96
 KENNETH SILER
 497 S WILSON STR
 CRESTVIEW, FL 32536

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
 X *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 ☐ 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
☐ 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
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee 3.60

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 [®] 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.
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- (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

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 (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 ☐ 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 ☐ Insured Mail Restricted Delivery

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

Postmark:
JUL 23 2011
CRESTVIEW, FL

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

Article Addressed to:
CONNIE M + KENNETH J SILER
497 S WILSON ST
CRESTVIEW, FL 32536

PS Form 3800, April 2008 (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

PS Form 3811, July 2015 PSN 7530-02-000-9053

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
☐ 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 # 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

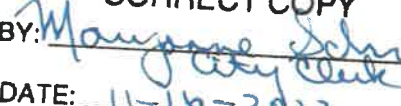
that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

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

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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

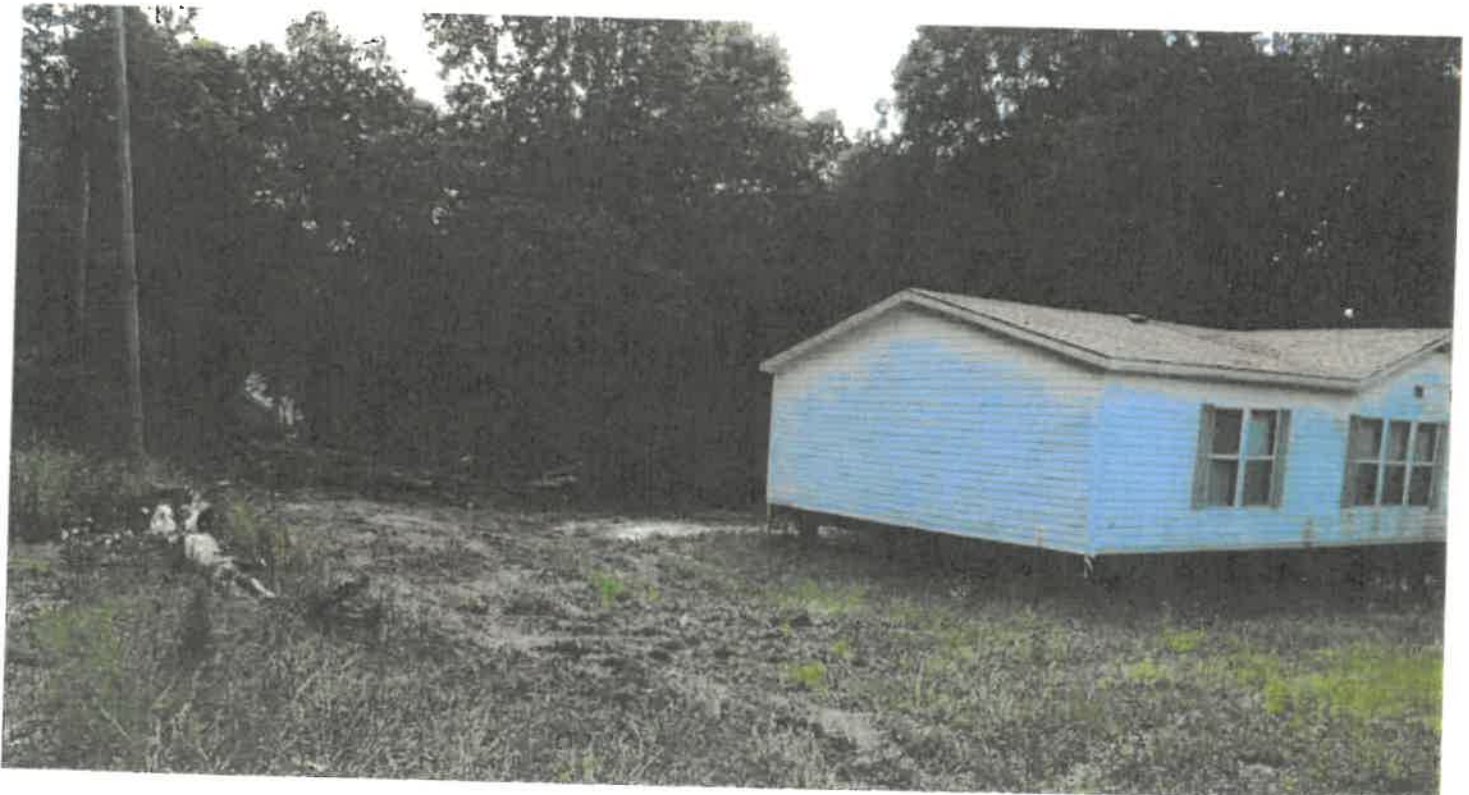


**CASE # 21-792
404 SPRING ST N**

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

Services & Fees (check box, attach fee)
☒ Return Receipt (hardcopy)
☐ Certified Mail Restricted Delivery
☐ Adult Signature Restricted Delivery
☐ Collect on Delivery
☐ Insured Mail
☐ Registered Mail[™]
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation[®]
☐ Signature Confirmation Restricted Delivery

Postage 0.51

Total Postage and Fees 4.11

CRESTVIEW, FL 32536
KENNETH SILER
497 S WILSON STR

7020 1290 0001 5682 1277

CRESTVIEW, FL 32536

CRESTVIEW, FL 32536

USPS

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 1277

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

9590 9402 5522 9249 9959 31

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

Domestic Return Receipt

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™
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 Domestic Mail Only

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

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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		

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.
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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 # 3

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.

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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 2010 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 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

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

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Certified Mail Fee 3.60
Postage .51
Total Postage and Fees 4.11

Services & Fees (check box, add fee if applicable)
☒ Return Receipt (hardcopy) 2.85
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage .51

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

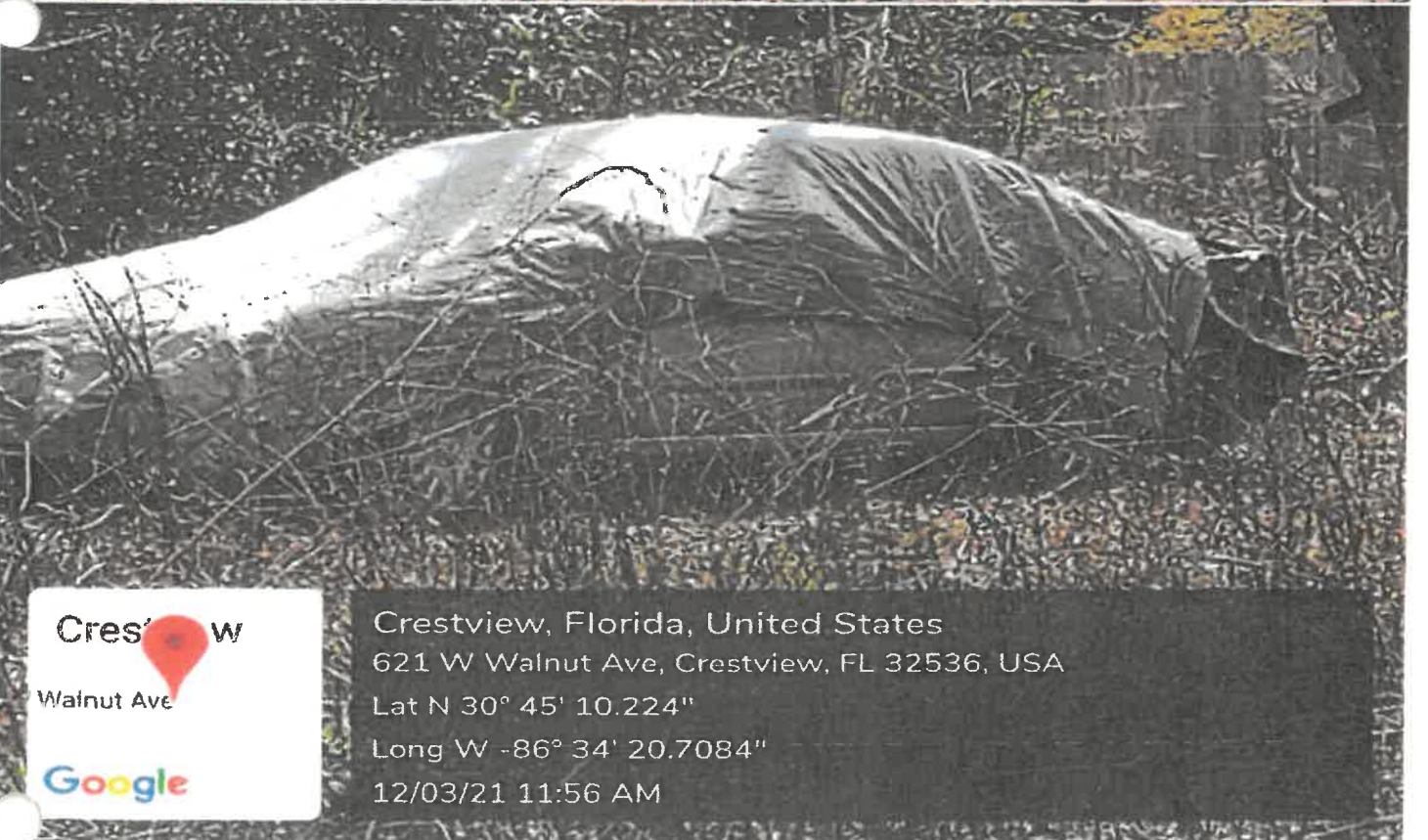
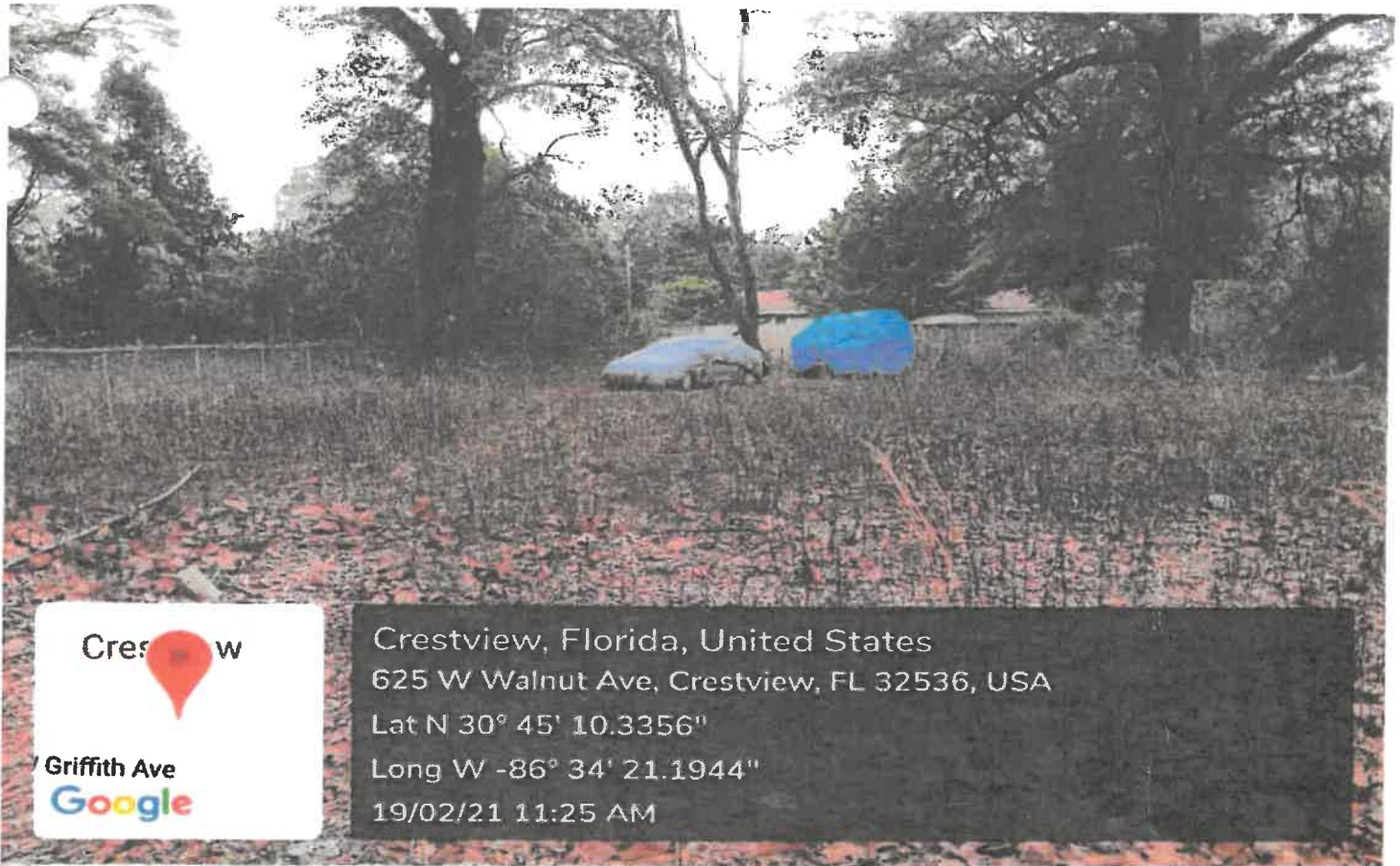
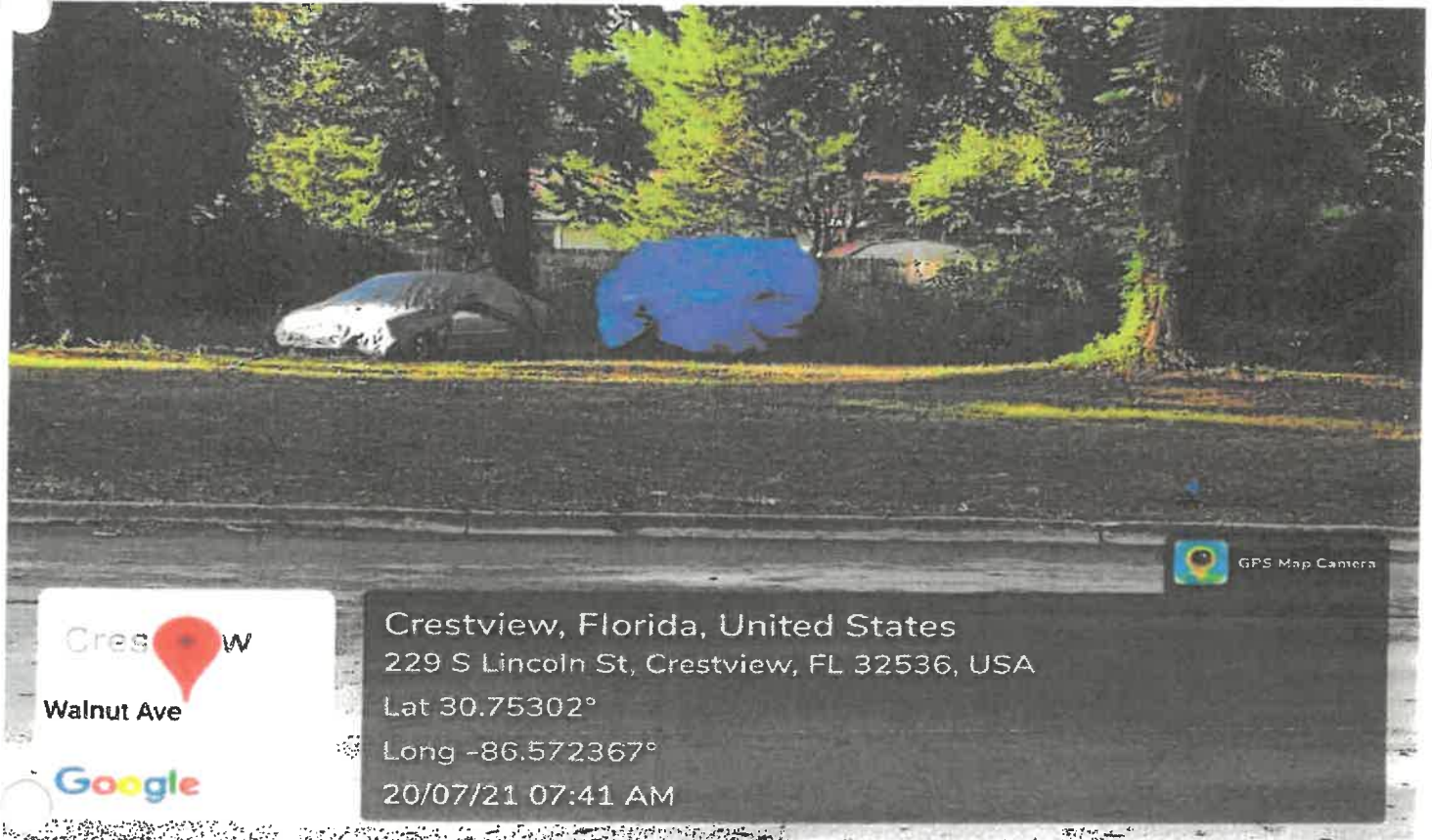
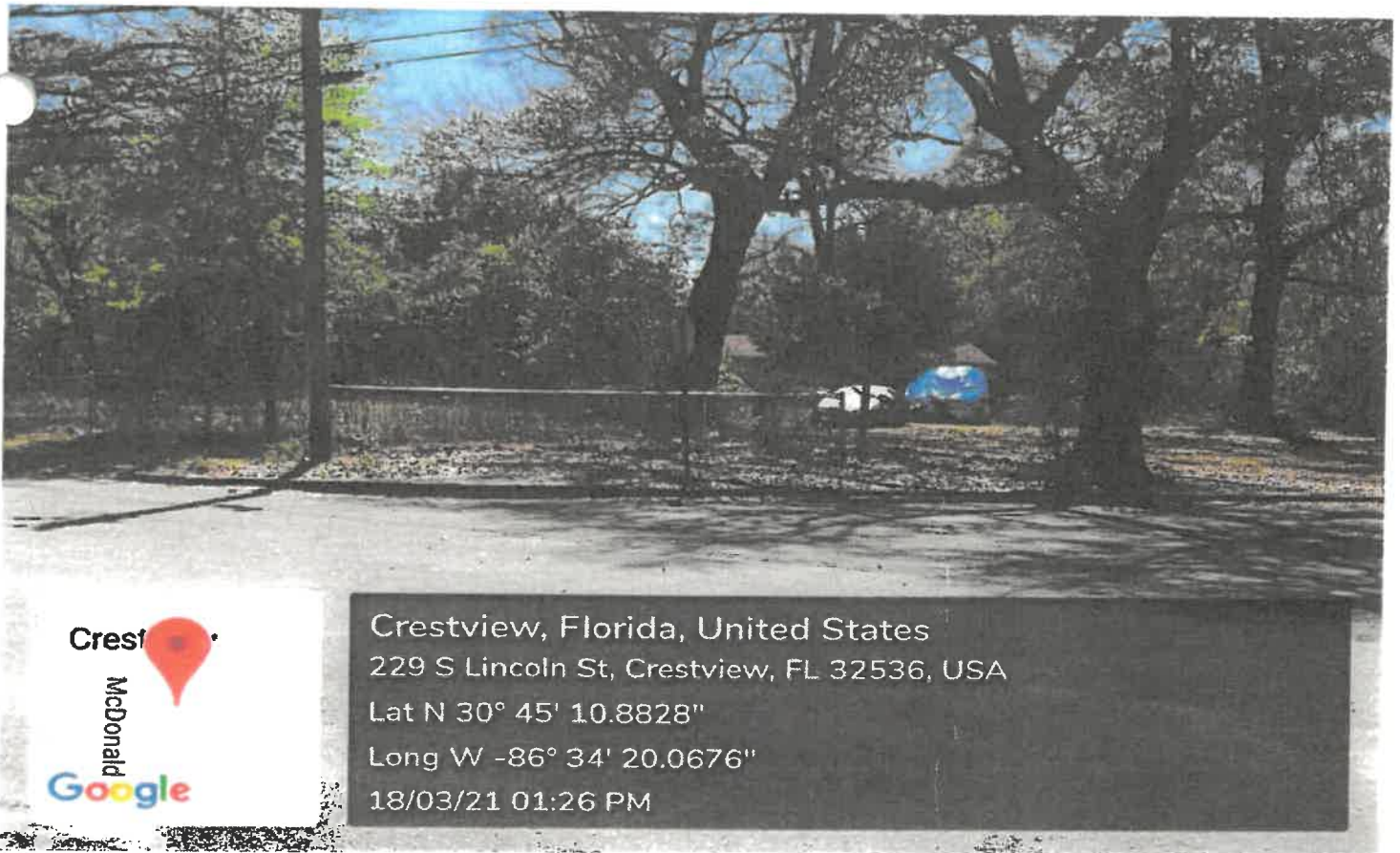


EXHIBIT 4





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.
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- (5) Tree stumps, trunks and limbs larger than four inches in diameter or six feet in length.
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- (7) Animal waste, dead animals or tires.

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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
(4) Maintain a public nuisance prohibited Section 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.

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

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Domestic Mail Only

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

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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

Sent to: **CORRINE MCLAUGHLIN**
Street and PO Box: **819 W WALNUT AVE**
City, State, ZIP+4[®]: **CRESTVIEW, FL 32536**

PS Form 3800, April 2010 Edition
See Reverse for Instructions

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

PK
CORRINE MCLAUGHLIN
819 W WALNUT AVE
CRESTVIEW, FL 32536

NEOPOST
02/12/2021
US POSTAGE \$000.06

ZIP 32536
041M11297338

NIXIE

2.20.21

0002/24/21

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK
32536 32536 32536

BC: 32536120909

*2187-16131-19-39



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.
- (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.



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
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
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.

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 21-00000566
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

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

CERTIFIED MAIL



NEOPOST
03-12-2021
FIRST CLASS MAIL
US POSTAGE \$006.96
ZIP 32536
041M1 1297338

City of Crestview
Community Development Services
P.O. Box 1209
Crestview, Florida 32536



7020 1290 0001 2346 7576

CORRINE MC LAUGHLIN
229 S LINCOLN ST
CRESTVIEW, FL 32536

ANK 3.22.21

NIXIE 322 DC 1 0003/19/21

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK
32536>1209

BC: 32536120909 *0238-02049-19-23

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

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

Postage	0.51
Postage and Fees	6.96
Postage and Fees Total	7.47
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85
Postage and Fees Total (Electronic)	2.85

Postmark
MAR 15 2021

CORRINE MC LAUGHLIN
229 S LINCOLN ST.
CRESTVIEW, FL 32536

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: 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).

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 ServiceTM
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 CORRINE 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 CORRINE 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 MailTM

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature ConfirmationTM

☐ 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.

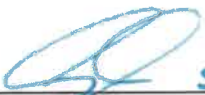
CONCLUSIONS OF LAW:

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

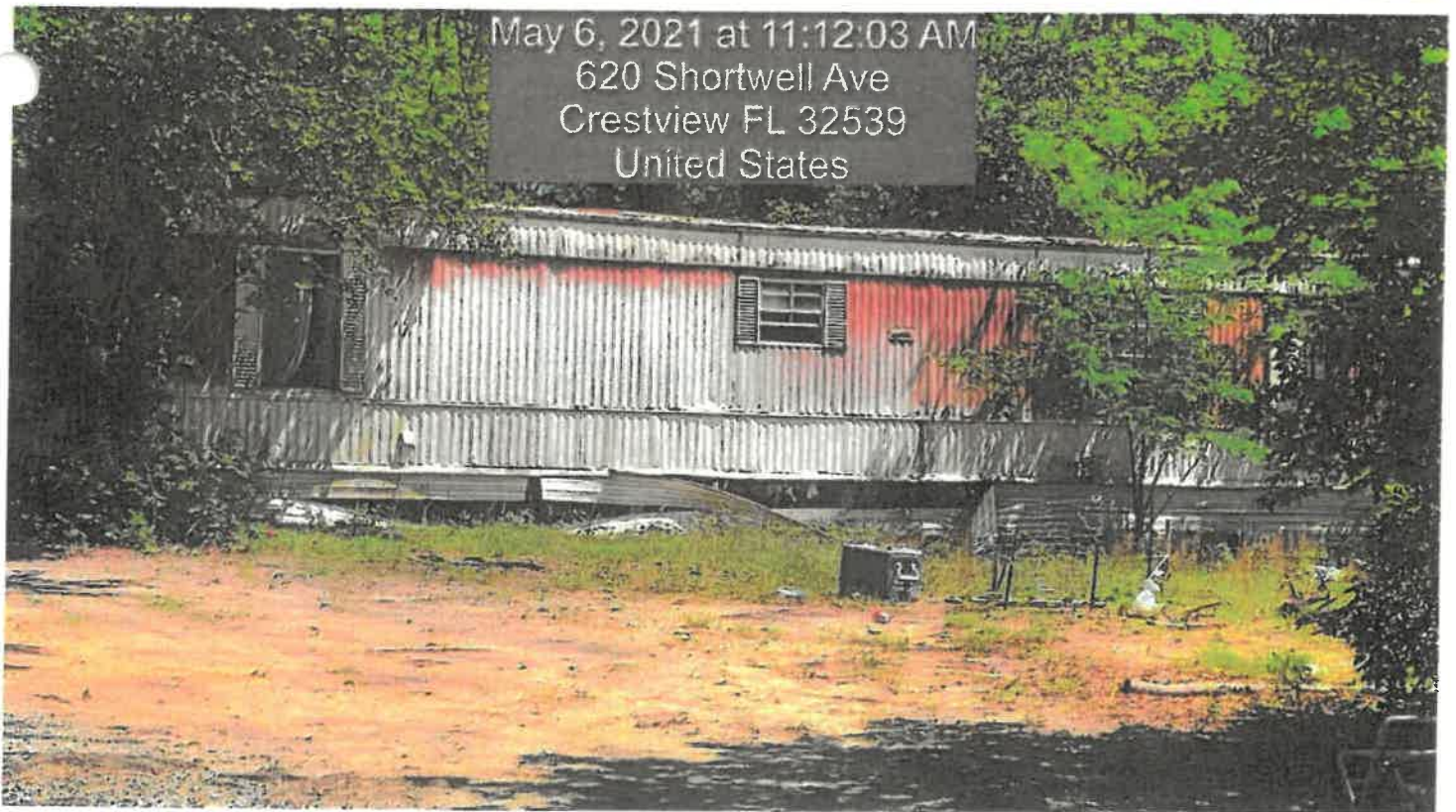
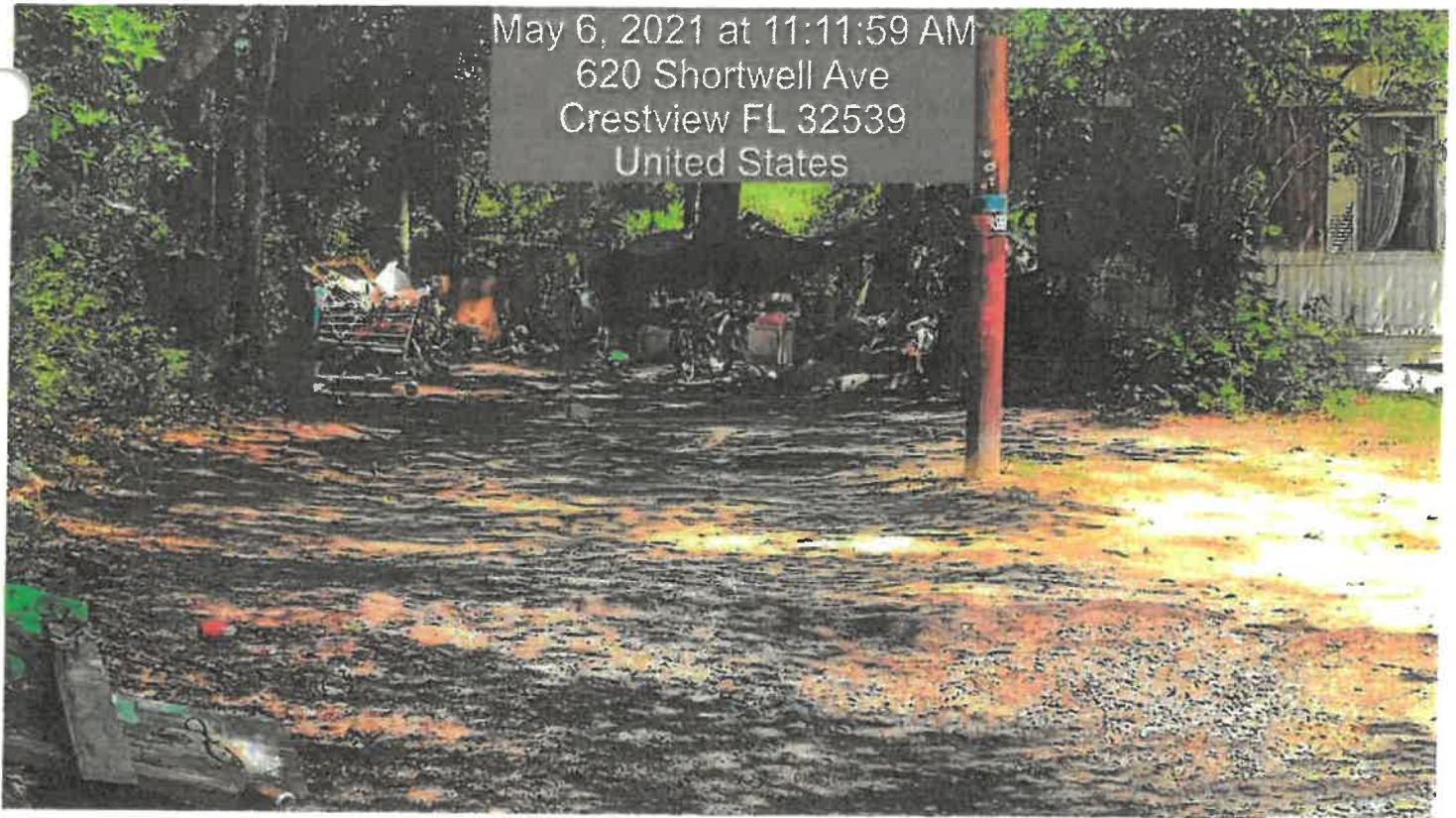


EXHIBIT # 7



EXHIBIT # 7

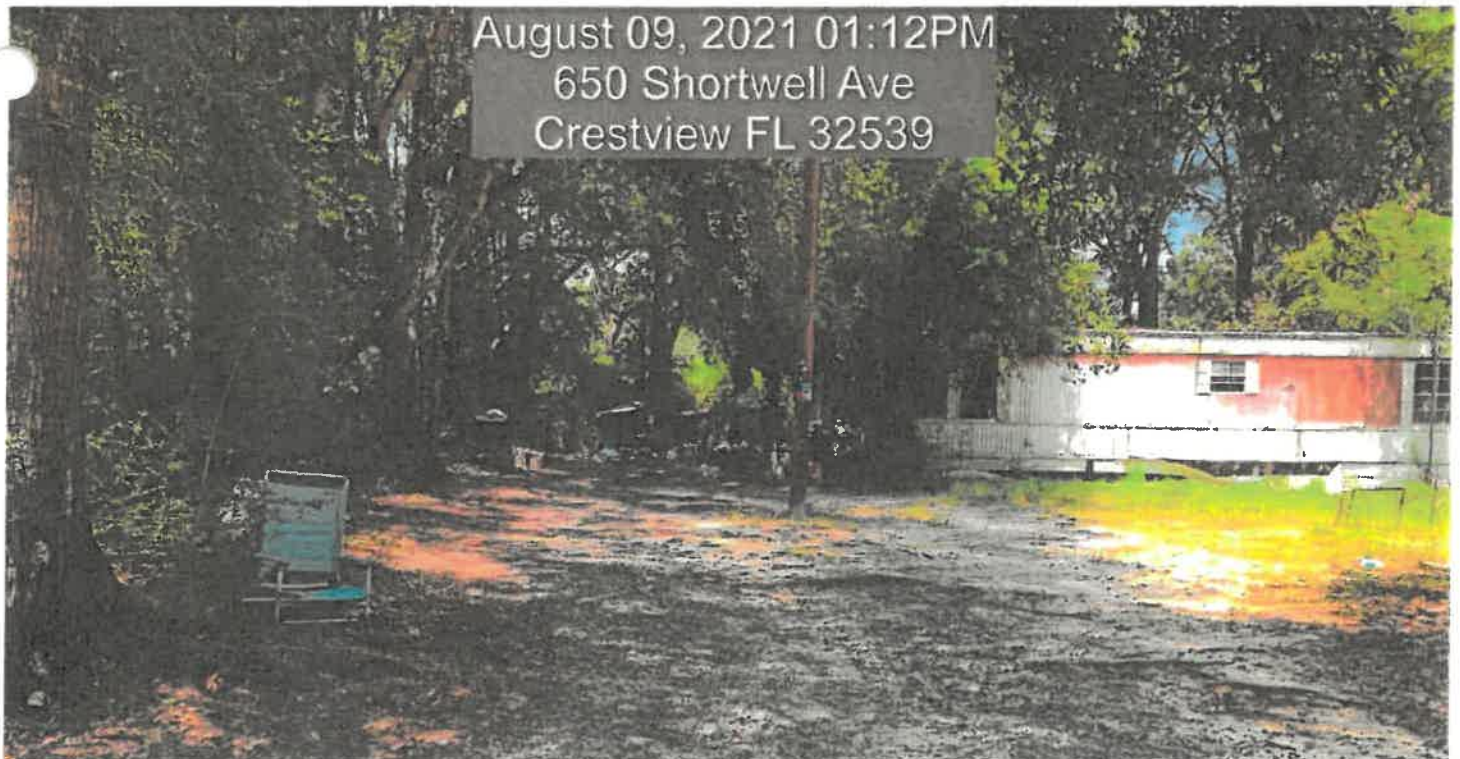


EXHIBIT # 7

August 26, 2021 11:44AM
650 Shortwell Ave
Crestview FL 32539



August 26, 2021 11:44AM
650 Shortwell Ave
Crestview FL 32539

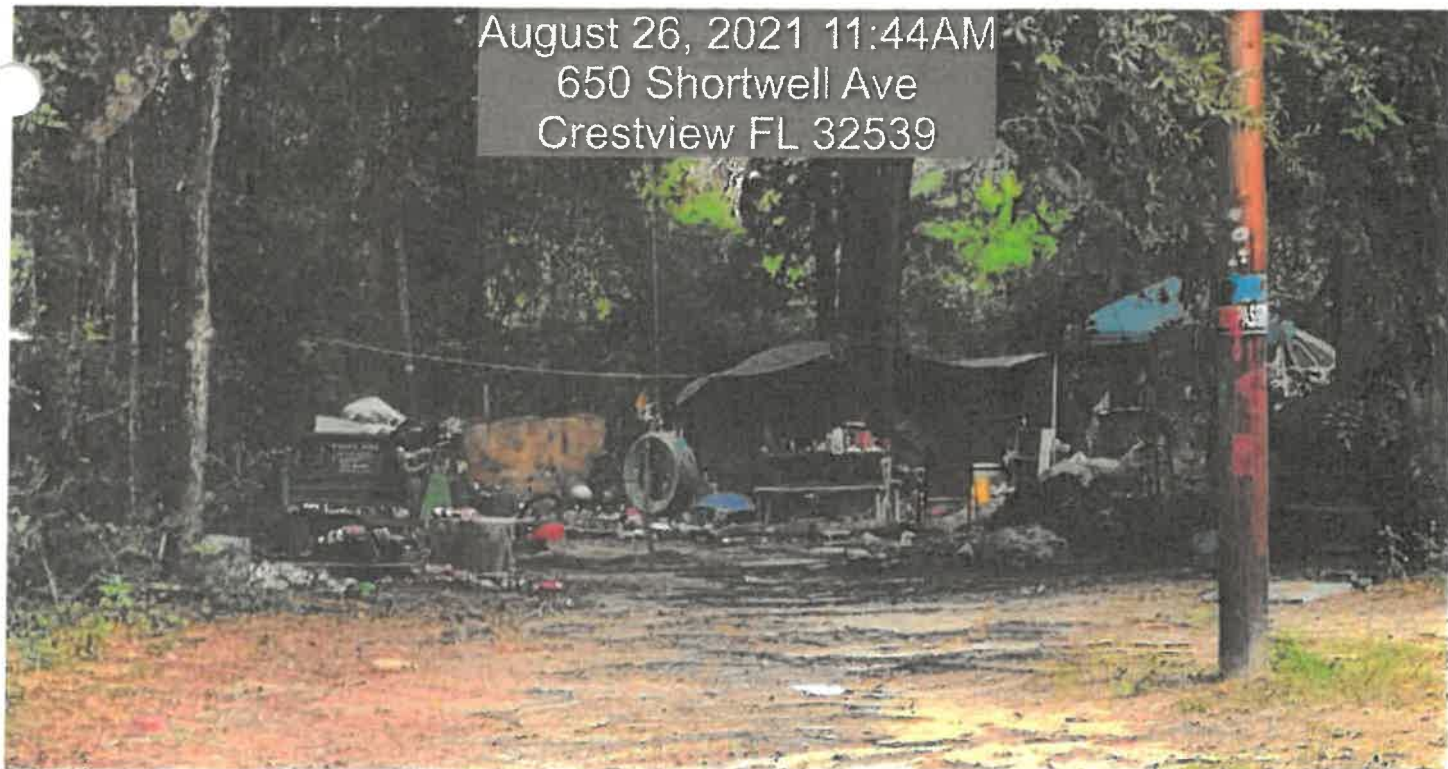


EXHIBIT # 7

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

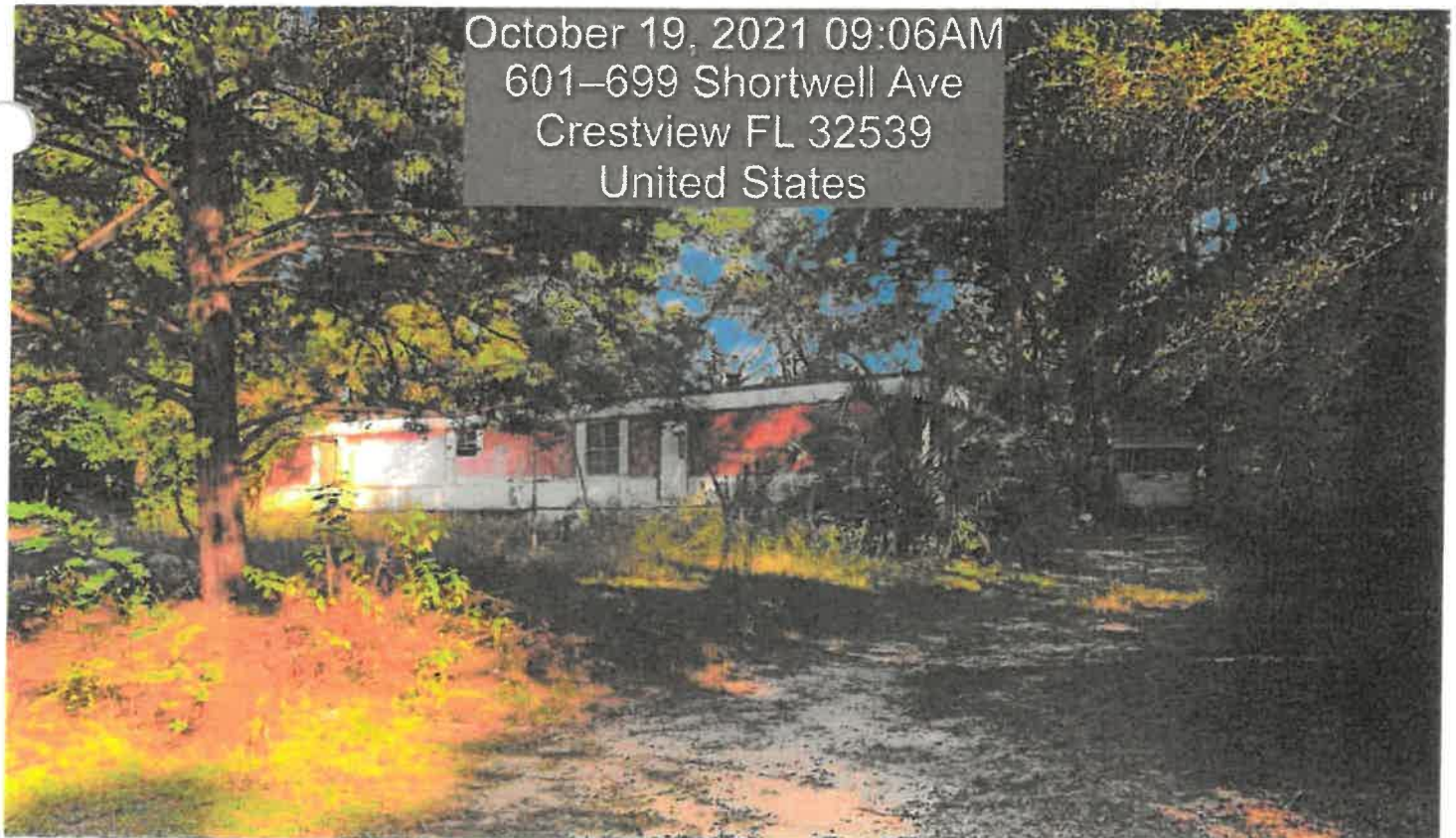
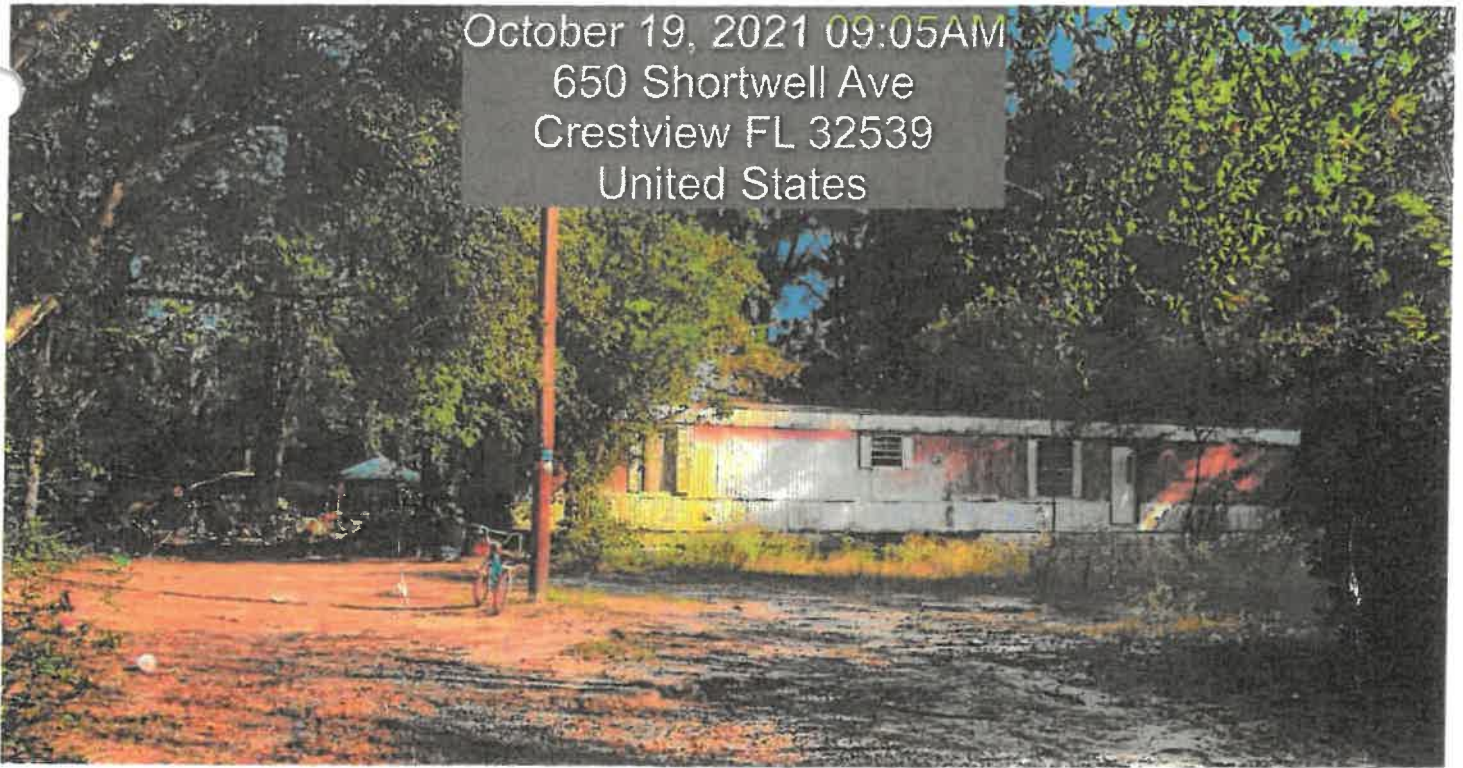


EXHIBIT # 7



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



7020 1290 0001 2346 7415

NEOPOST

07/21/2021

US POSTAGE \$006.96⁹



ZIP 32536
041M11297338

ANK

CLARA C SMITH

650 SHORTWELL AVENUE

CRESTVIEW

NIXIE 322 DE 1 0807/24/21

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK

32536>1209

BC: 32536120909 *0238-85246-24-47

RETURN RECEIPT
REQUESTED

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**
Services & Fees (check box, add to Certified Mail 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 **6.96**



CLARA C SMITH
650 SHORTWELL
CRESTVIEW, FL 32536

2477

EXHIBIT # 7

7020 1290 0001 2346 7415



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



7018 3090 0001 4430 1720

NEOPOST FIRST-CLASS MAIL
09/11/2021
US POSTAGE \$006.96⁰

ZIP 32536
041M11297338

ANK

RETURN RECEIPT
REQUESTED

CLARA C SMITH

650 SHORTWELL AVENUE

CRESTVIEW

NIXIE 322 FE 1 0008/14/21

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK

32536>3436

BC: 32536343698 *8238-01903-14-27



7018 3090 0001 4430 1720

U.S. Postal ServiceSM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	3.00
Additional Services & Fees (check box, add fee to postage)	2.85
☒ Return Receipt (hardcopy)	
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ 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 that reads "Deborah Lawson". The signature is written in a cursive, flowing style.

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

FIRST CLASS MAIL

09/13/2021

US POSTAGE \$007.33



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



7011 3500 0000 9133 8632

U.S. Postal Service
CERTIFIED MAIL RECEIPT *LF*
(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, STATE, ZIP+4: 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

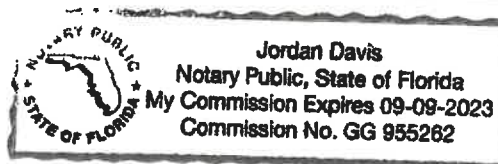
Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

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

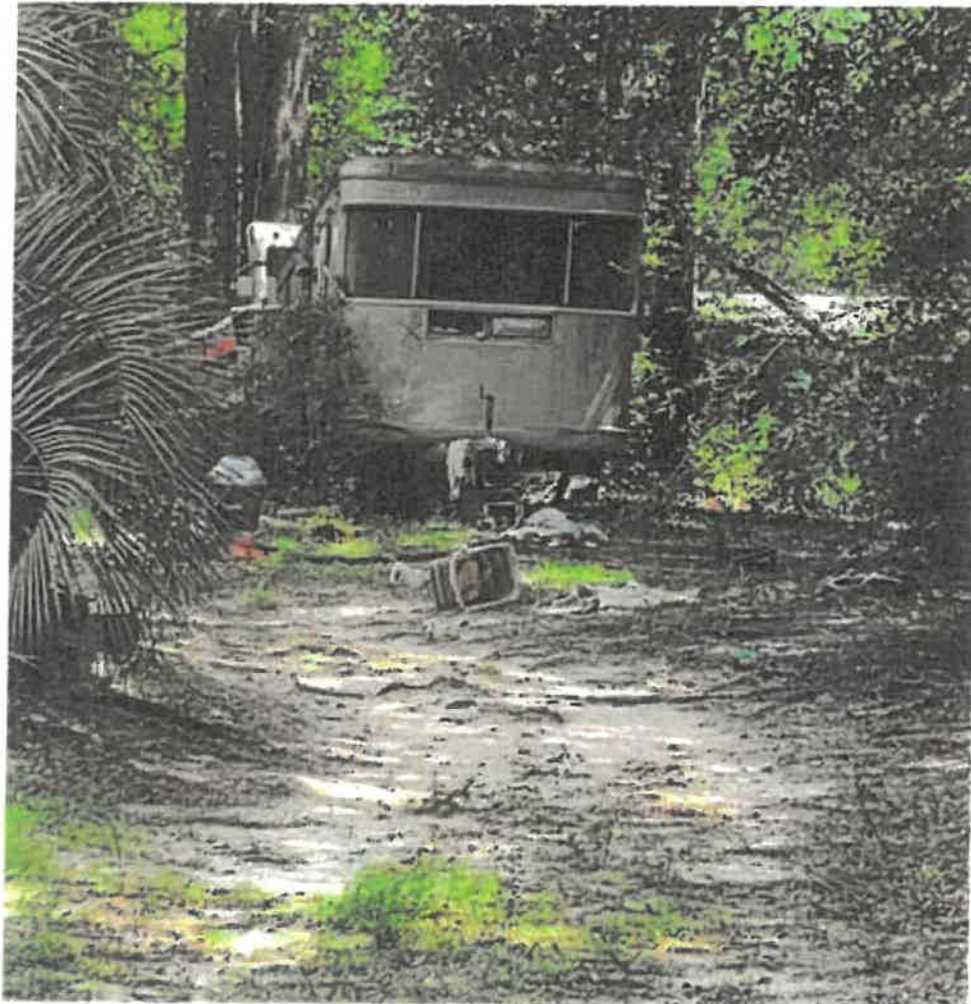


EXHIBIT # 7A



EXHIBIT # 7A

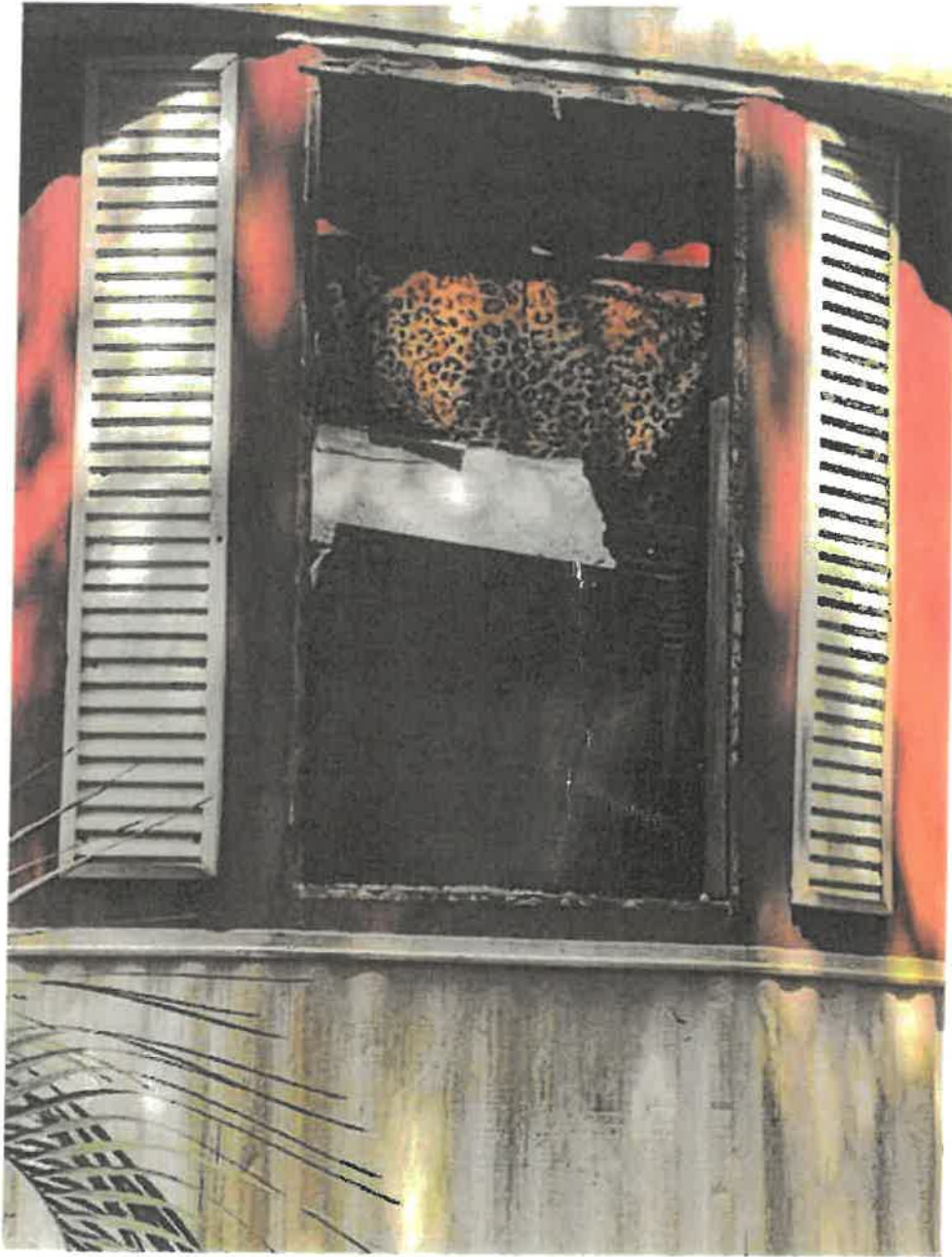


EXHIBIT # 7a



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):

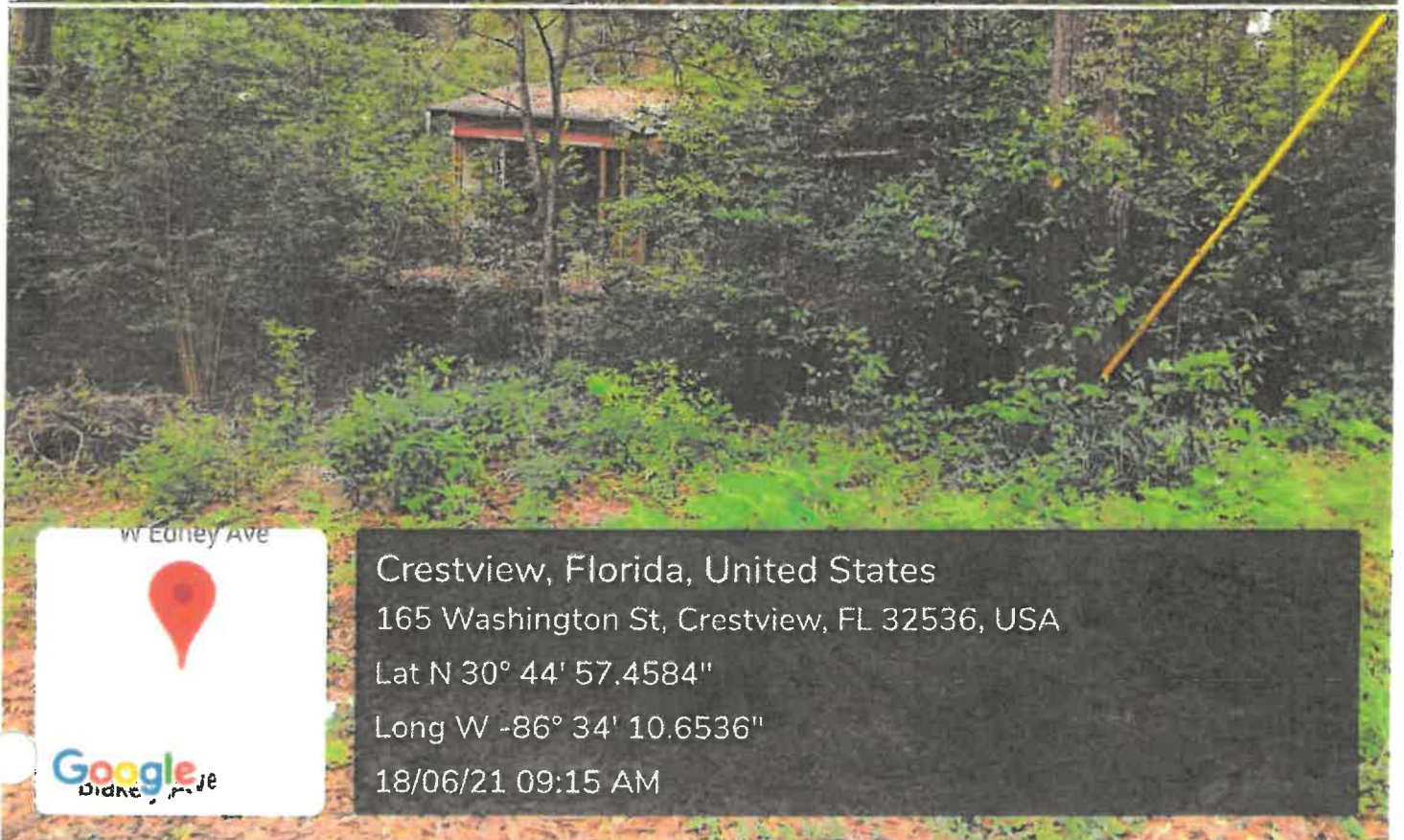
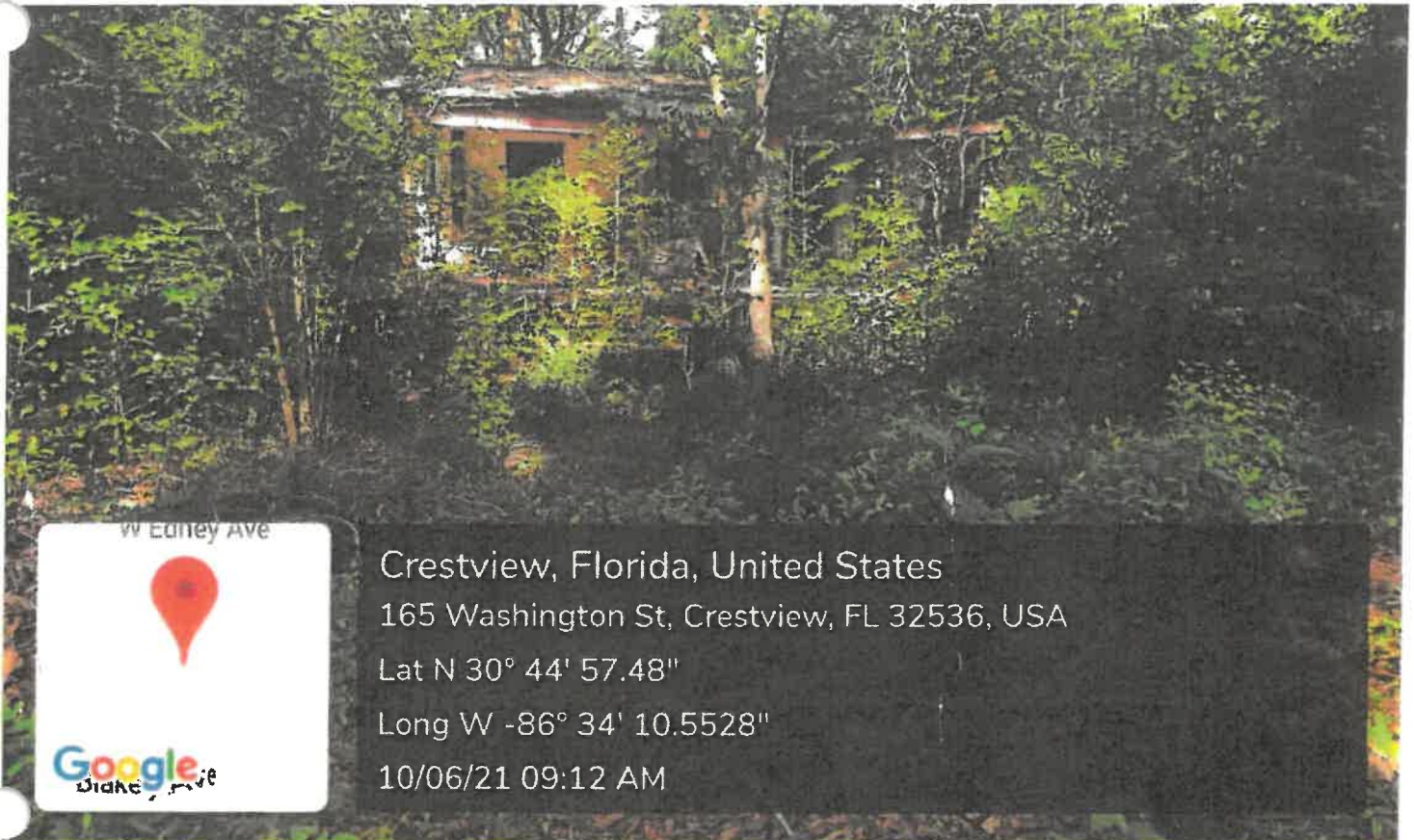
Roof and all structural wood members supporting it are falling in. There are no windows, doors, or other exterior components on the structure. The structure is an unsafe structure and I recommend removal of structure from property. Structural damage in excess of 50%.

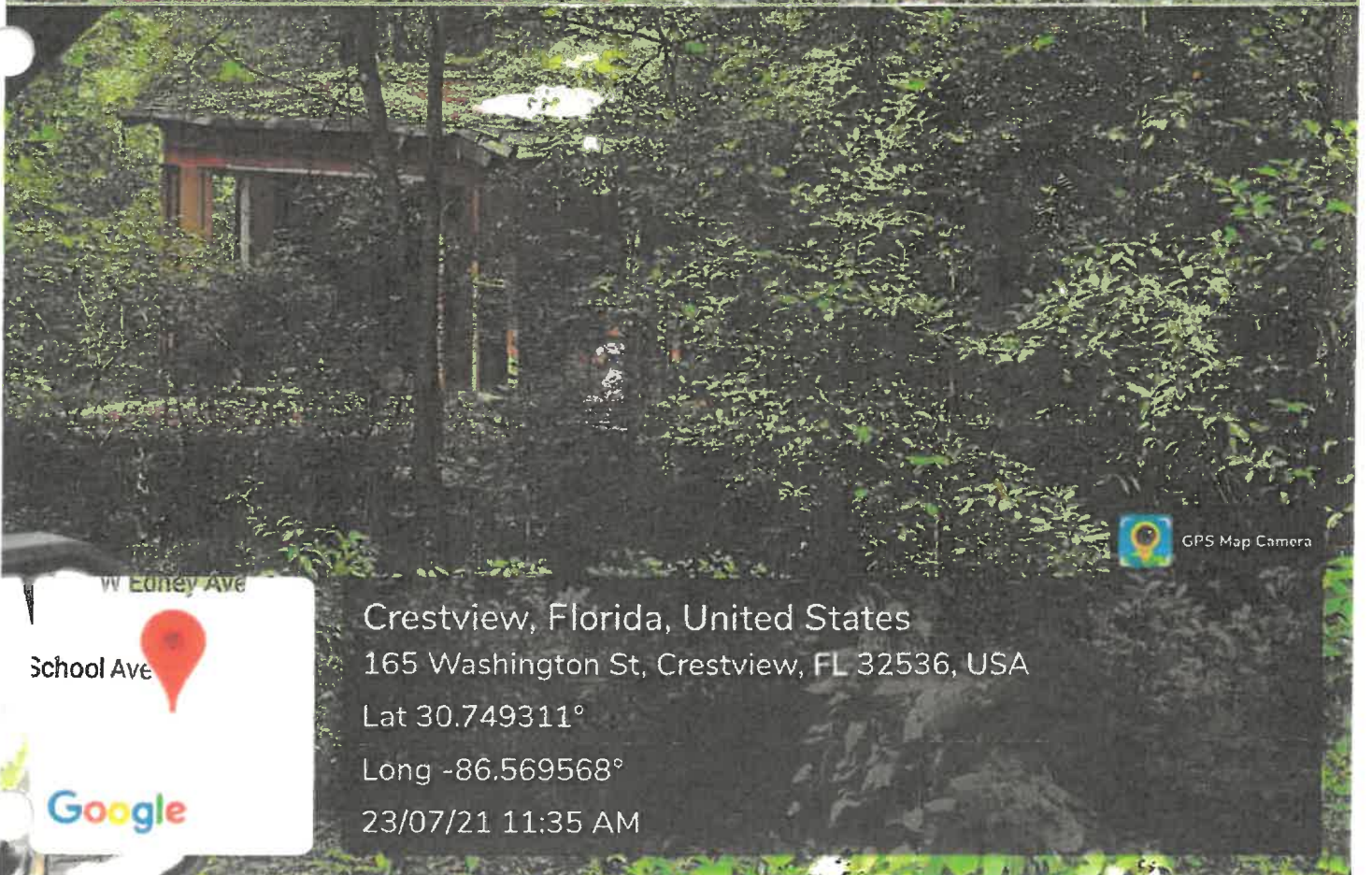
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

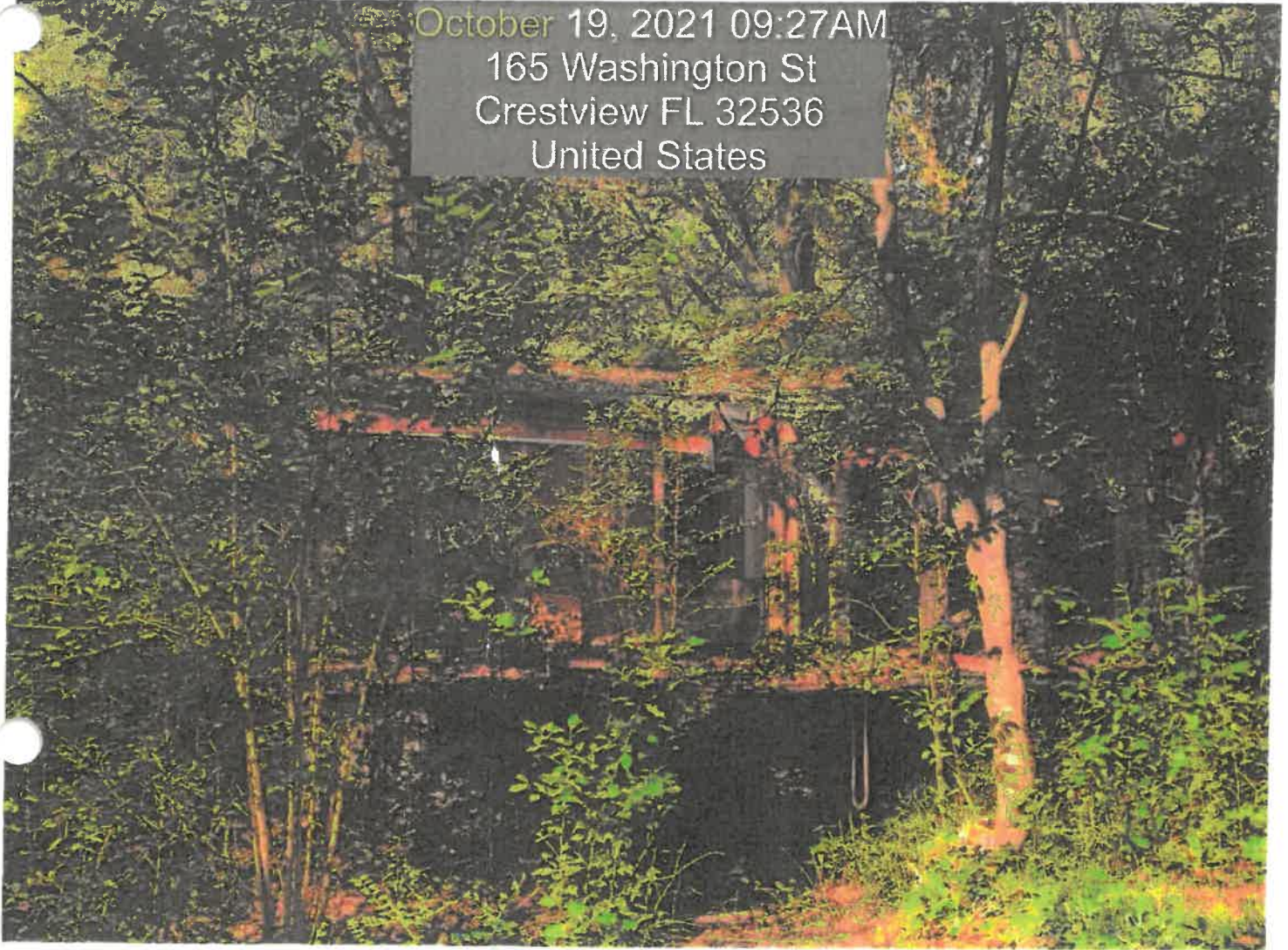
DATE

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.

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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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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

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: <u>TERENZO BAKER</u> <u>4140 BIG BUCK TRAIL</u> <u>CRESTVIEW, FL 32539</u>  9590 9402 5522 9249 9958 63 2. Article Number (Transfer from service label) <u>7020 1290 0001 5682 1987</u>		A. Signature: <u>X</u> <u>Carla Baker</u> <u>1987</u> <u>1987</u> ☐ Agent ☐ Addressee B. Received by (Printed Name): <u>Carla Baker</u> C. Date of Delivery: <u>5-27</u> 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 ☐ Insured Mail ☐ 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

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3,60
 2,85
 0,51
 6,96

JUN 1 2012
 2J-435

TERENIO 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 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

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

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

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

21-135

TERENCIO LARA 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: TERENCIO LARA BAKER 4140 BIG BUCK TRAIL CRESTVIEW, FL 32539 2. Article Number (Transfer from carrier label) 7020 1290 0001 5682 1437	A. Signature X  ☐ Agent ☐ Addressee B. Received by (Printed Name) BTZC C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No C-19 3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail ☐ Registered Mail ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

9590 9402 6373 0303 1235 60

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**

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: 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**

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Go to our [FAQs](#) section to find answers to your tracking questions.

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 fivv
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: Smile 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):
- Obtain a demolition permit and demolish the structure. Remove all demolition debris from the property.
 - 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
Digitally signed by
Samuel B. Taylor
Date: 2021.10.26
15:23:24 -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.

Case # 21-434

145 Washington St

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

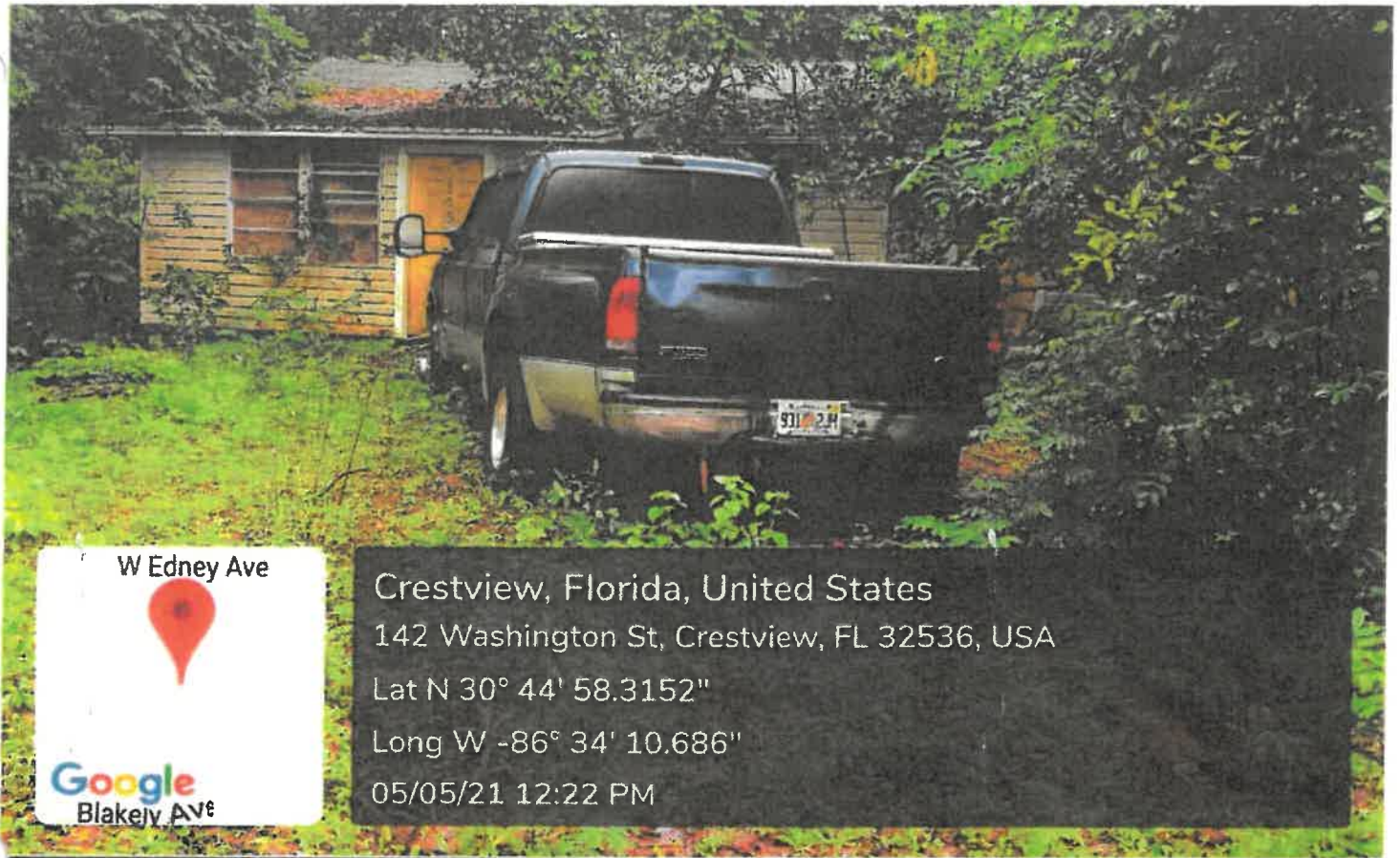
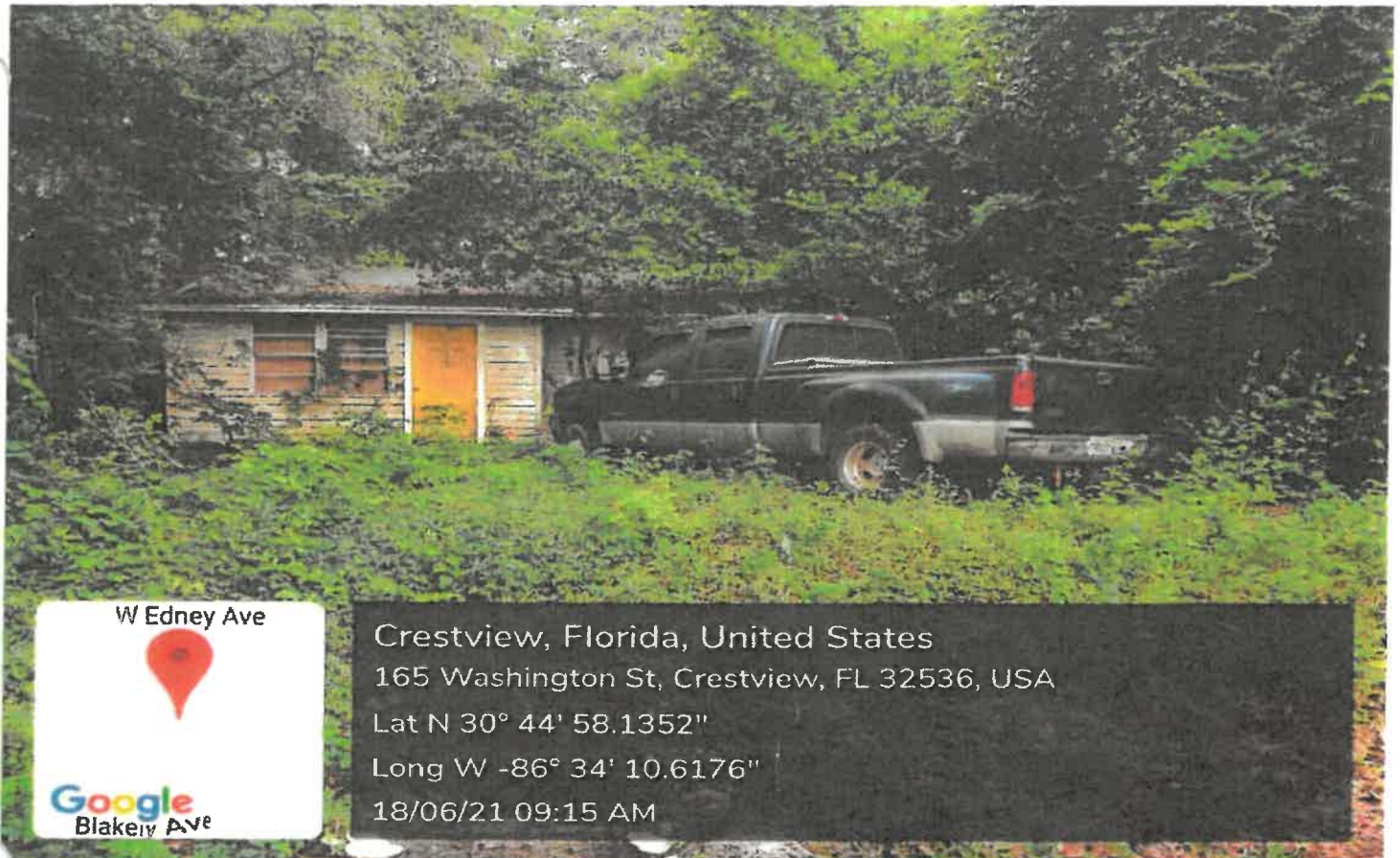
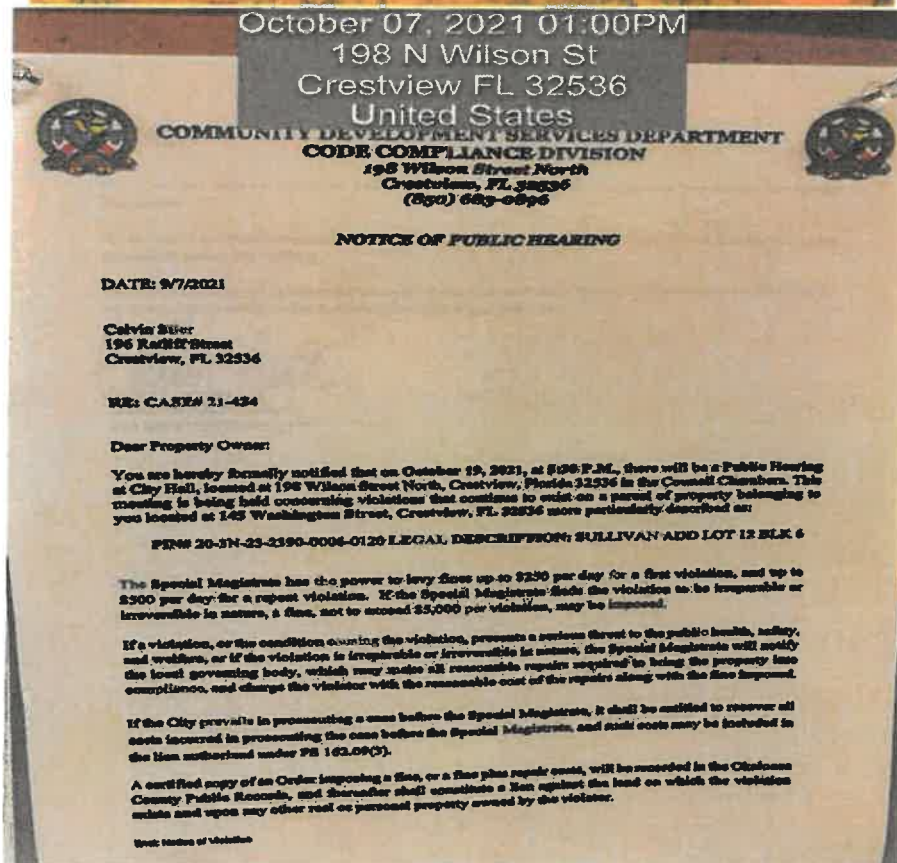
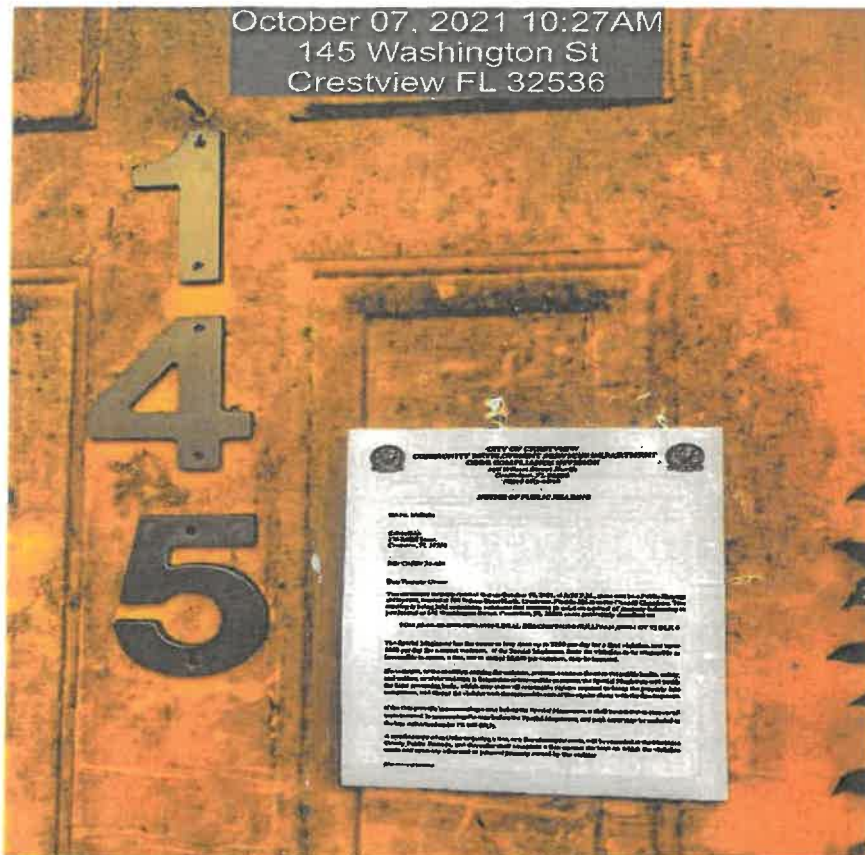


EXHIBIT # 4

EXHIBIT # A



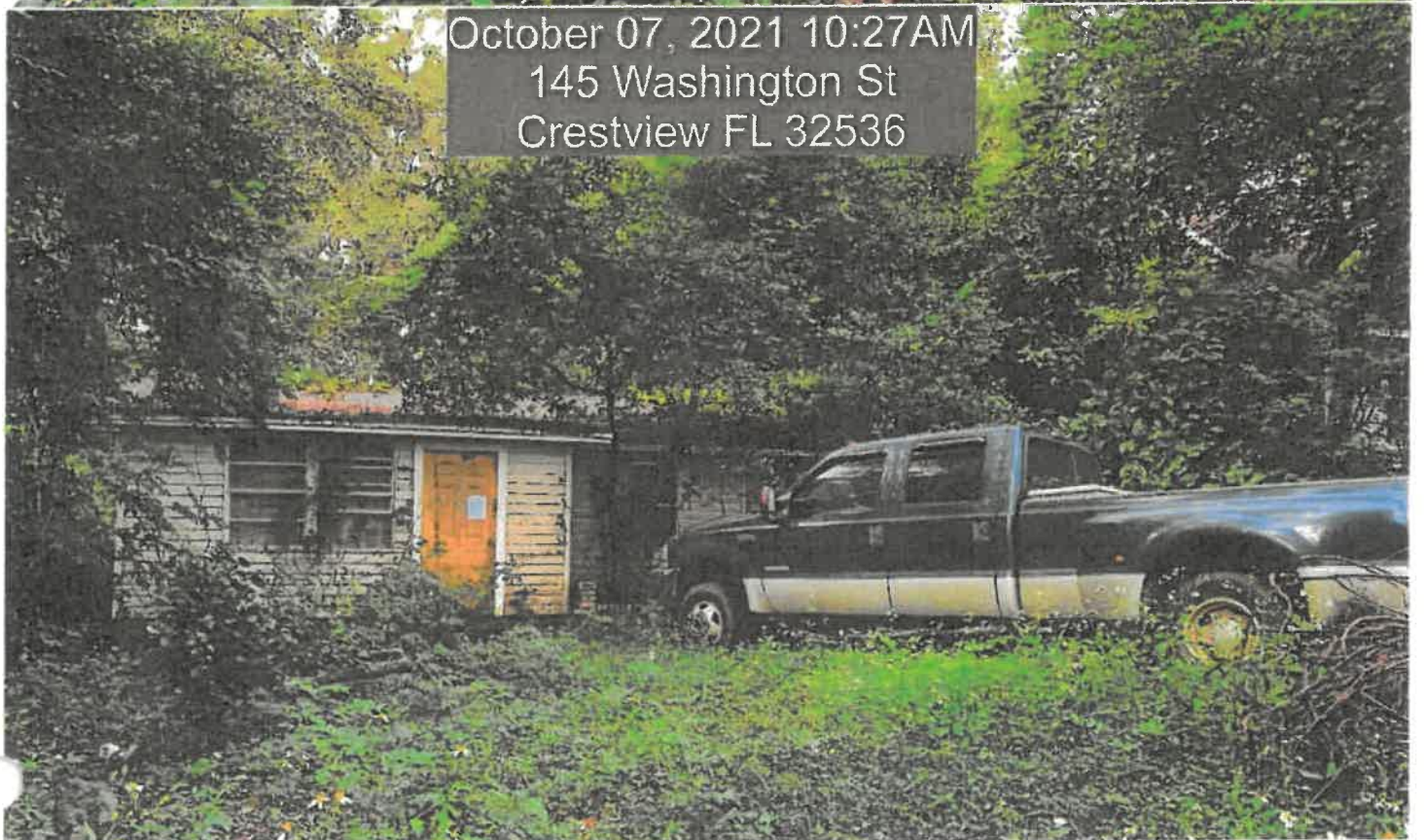
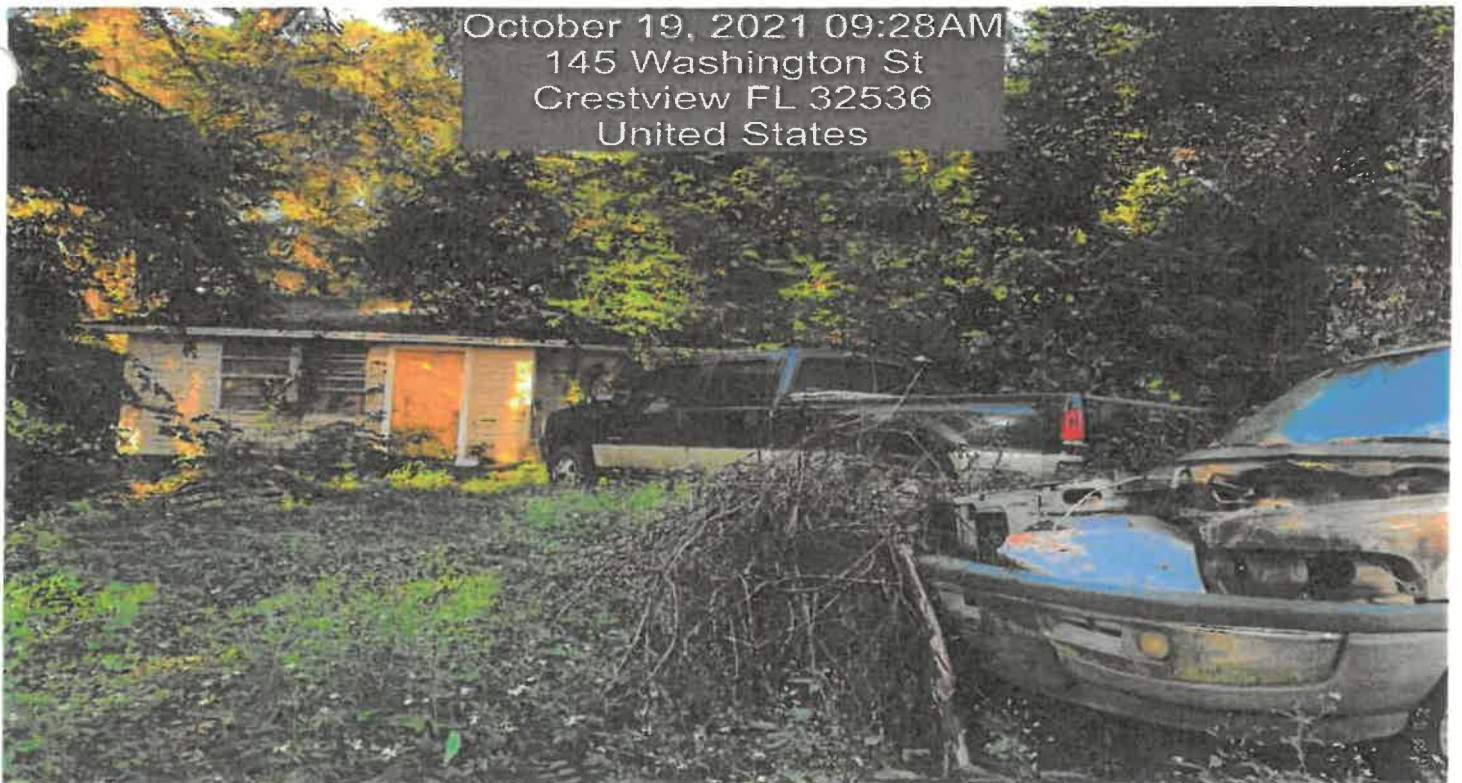
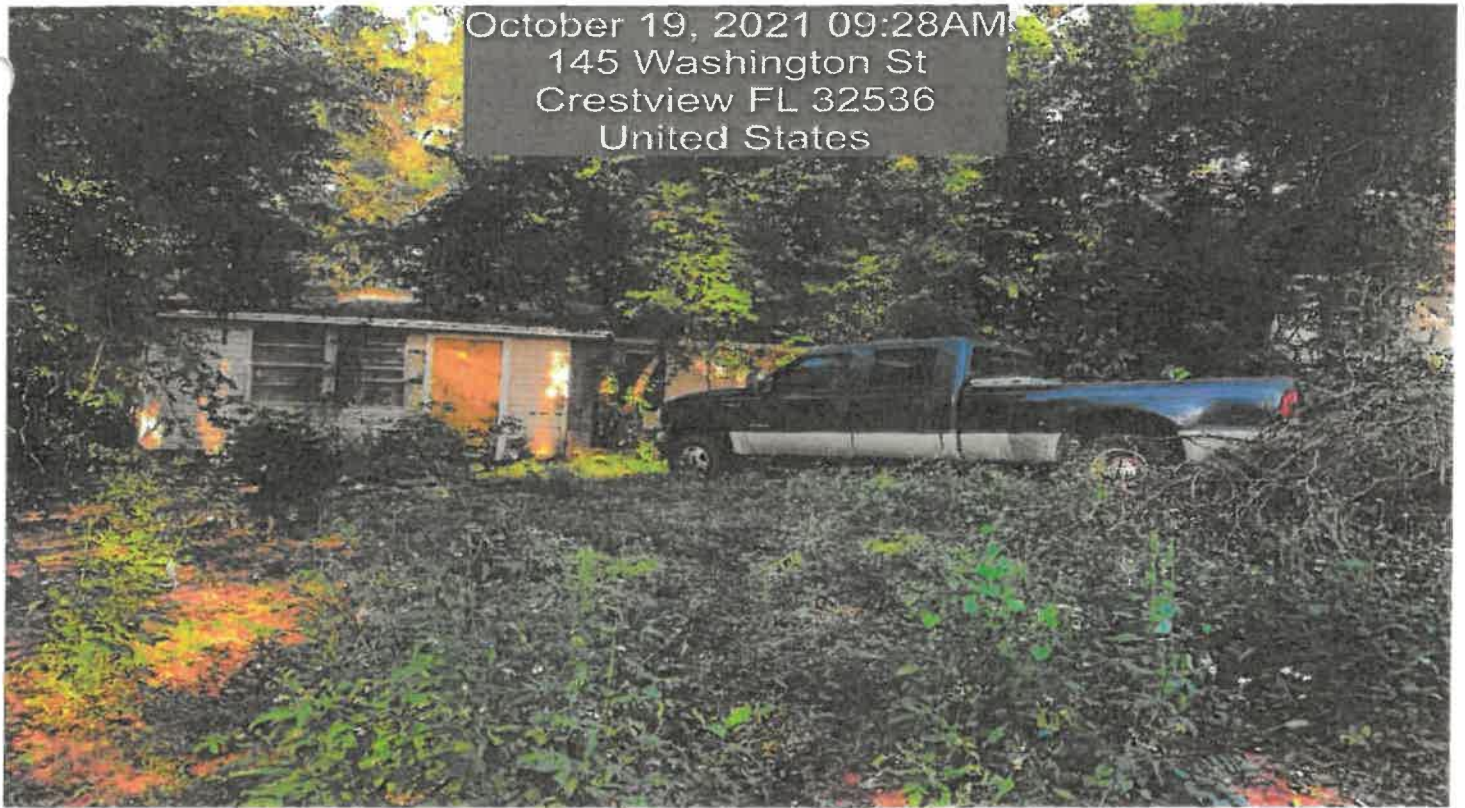


EXHIBIT # 4





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)
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 # 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

7020 1290 0001 5682 2083

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

See Receipt for Instructions

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
196 RATLIFF STR
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

Calvin Siler

- ☐ 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
☐ 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

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.

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[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®	
CERTIFIED MAIL® RECEIPT <i>CE</i>	
<i>(Domestic Mail Only: No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ <i>58</i>
Certified Fee	\$ <i>3.75</i>
Return Receipt Fee (Endorsement Required)	\$ <i>3.05</i>
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ <i>7.38</i>
Sent To: <i>CALVIN SIVEL 21-434</i> Street, Apt. No., or PO Box No.: <i>196 RAYLE ST</i> City, State, ZIP+4: <i>CRESTVIEW, FL 32536</i>	

✓

✓

✓

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.

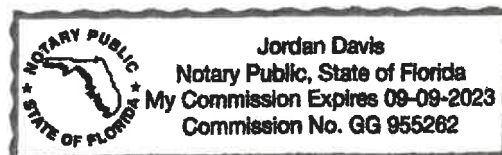
Sworn to and subscribed before me this 7 the day of Oct. 2021.

(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

NATURE OF VIOLATION(S) OBSERVED
Overgrowth, Abandoned vehicles, Rd falling apart in yard, unsafe structure

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

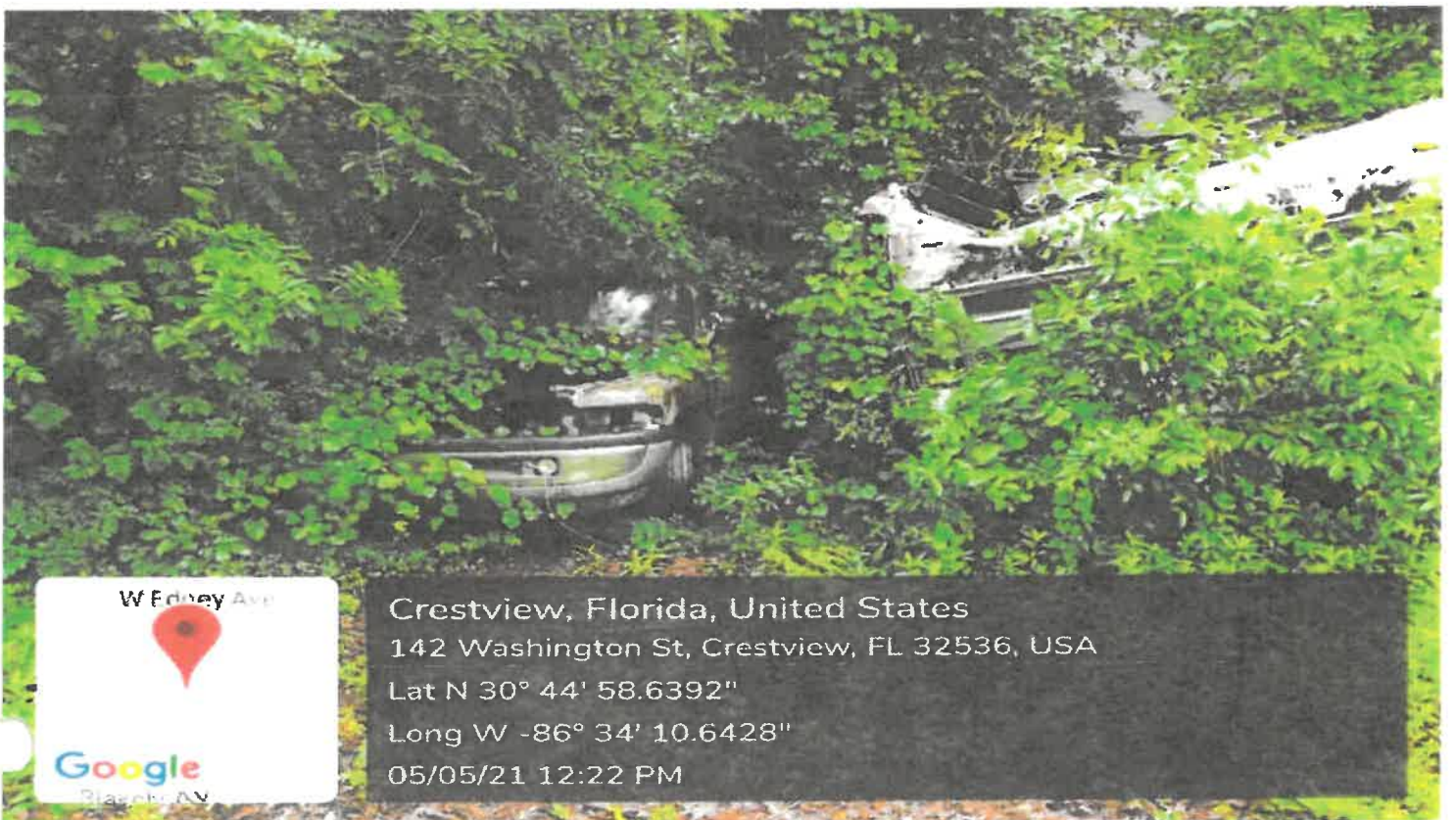


EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

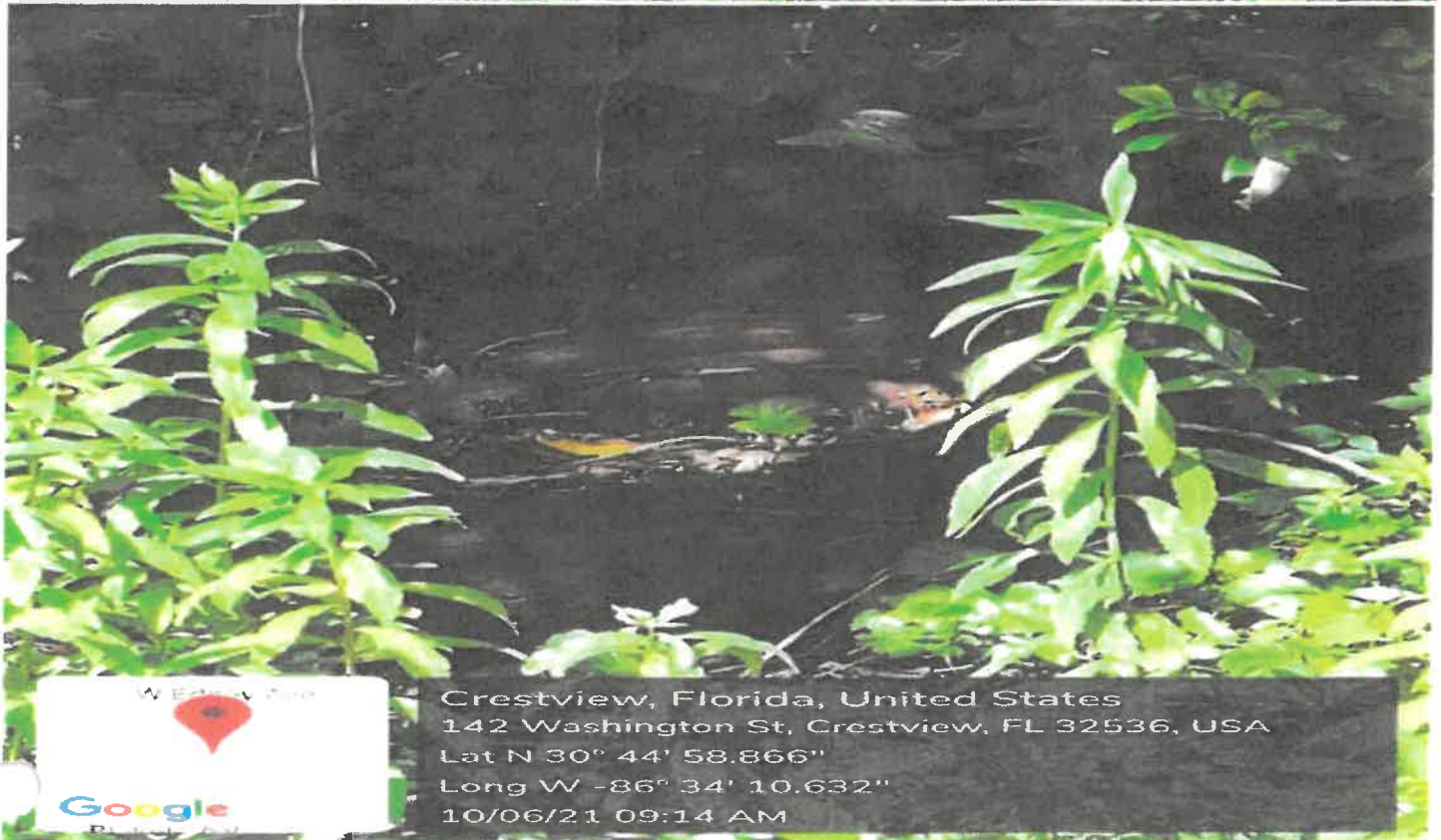
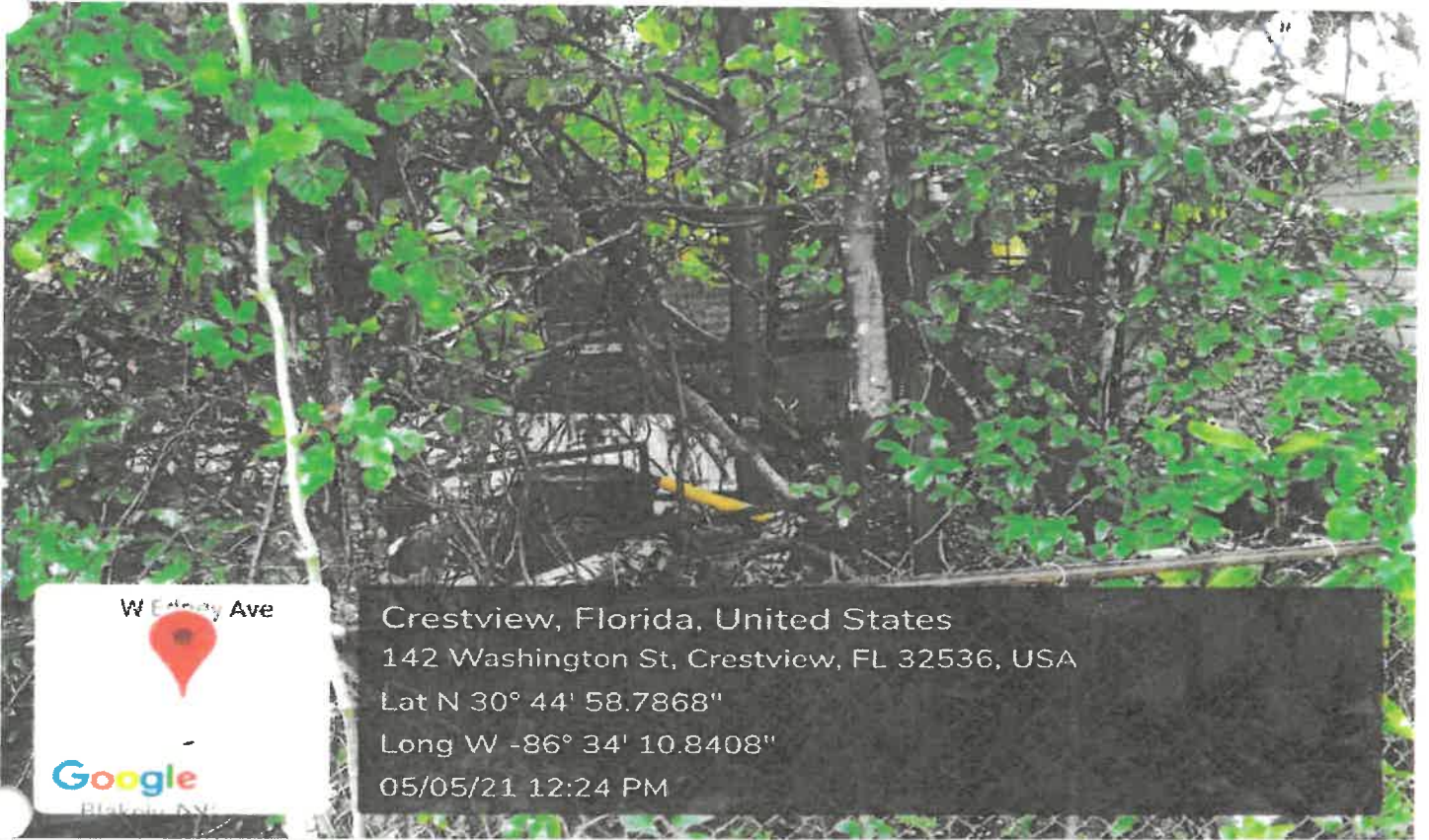


EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

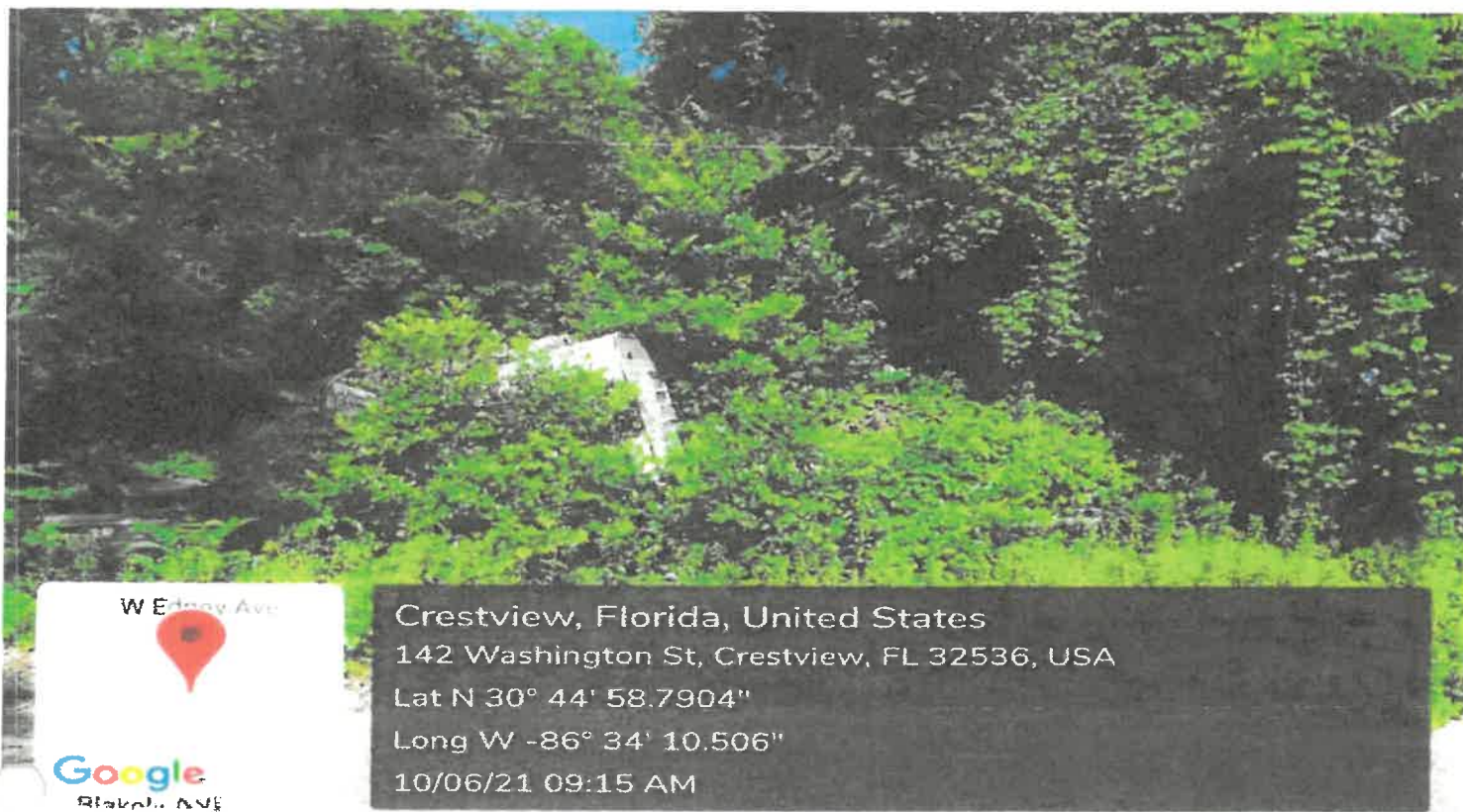
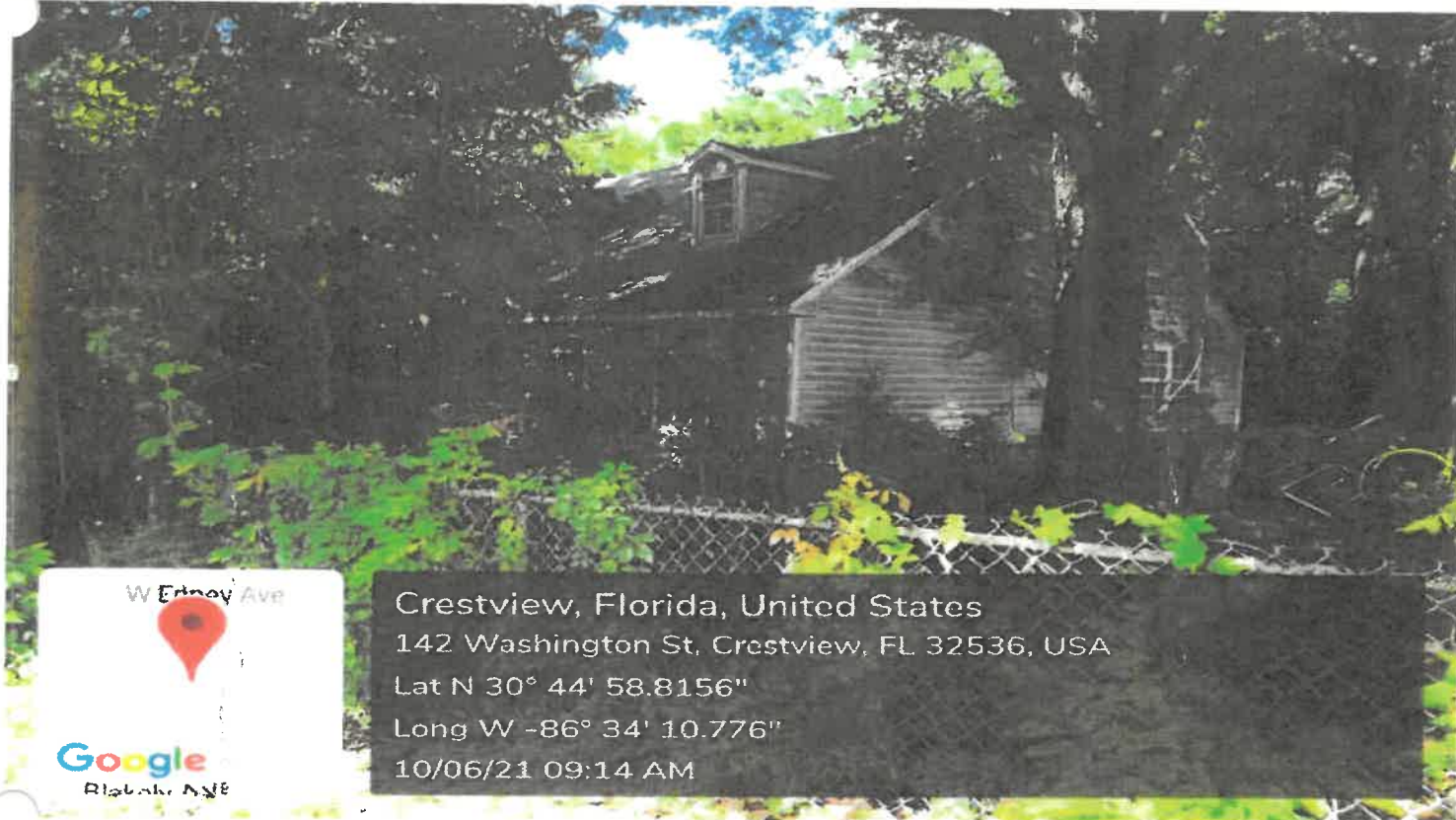


EXHIBIT 1

CASE # 21 – 433
142 WASHINGTON ST

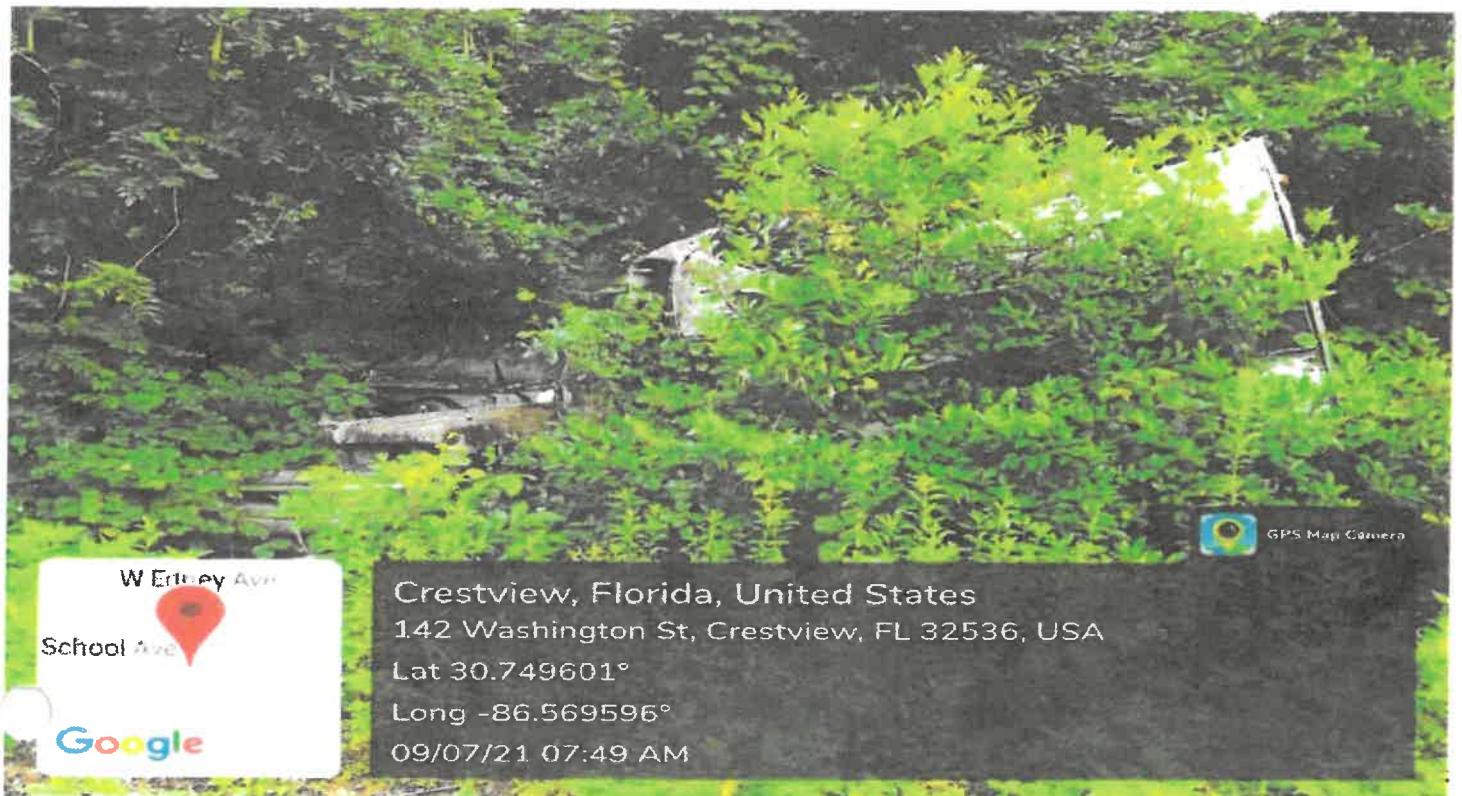
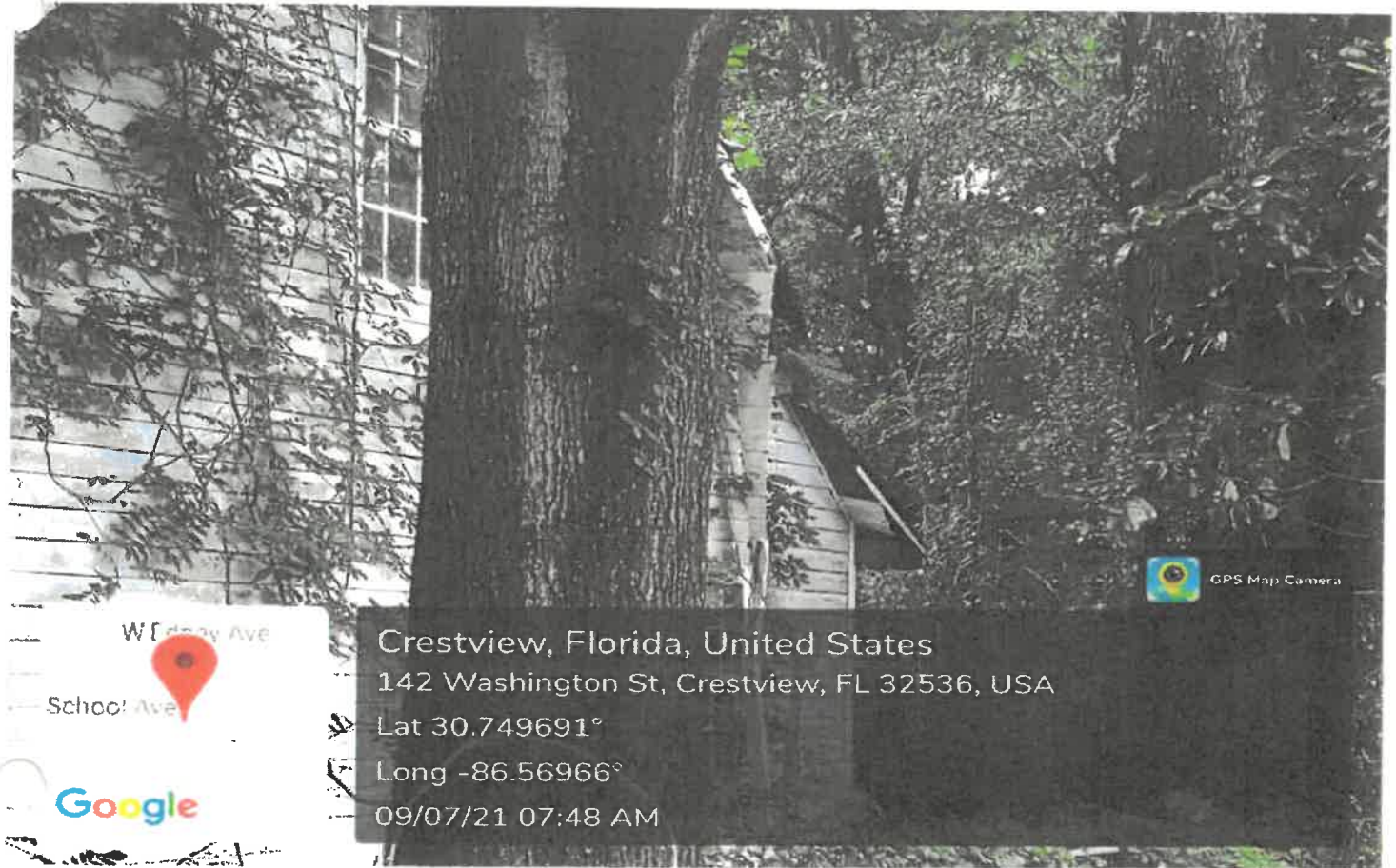


EXHIBIT 1



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**
 Return Receipt (hardcopy) **2.85**
 Return Receipt (electronic) **0.00**
 Certified Mail Restricted Delivery **0.00**
 Adult Signature Required **0.00**
 Adult Signature Restricted Delivery **0.00**

Postage **0.51**
 Total Postage and Fees **6.96**

Postmark Here
MAY 28 2021
21.483
CRESTVIEW, FL 32536

7020 1290 0001 5682 2090

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 STR CRESTVIEW, FL 32536  9590 9402 5522 9249 9957 95 2. Article Number (Transfer from service label) 7020 1290 0001 5682 2090	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

PS Form 3811, July 2015 PSN 7530-02-000-9053 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 7530-02-000-9041) See Reverse for instructions	

Postmark
JUL 10 2021
FL 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.

EXHIBIT # 1

(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 to certified mail 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 \$ **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	☐ 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 7530-02-000-9053

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 fiv
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

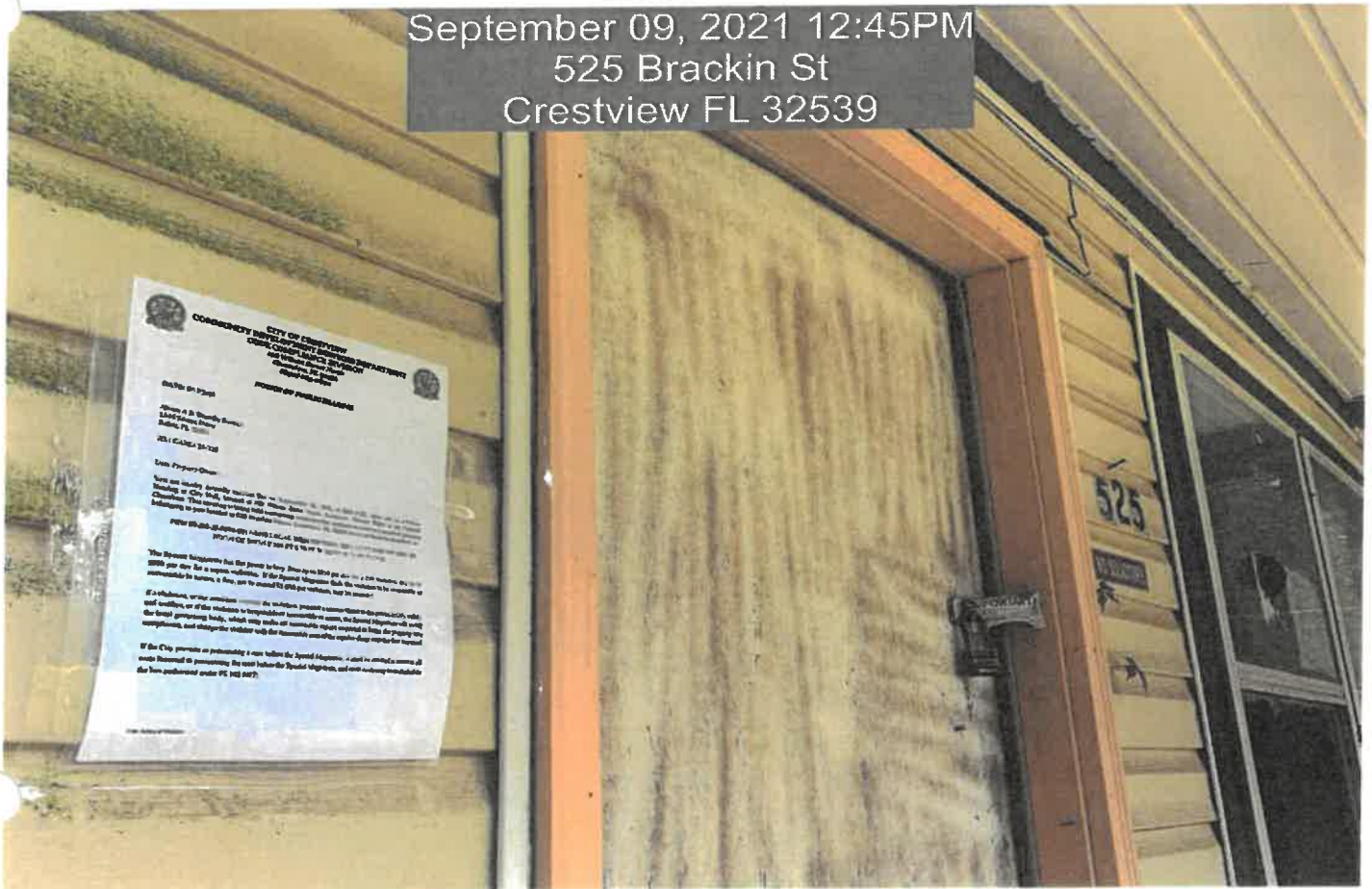


Jun 29, 2021 at 2:59:24 PM
525 Brackin St
Crestview FL 32539
United States



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



CERTIFIED MAIL



NEOPOST
US POSTAGE \$006 96-
ZIP 32536
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Timothy & Alisca A Simpler
1344 Sexton Drive
Baker, FL
32531

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RETURN TO SENDER
REFUSED
UNABLE TO FORWARD
BC: 32536120903 *2633-04350-23-37
32536120903

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, reading "Deborah Lawson", is written over the word "Sincerely,".

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.

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.

CERTIFIED MAIL

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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).

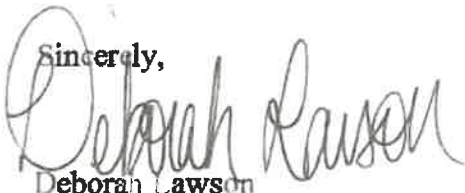
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

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



PENSACOLA FL 325

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NEOPOST

AUG 19 2021

US POSTAGE \$006 96⁰



ZIP 32536
041M11297338

7009 2250 0003 6504 1639

9/20

Alfred
6-23

Alisa + Timothy Simpler
1344 Saxon Dr
Baker, FL 32531

NIXIE

322 DE 1

0008/26/21

RETURN TO SENDER
NO SUCH STREET
UNABLE TO FORWARD

NSS

BC: 32536120909 *2638-05847-20-38

32536120909

|||||

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

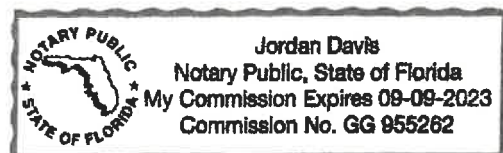
Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

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,

DEPUTY CLERK sdoscher
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):
 - 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
-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. #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 *[Signature]* *12/26/19* ☒ Agent ☐ Addressee

B. Received by (Printed Name)

CBU

C. Date of Delivery

12/22/19

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 (over \$500) | |

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

TWR 2/19

- ☒ Agent
- ☒ Addressee

B. Received by (Printed Name)

CB

C. Date of Delivery

01/04/20

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

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise

Confirmation™
Confirmation
Delivery

Business 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 cursive script, 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



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** 7/20/2019 ☒ Agent ☐ Addressee
- B. Received by (Printed Name) CB C. Date of Delivery 7/16/21
- 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

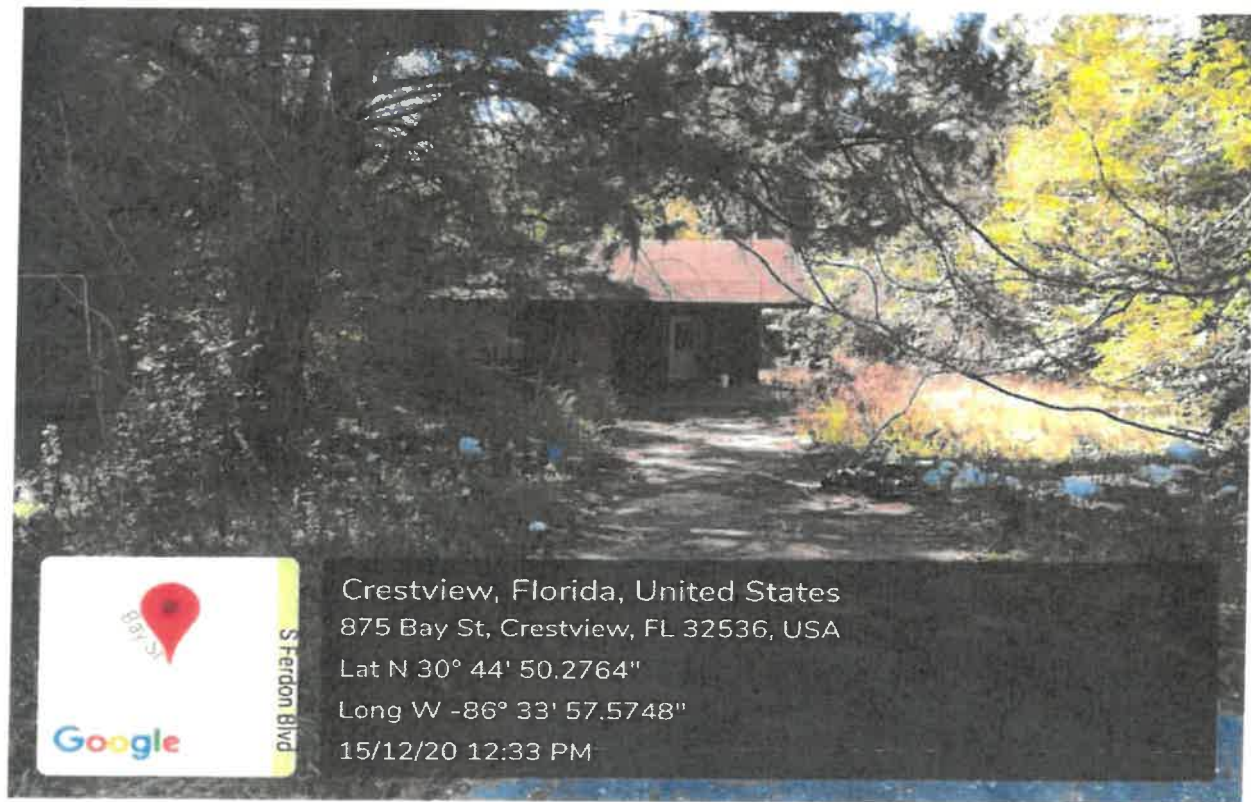
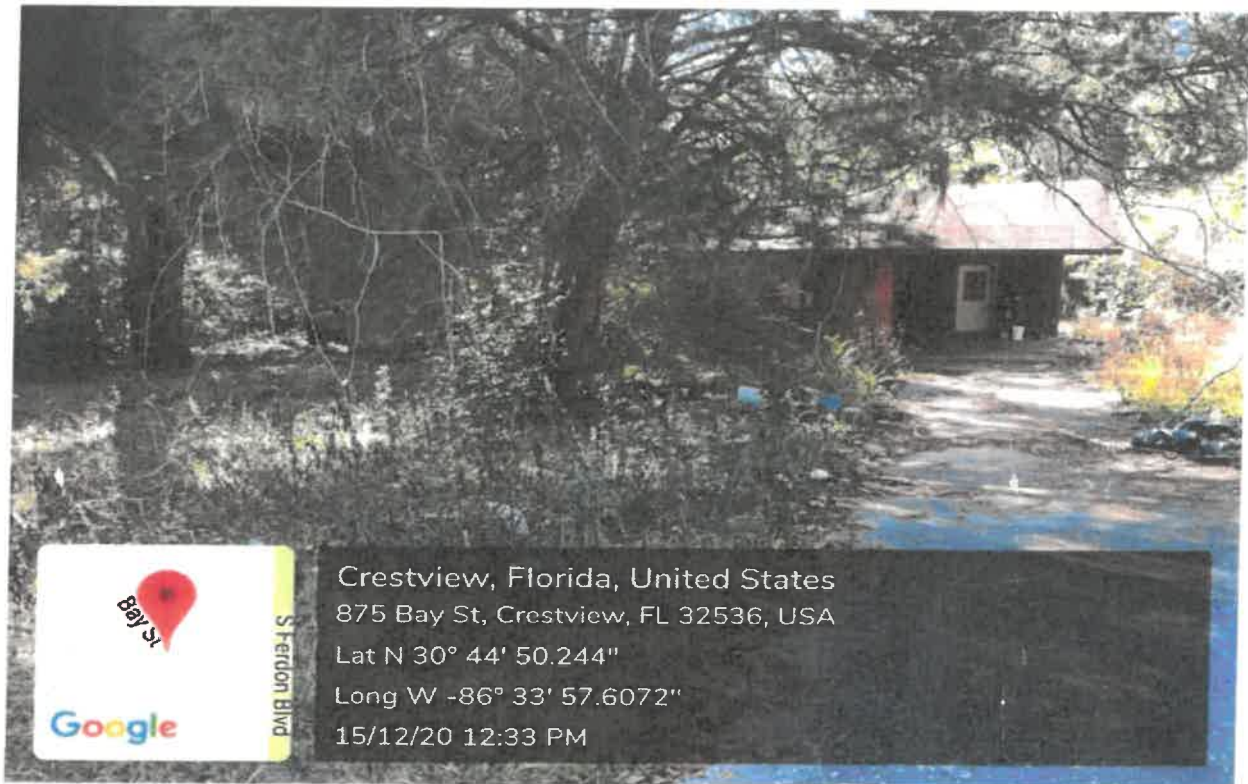


EXHIBIT 4

CASE # 21- 257

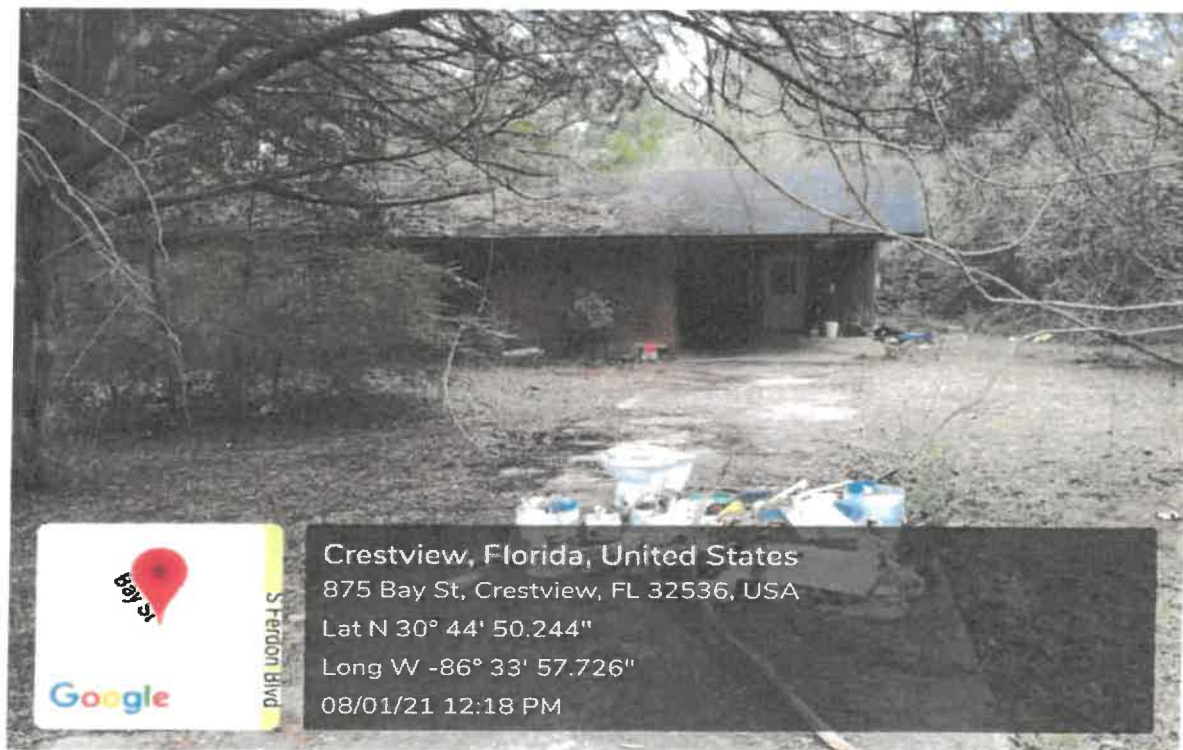
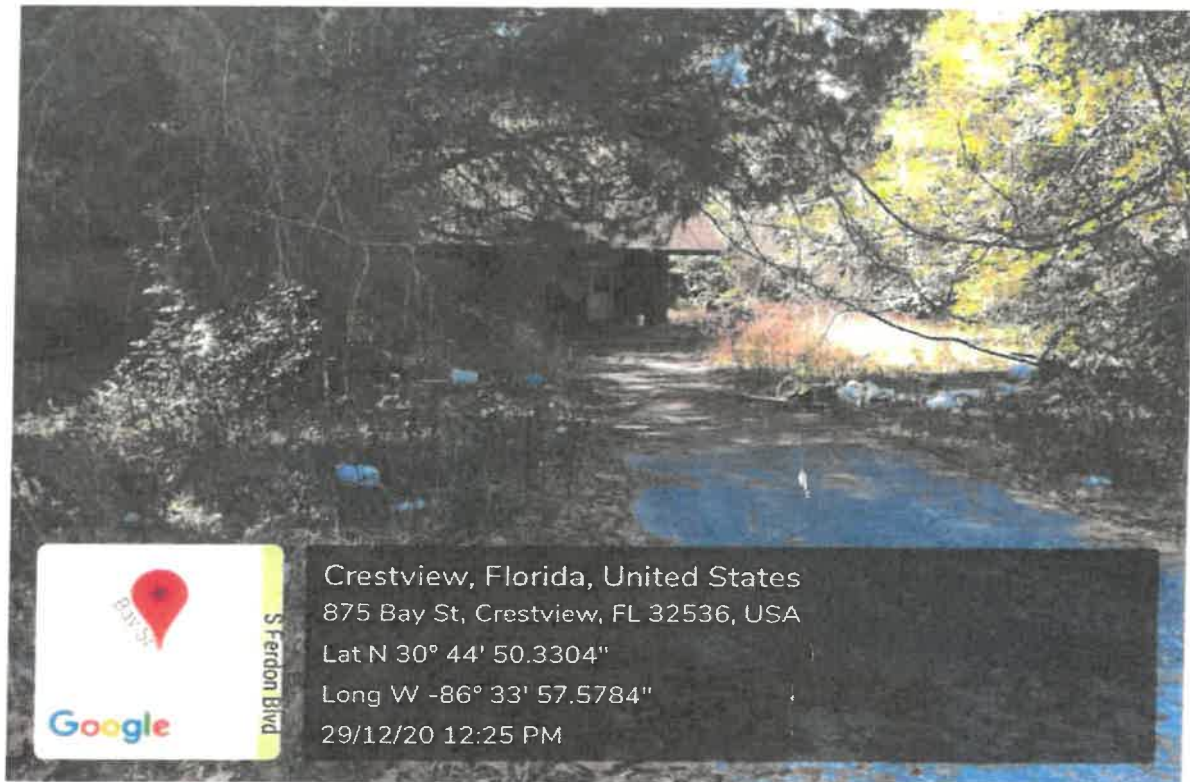


EXHIBIT 4

CASE # 21- 257

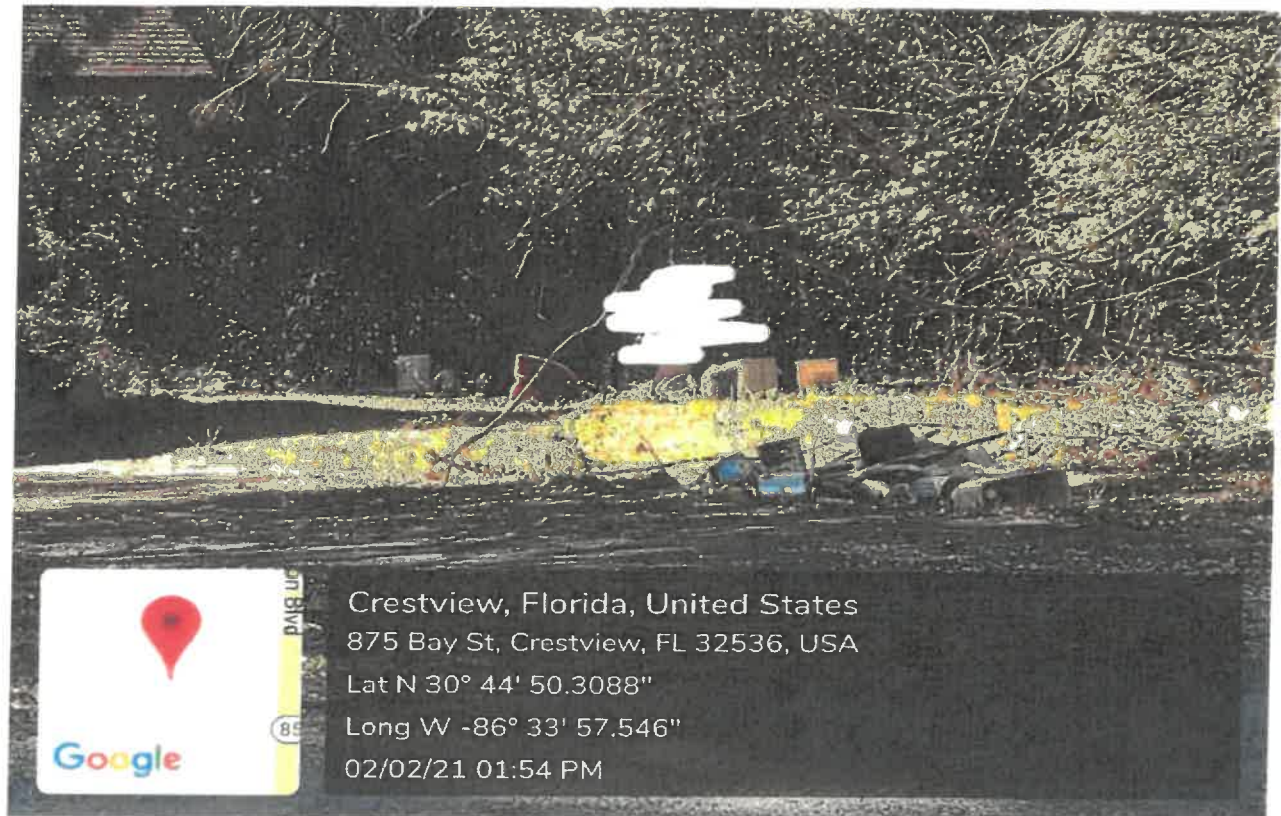
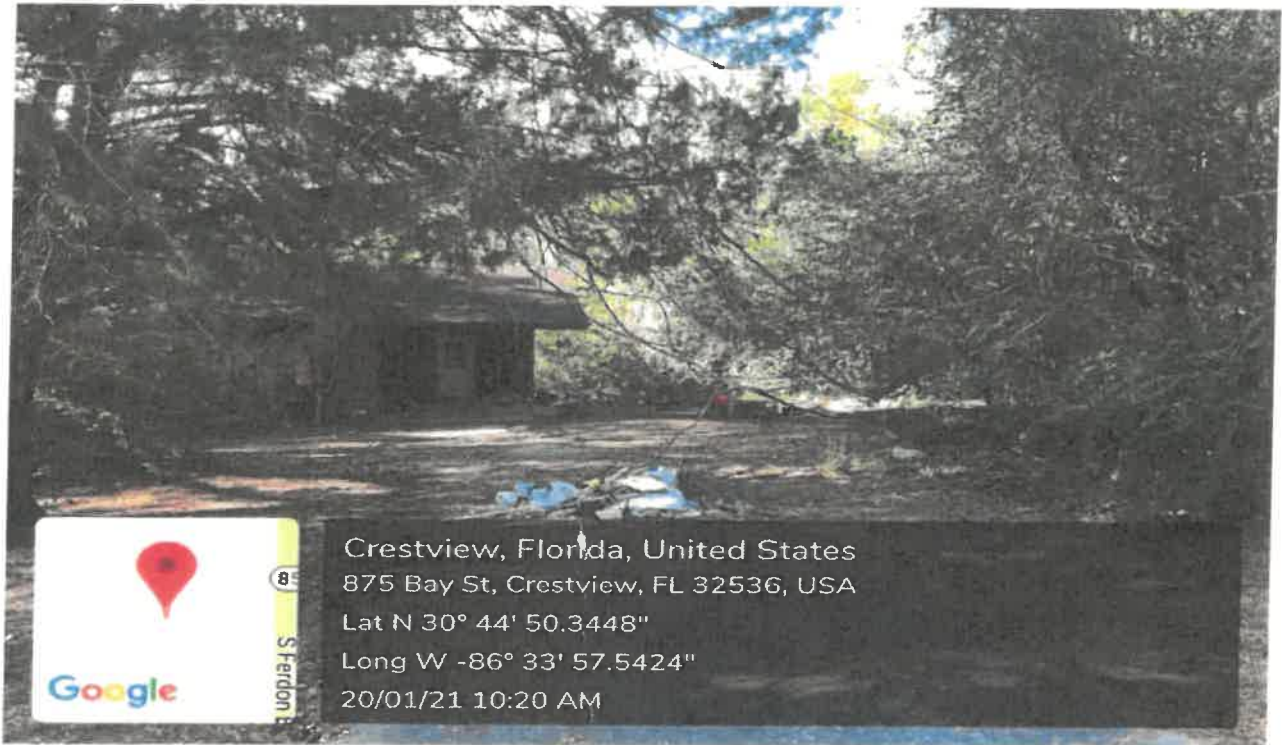


EXHIBIT 4

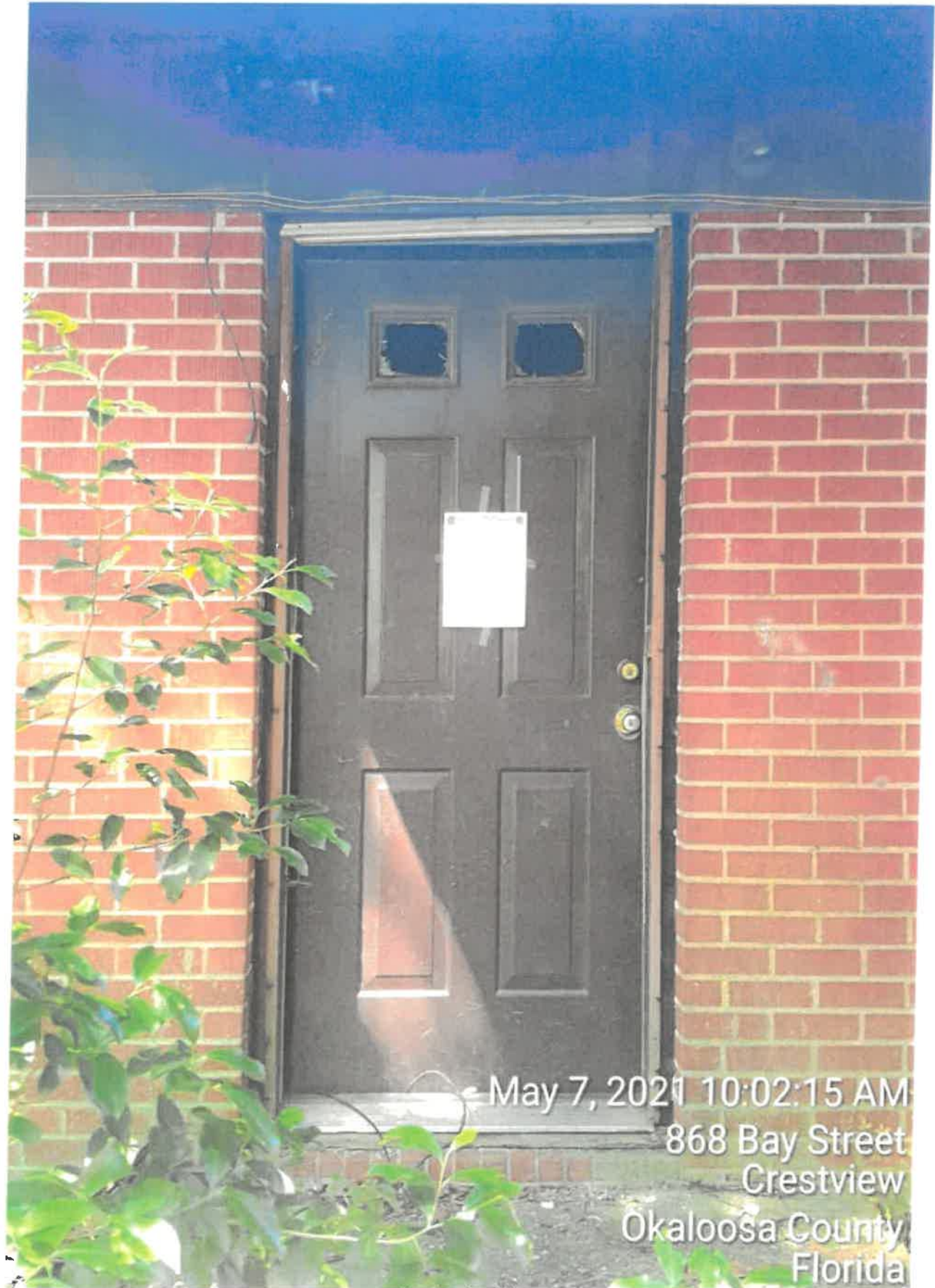


EXHIBIT 4



**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 FT E & 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

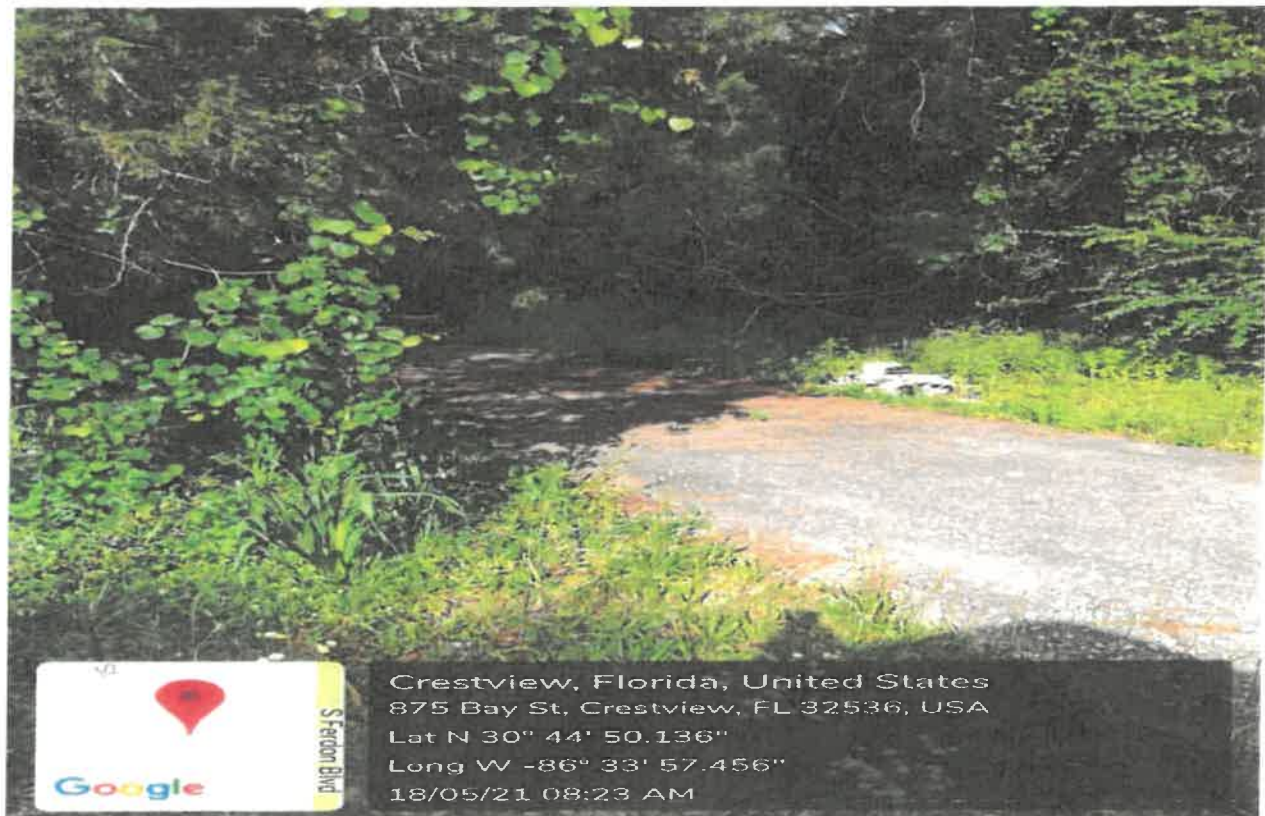
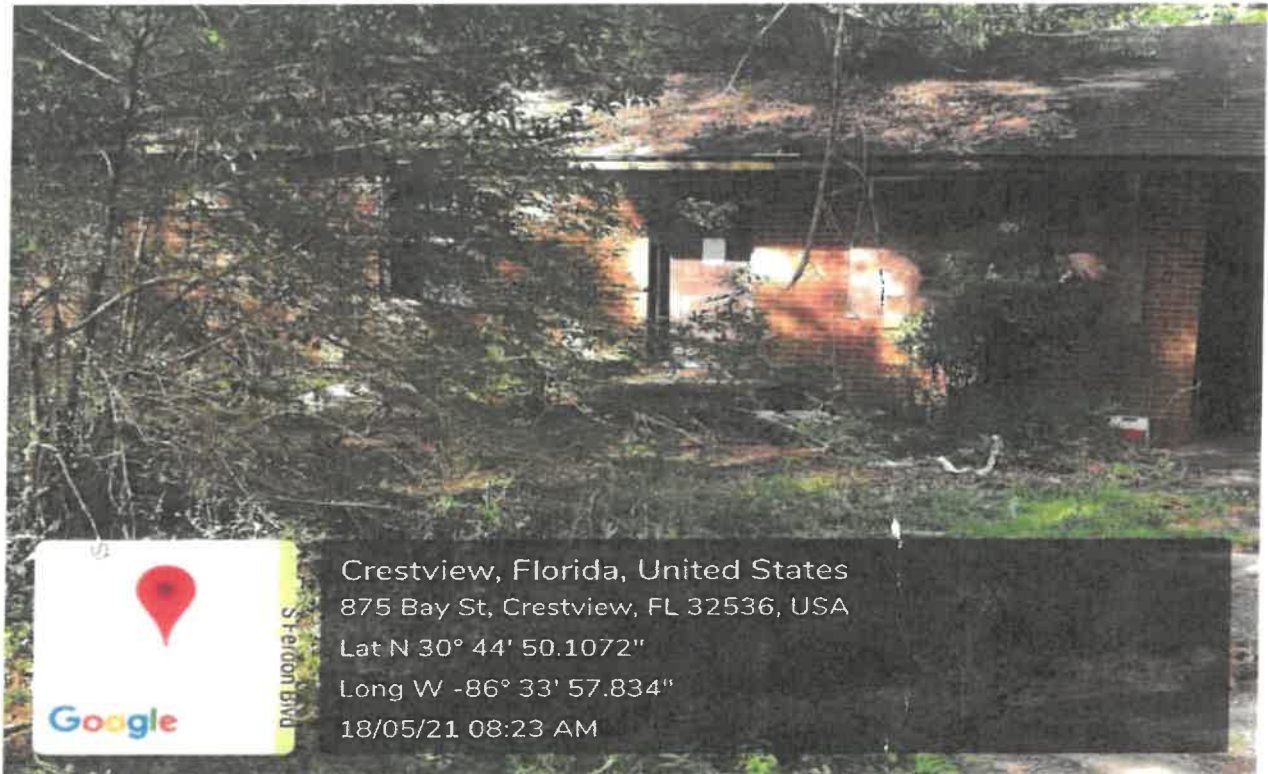
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

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
Date: 2022.12.06 11:05:13
-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 # 22-827, 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

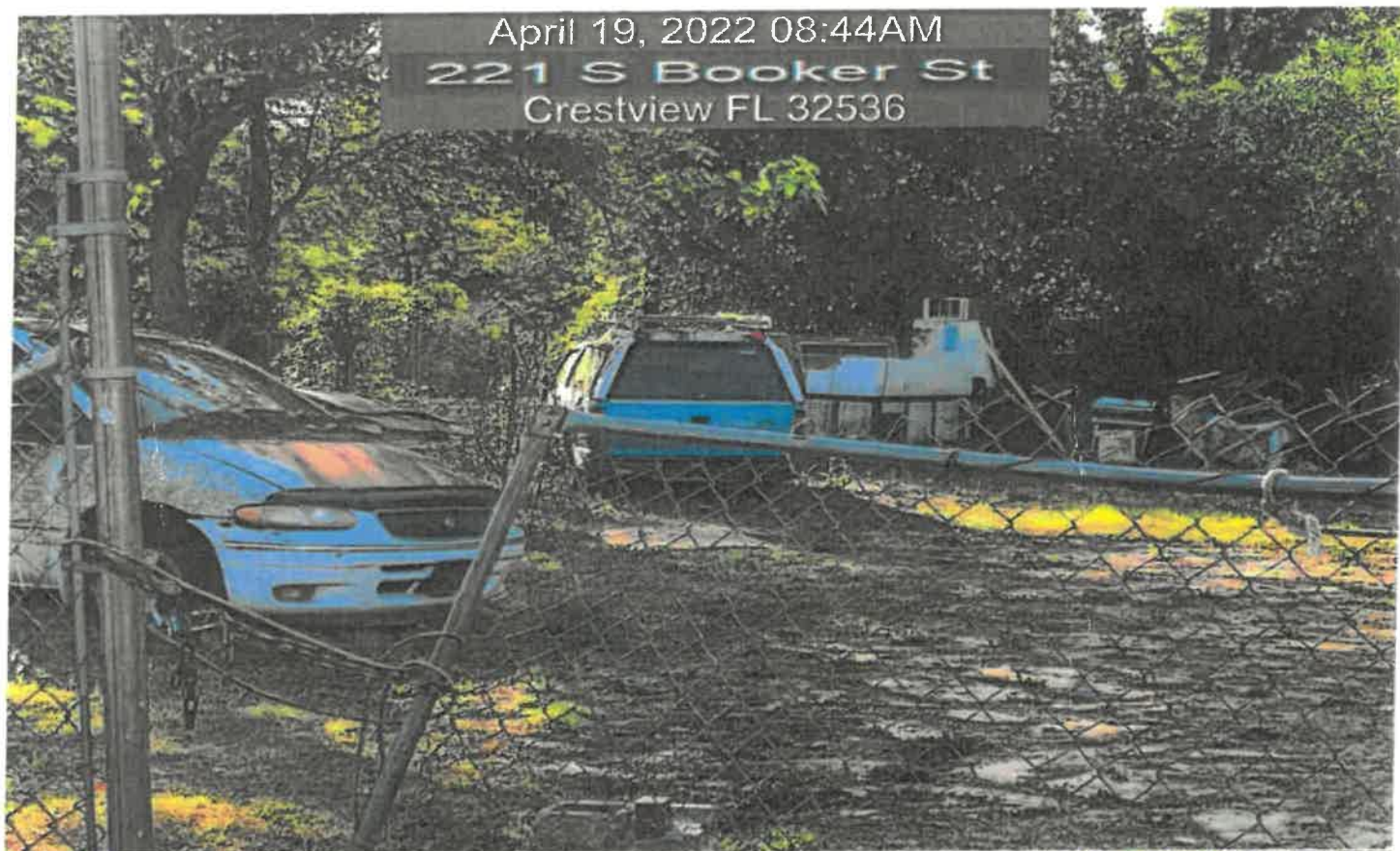


Case # 22-827

221 S Booker

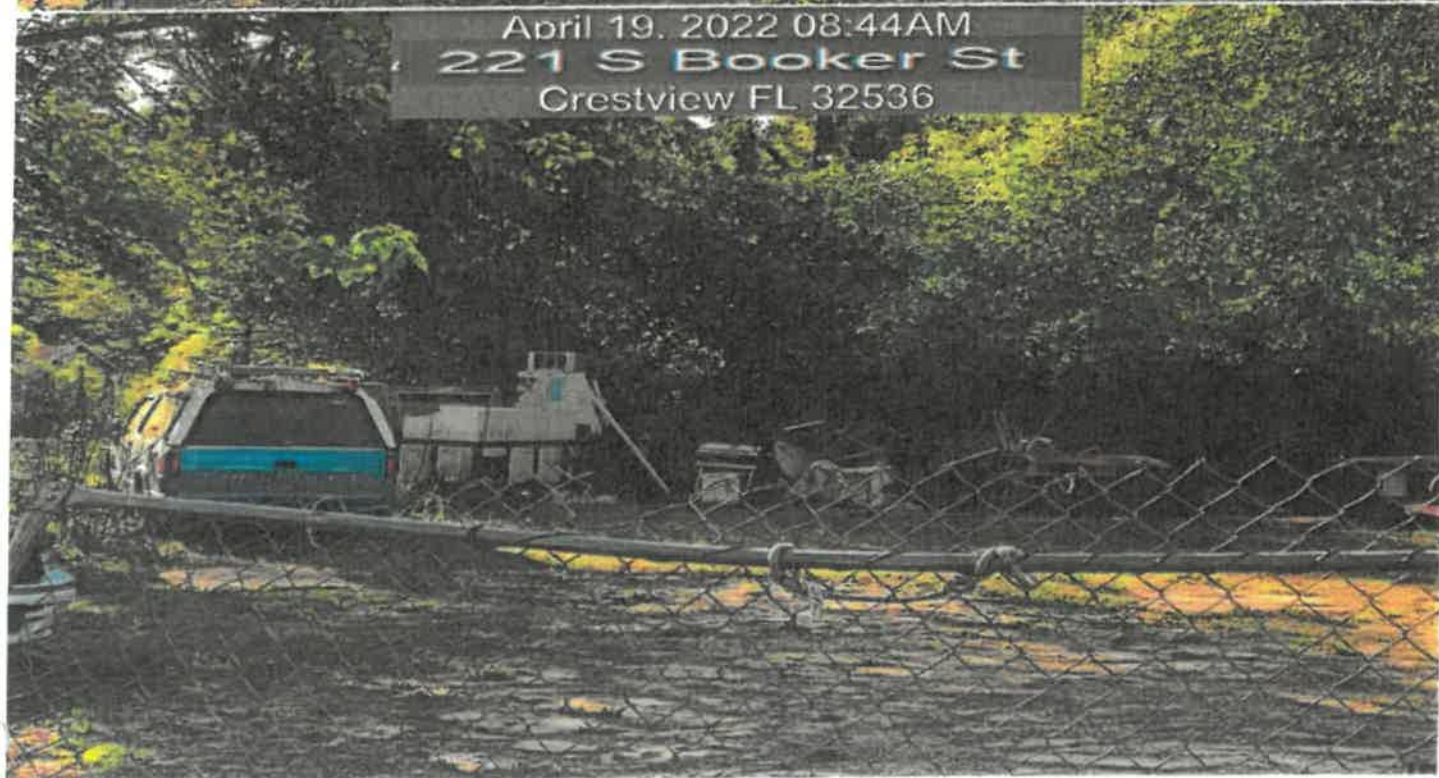
April 19, 2022 08:44AM

221 S Booker St
Crestview FL 32536



April 19, 2022 08:44AM

221 S Booker St
Crestview FL 32536



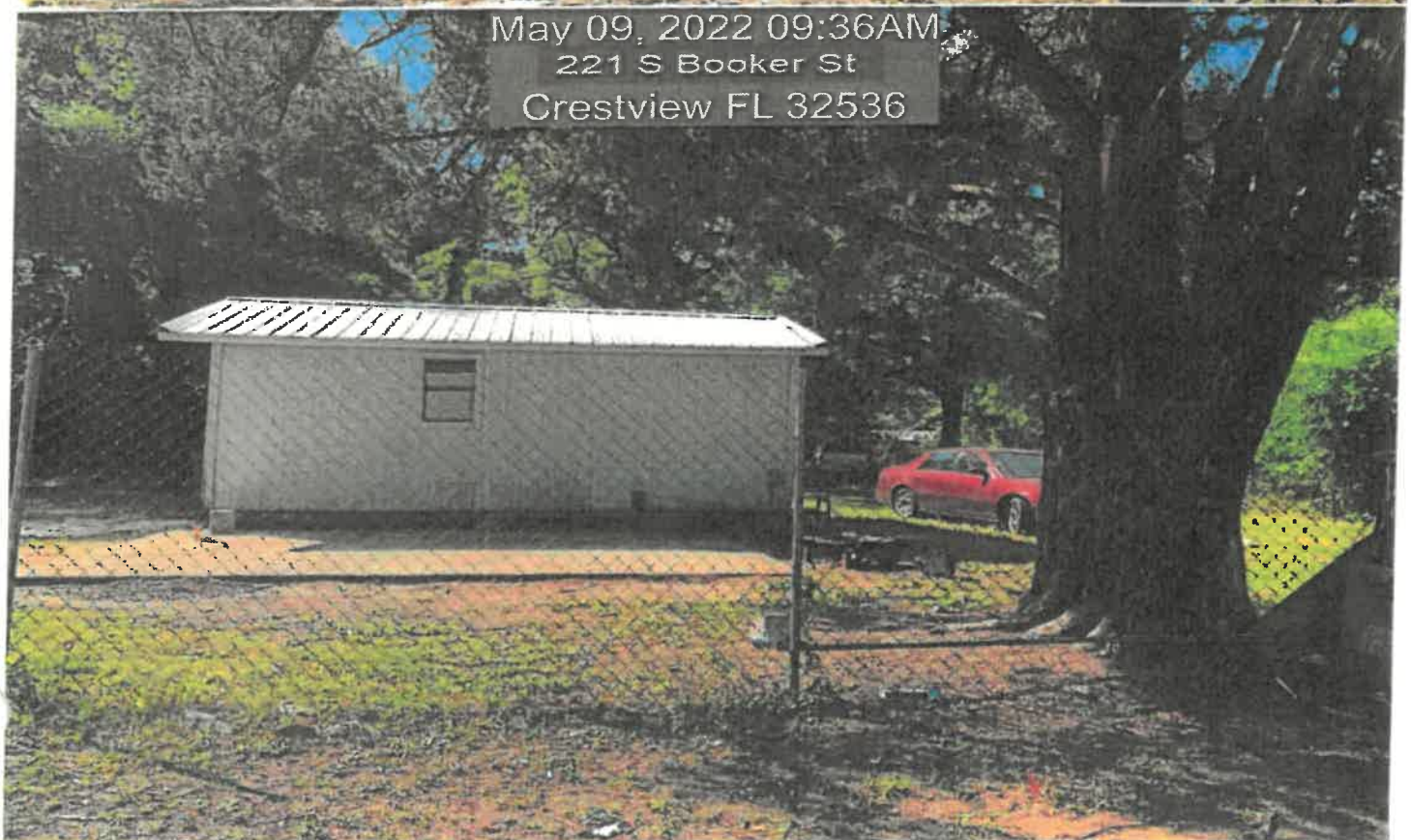
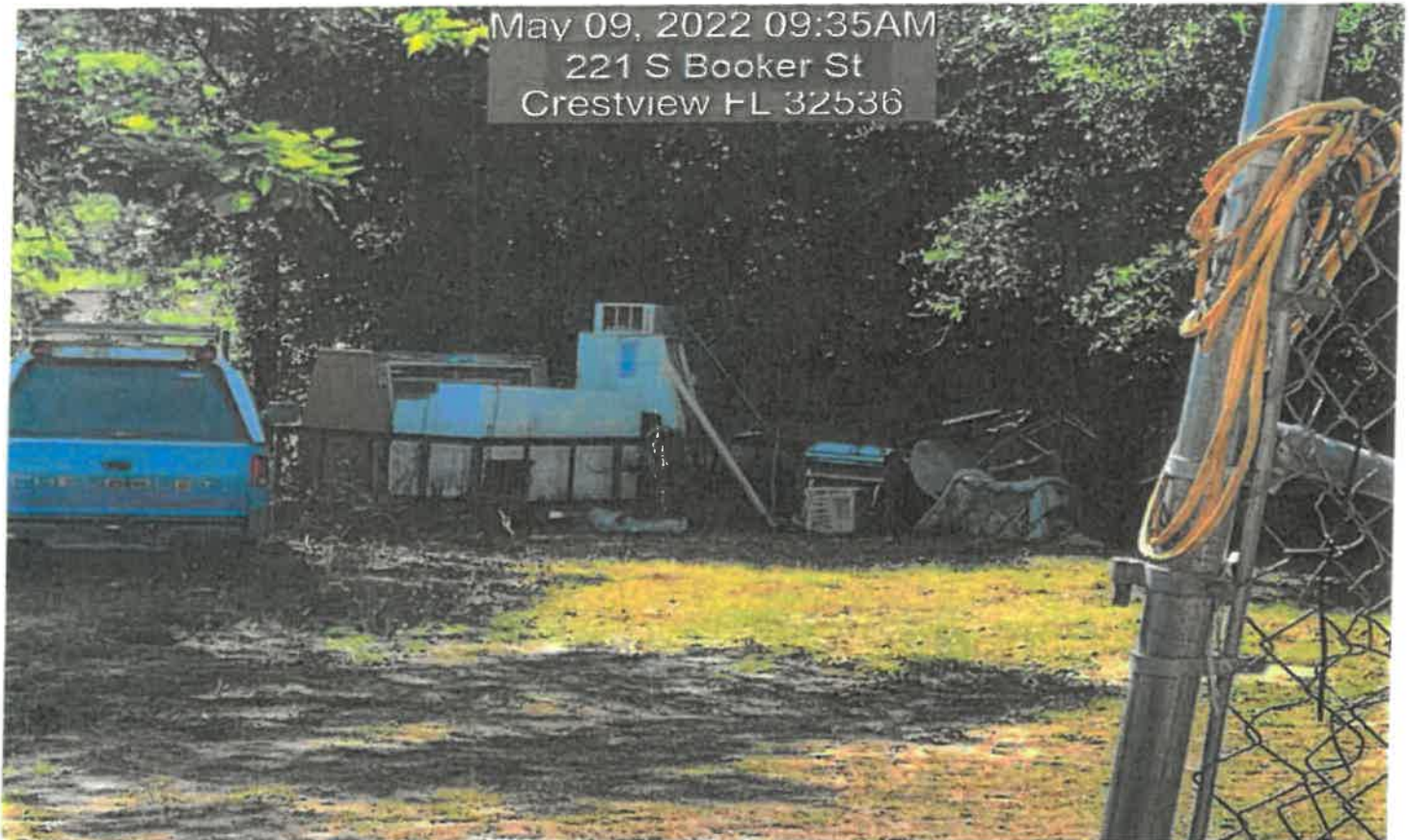
Case # 22-827

221 S Booker



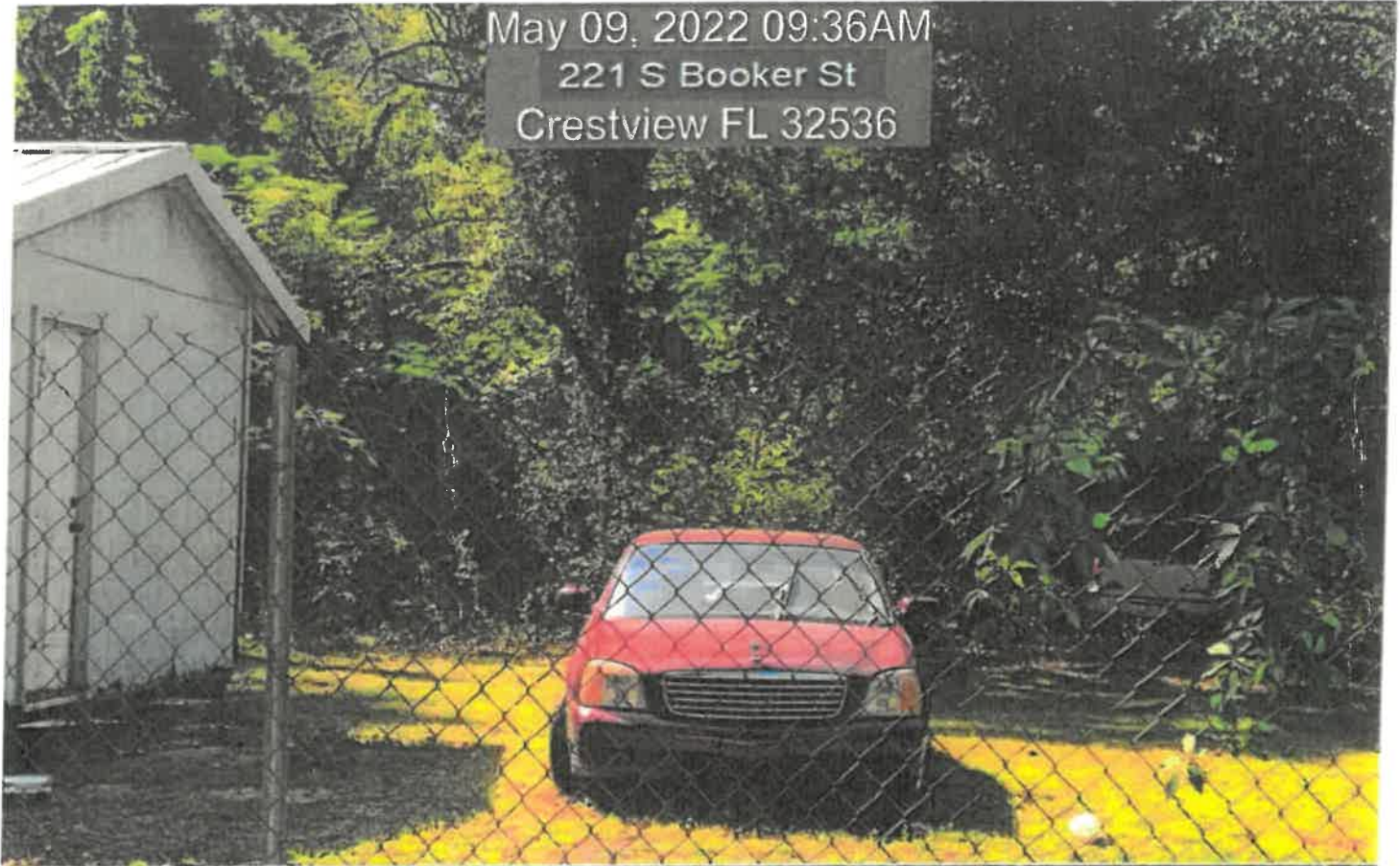
Case # 22-827

221 S Booker



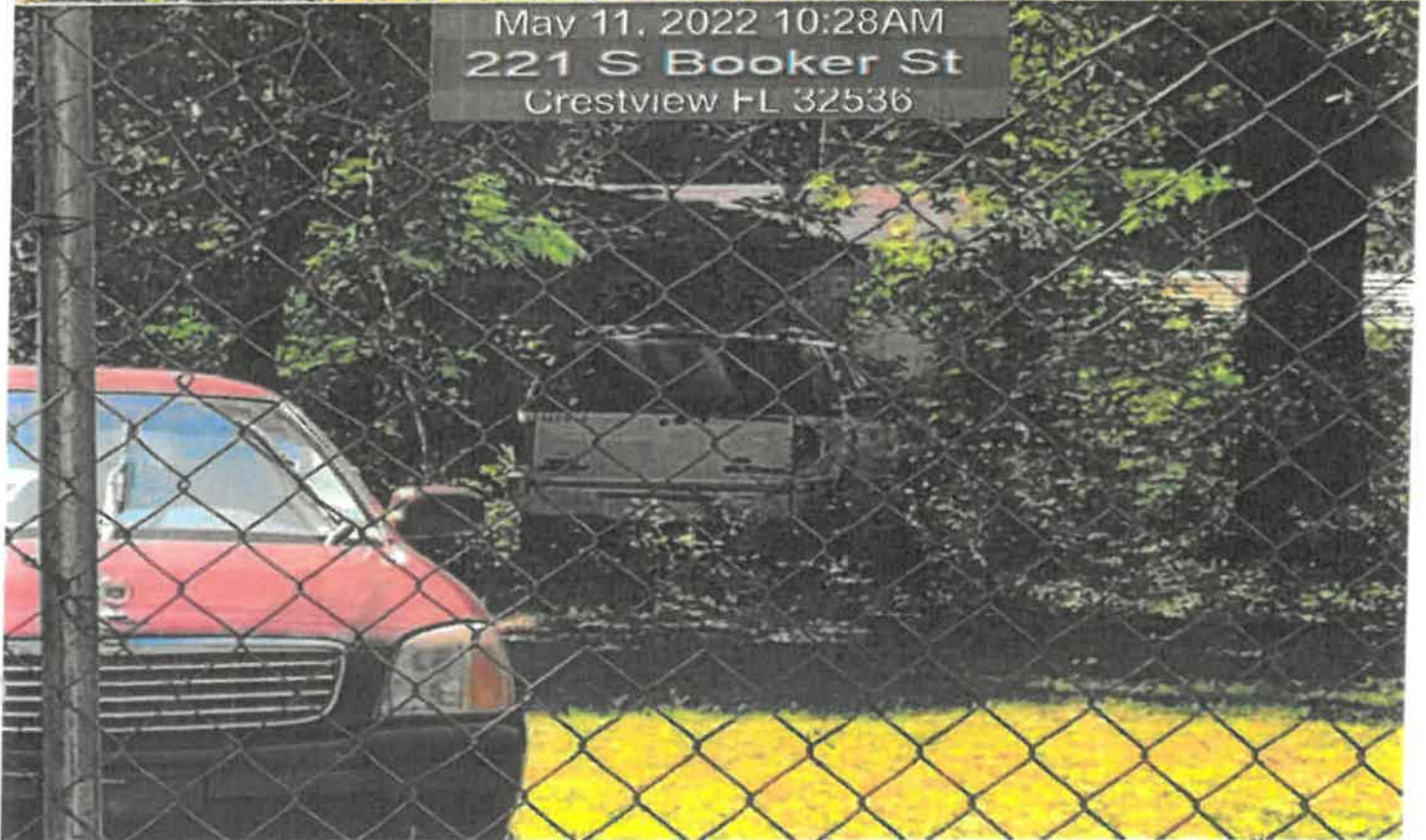
May 09, 2022 09:36AM

221 S Booker St
Crestview FL 32536

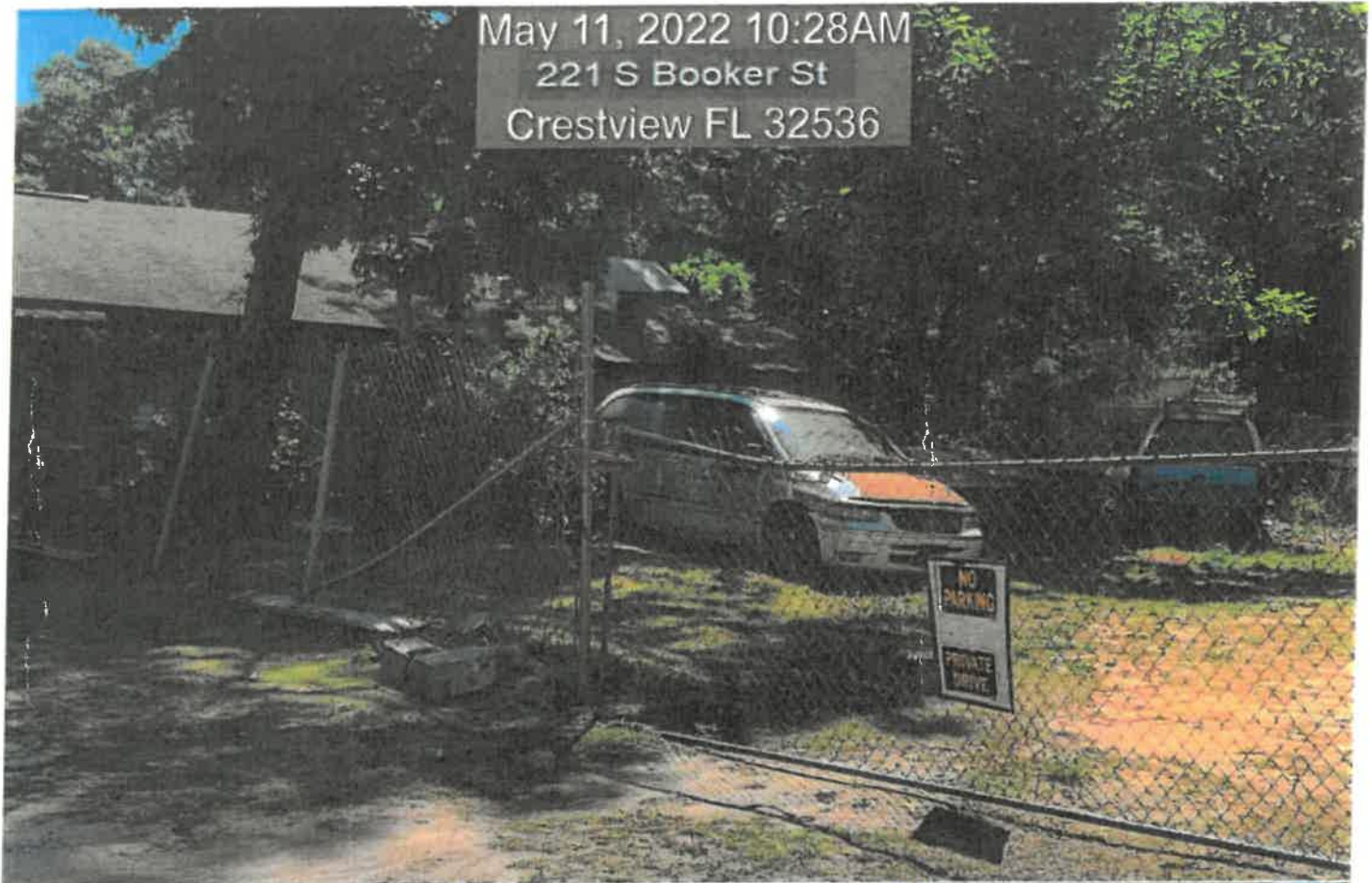


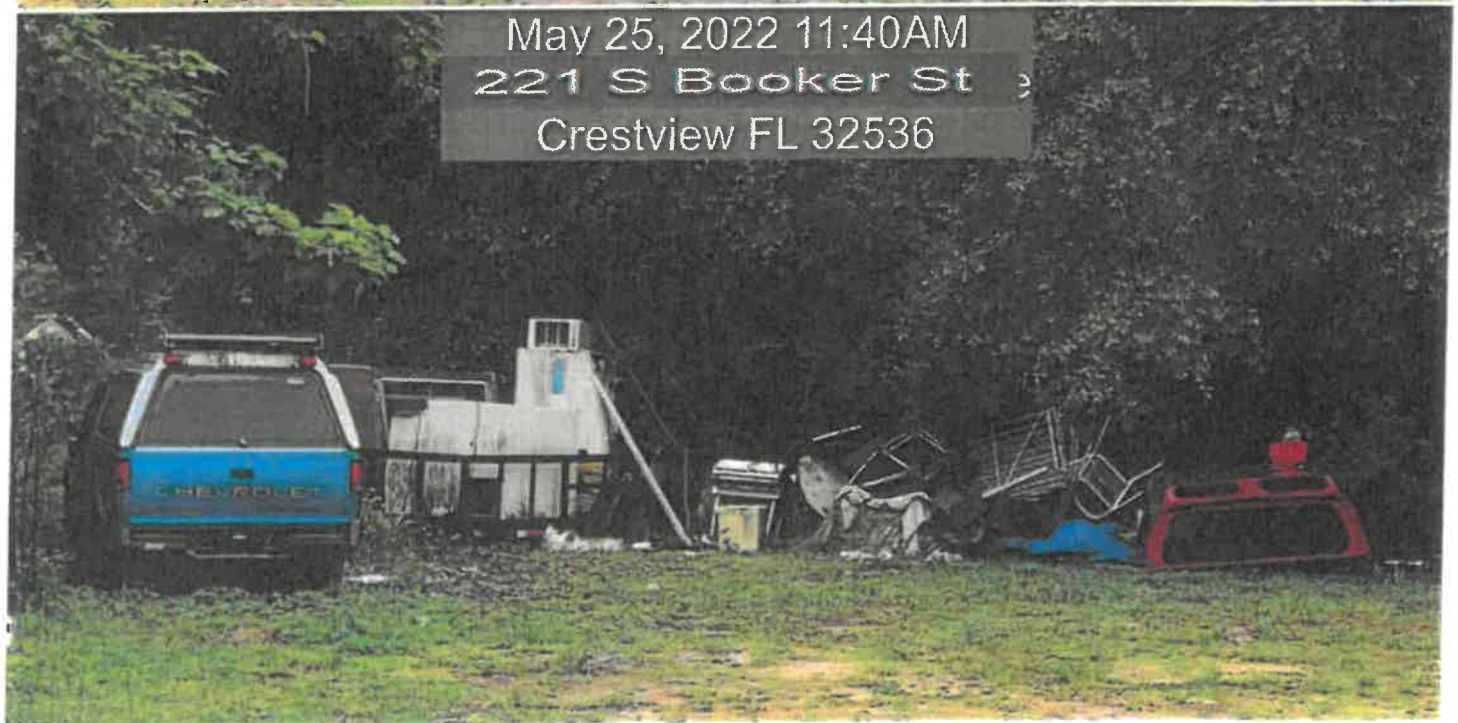
May 11, 2022 10:28AM

221 S Booker St
Crestview FL 32536



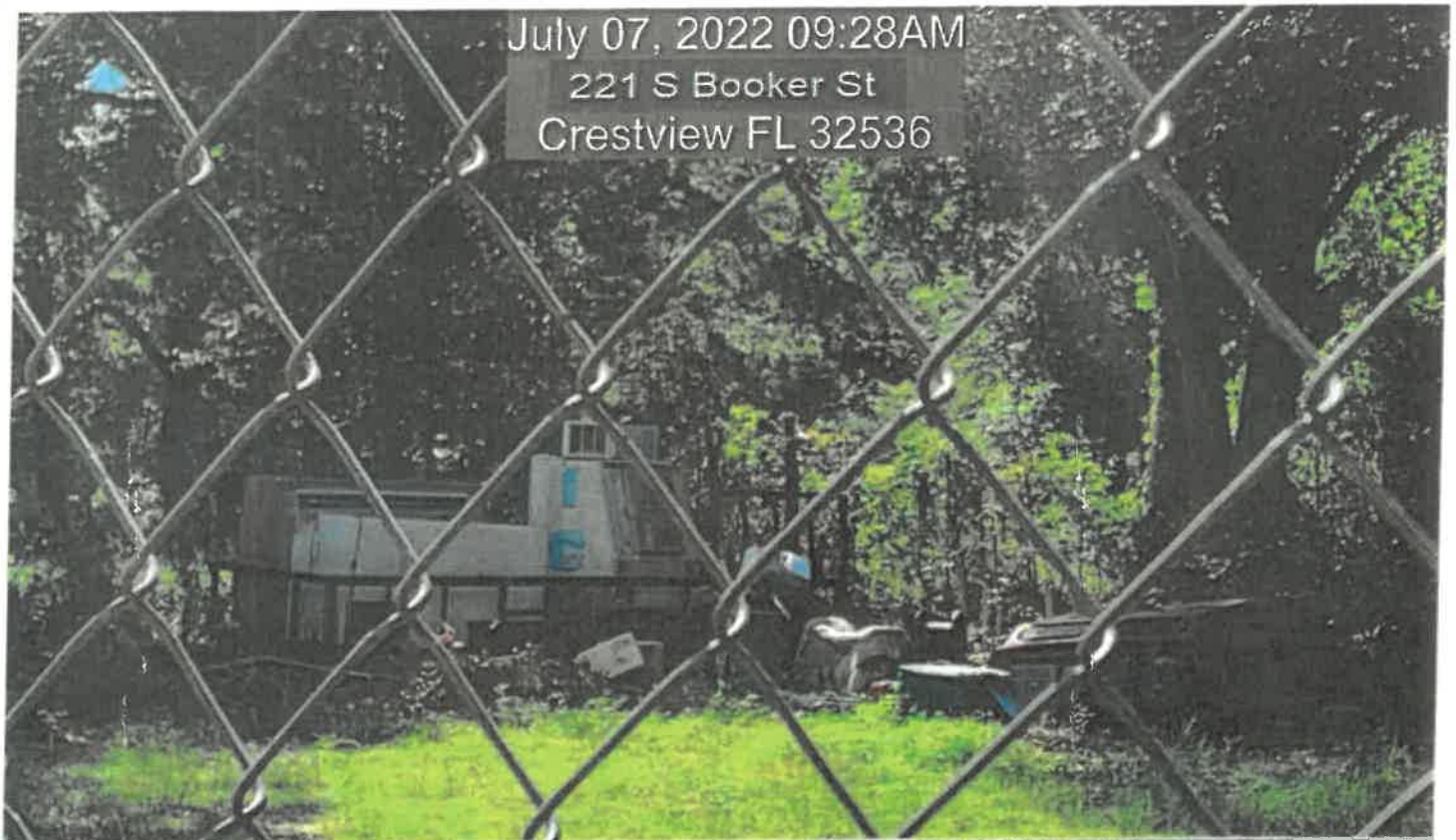








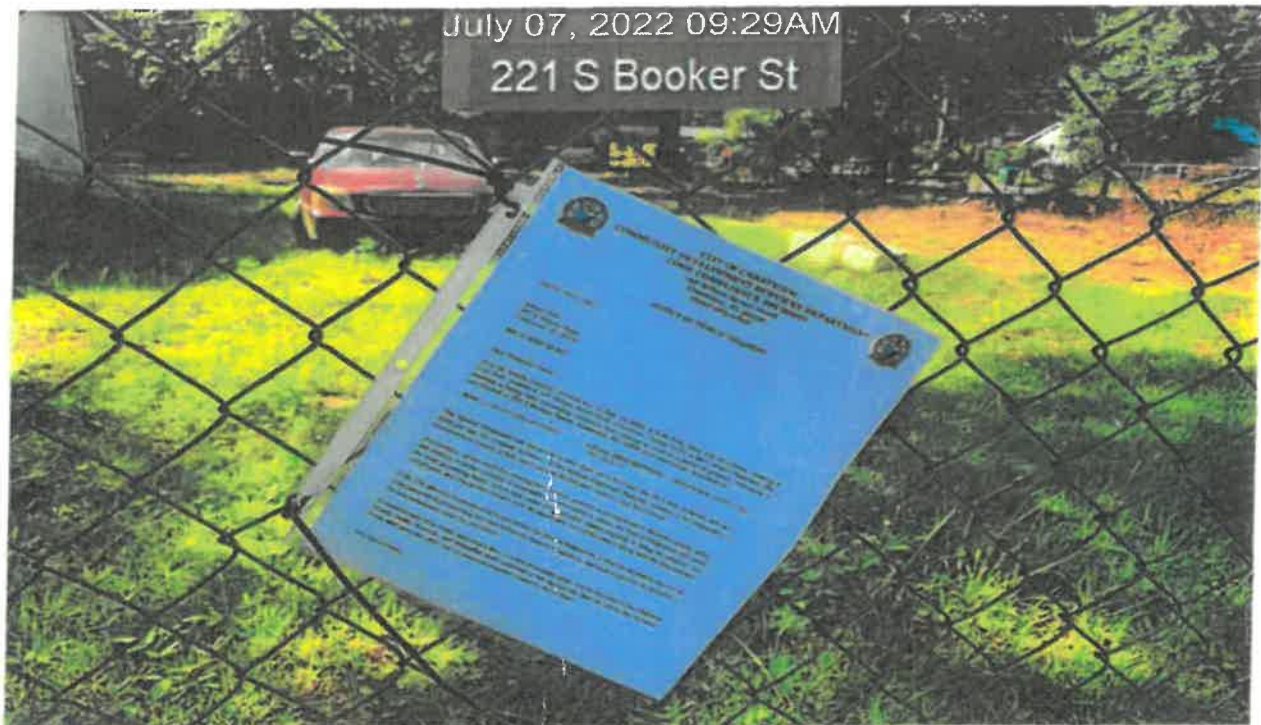






Case # 22-827

221 S Booker



July 07, 2022 11:33AM
COMMUNITY DEVELOPMENT DEPARTMENT
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**

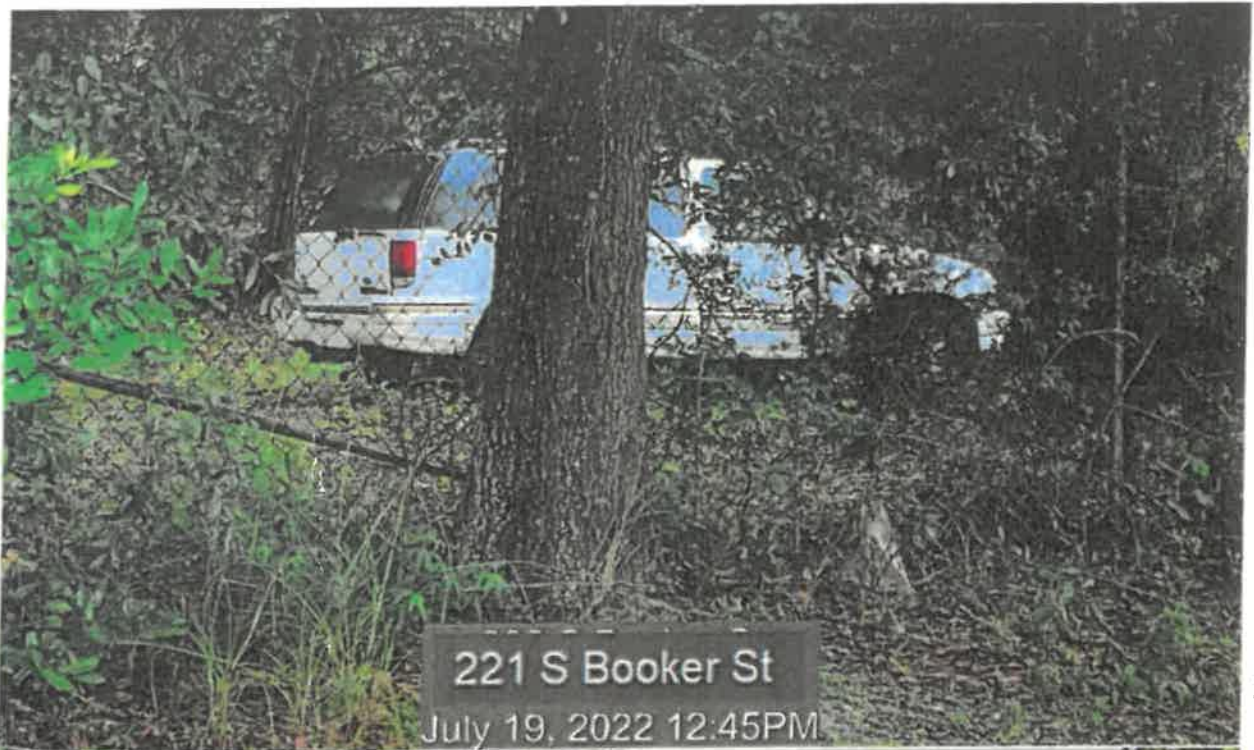
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreparable in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

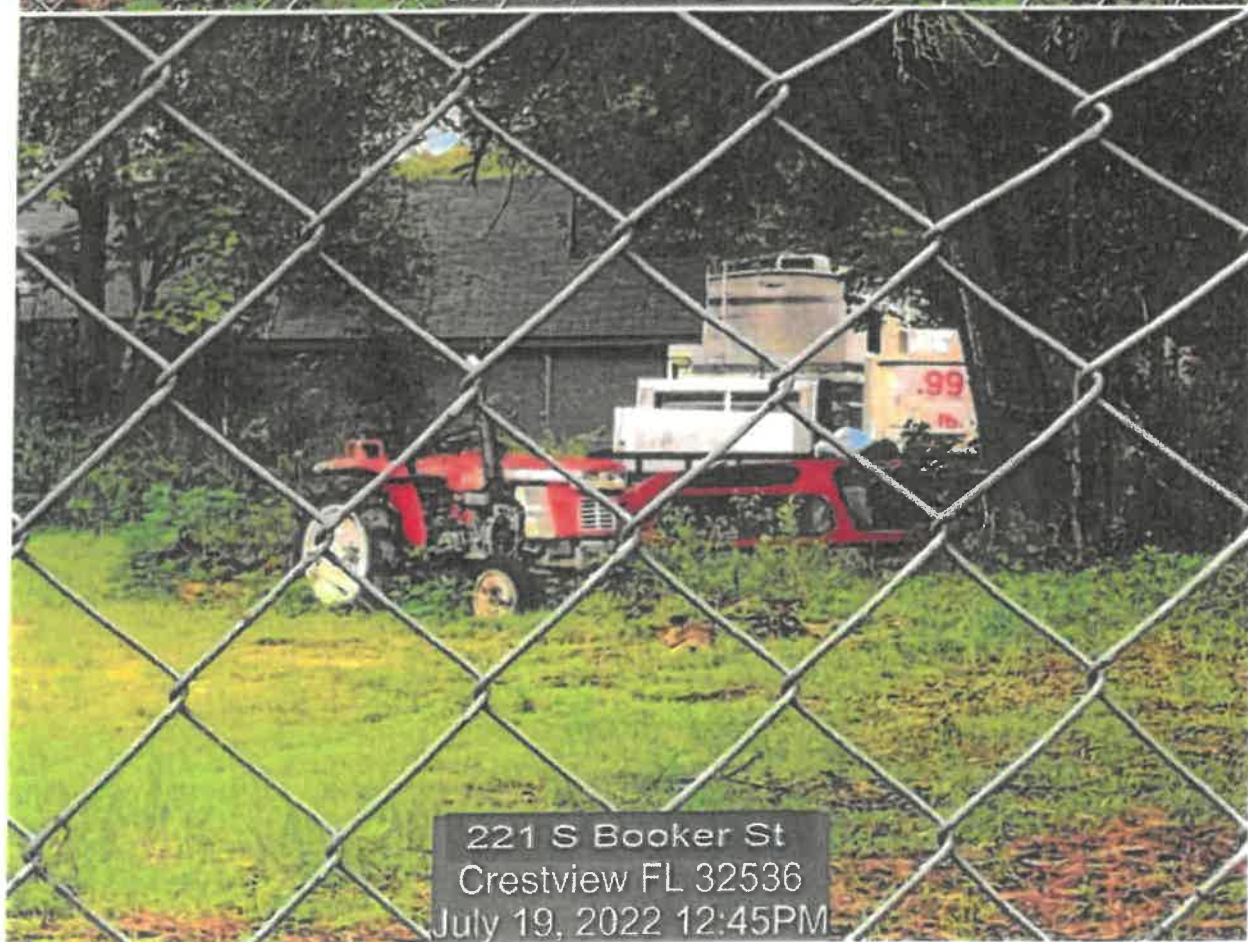
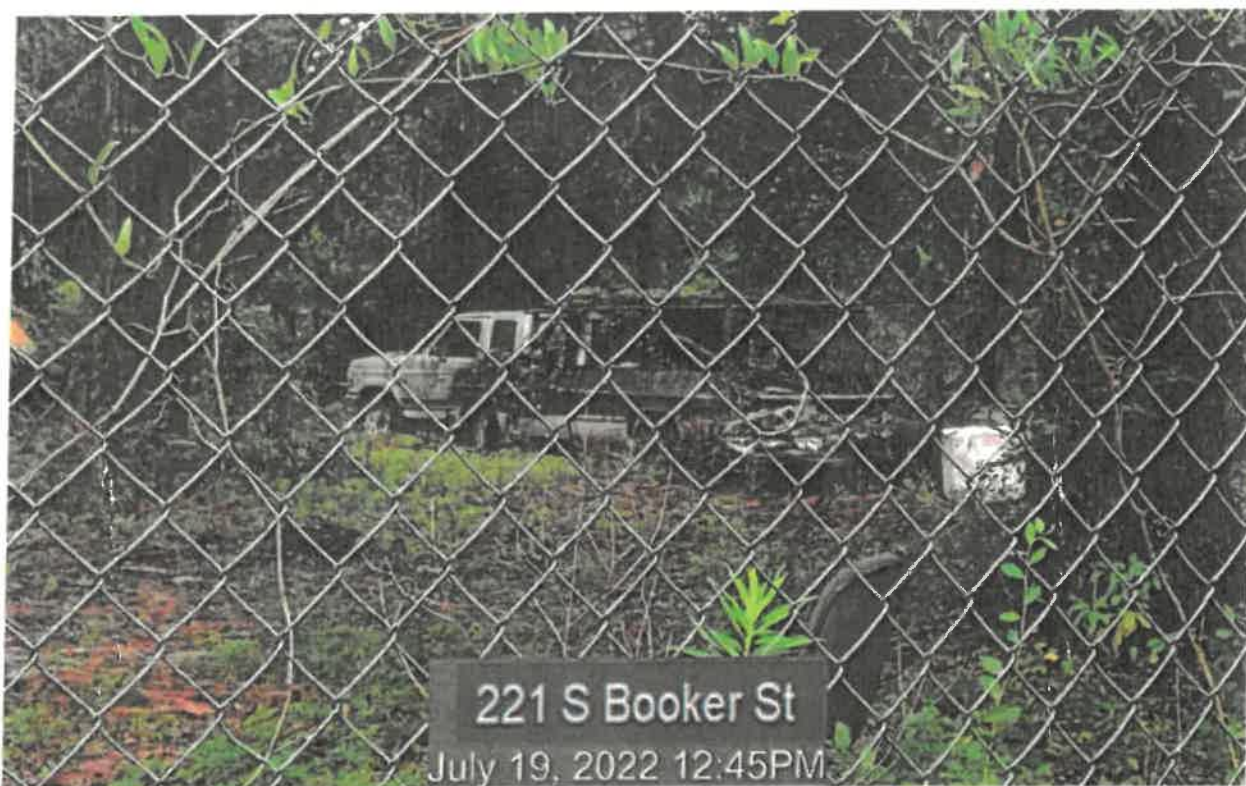
If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreparable in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring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

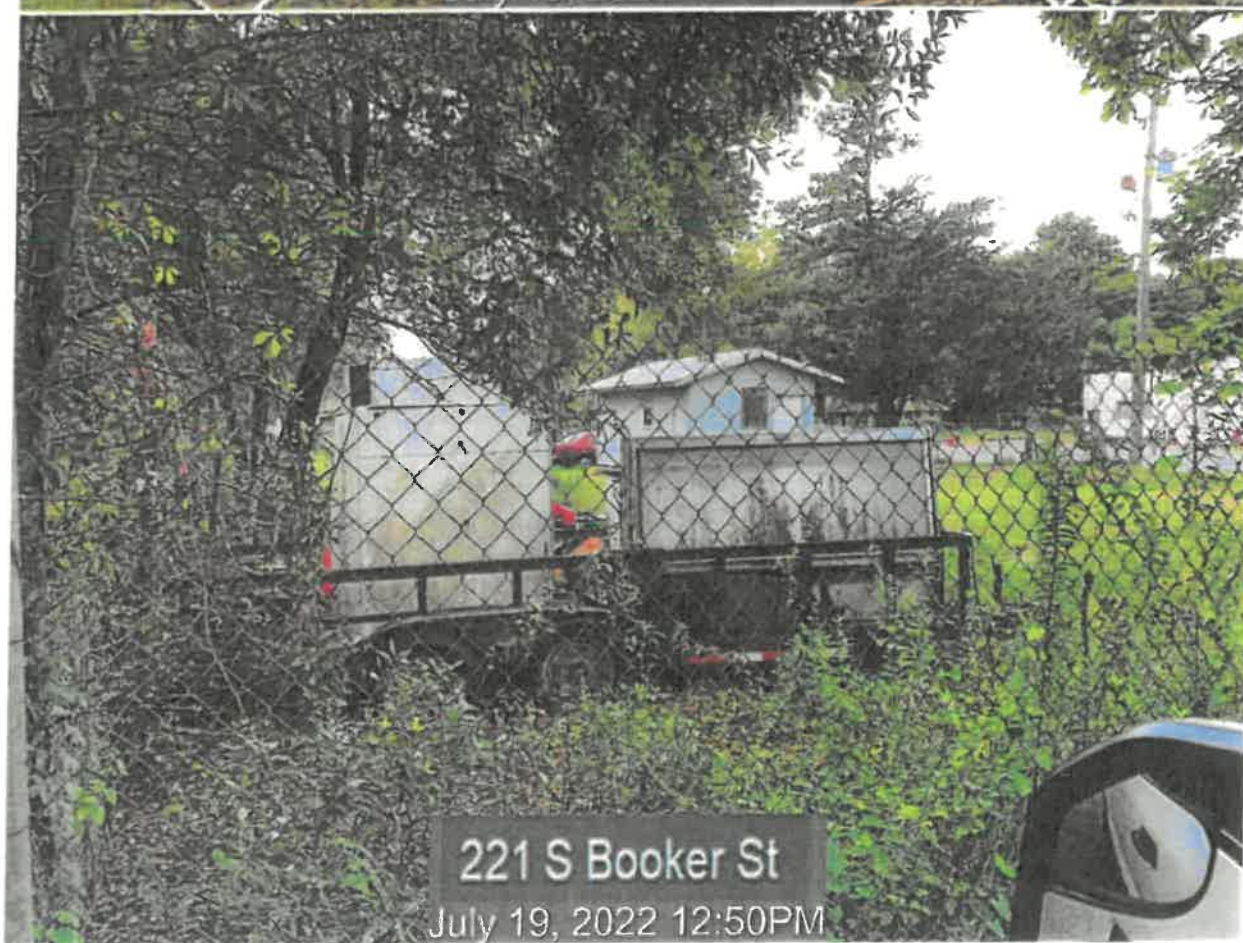
If the City prevails in prosecuting a case before the Special Magistrate, it shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate, and such costs may be included in the fees authorized under FS 162.09(3).

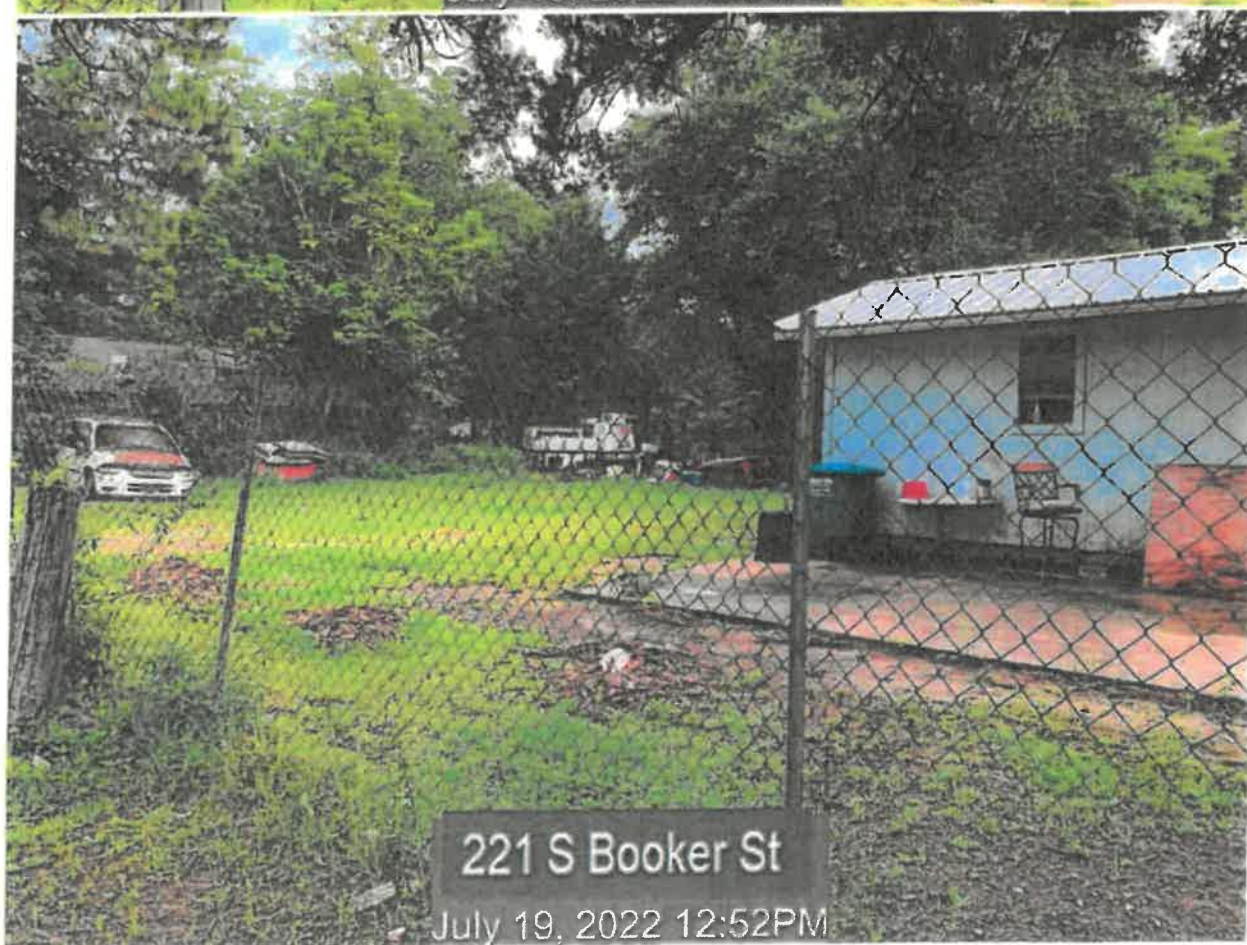
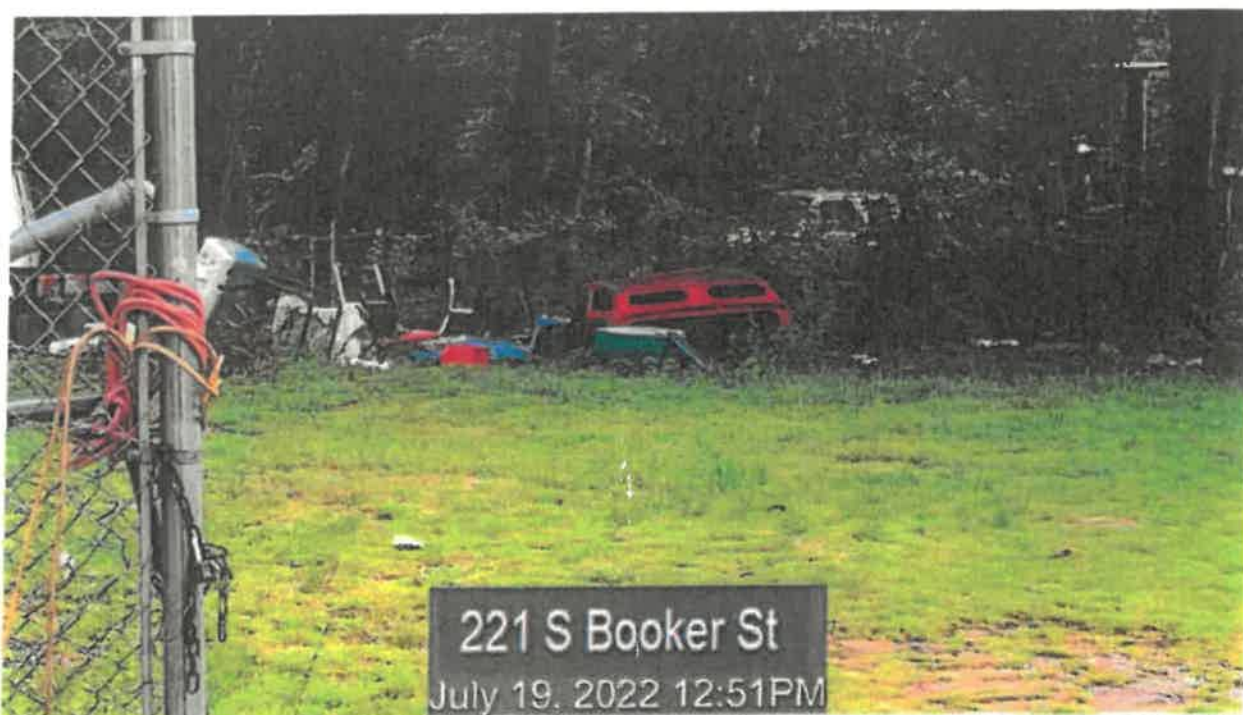
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

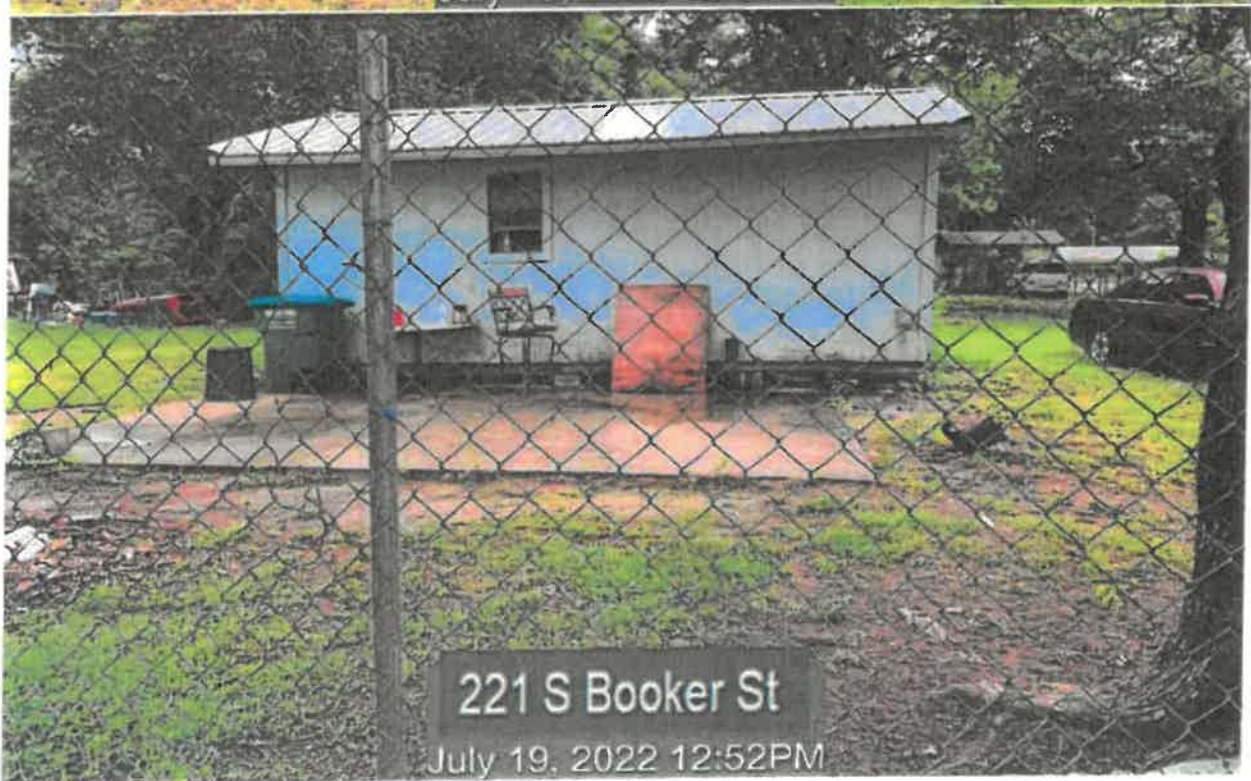
Encl. Notice of Violation













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

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May 4, 2022

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 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

ENCLOSURE " C

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.

VIOLATION DETAIL

PAGE 8

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.

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CRESTVIEW, FL 32536

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PS Form 3800, April 2015 Edition
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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.

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KENNY SILER **#22-827**
497 S WILSON ST
CRESTVIEW FL 32530

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) K. Siler C. Date of Delivery 6.2.22 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 AN
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

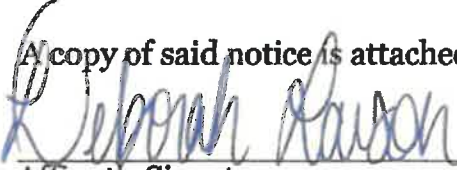
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

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.

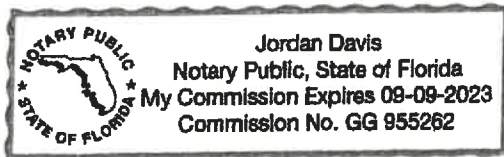

Affiant's Signature

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

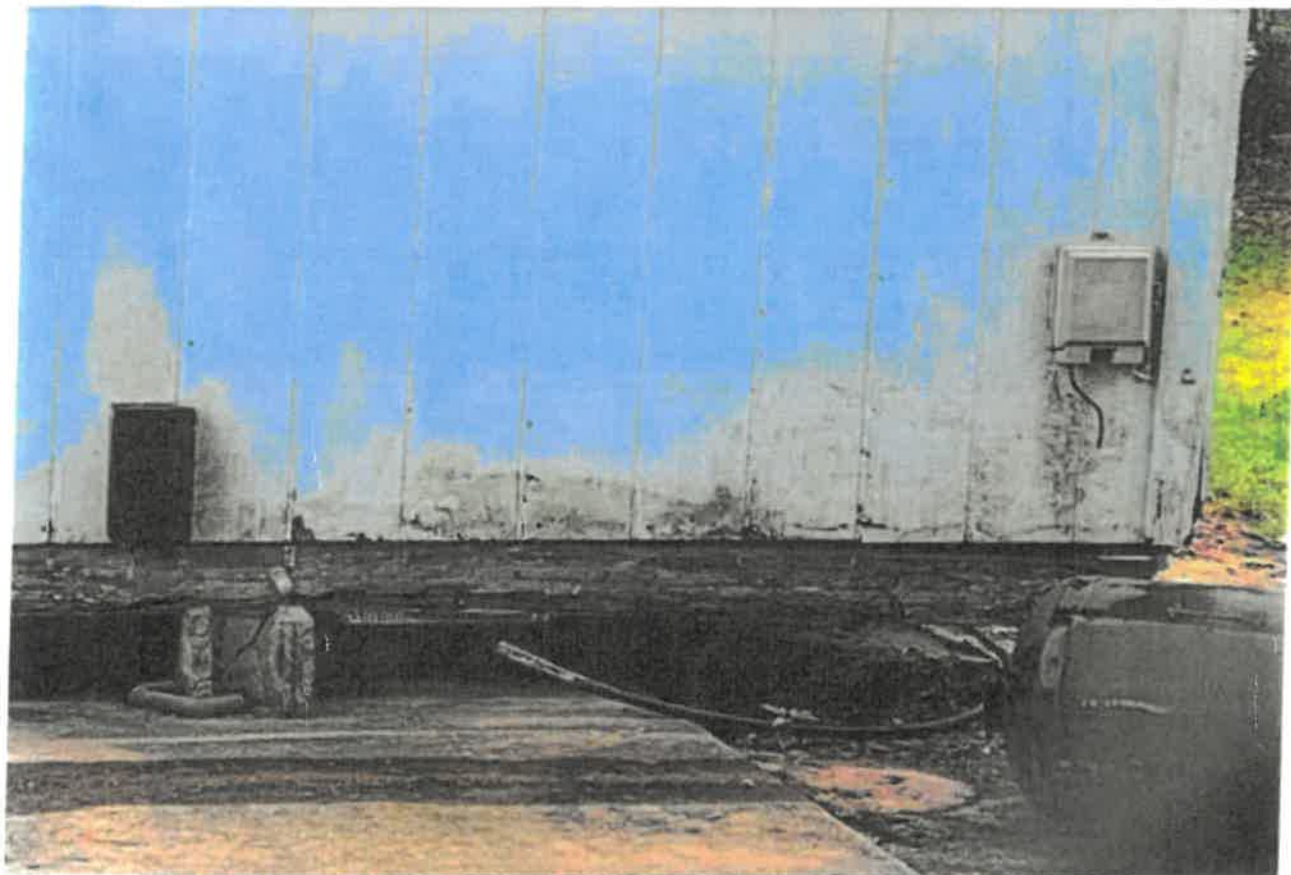
COMMENTS: Metal roofing not secured in areas. Signs of deterioration along bottom edges of siding. Foundation support missing under corner of structure. Structural supports around outer perimeter are showing signs of deterioration.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL Ronald Raybon

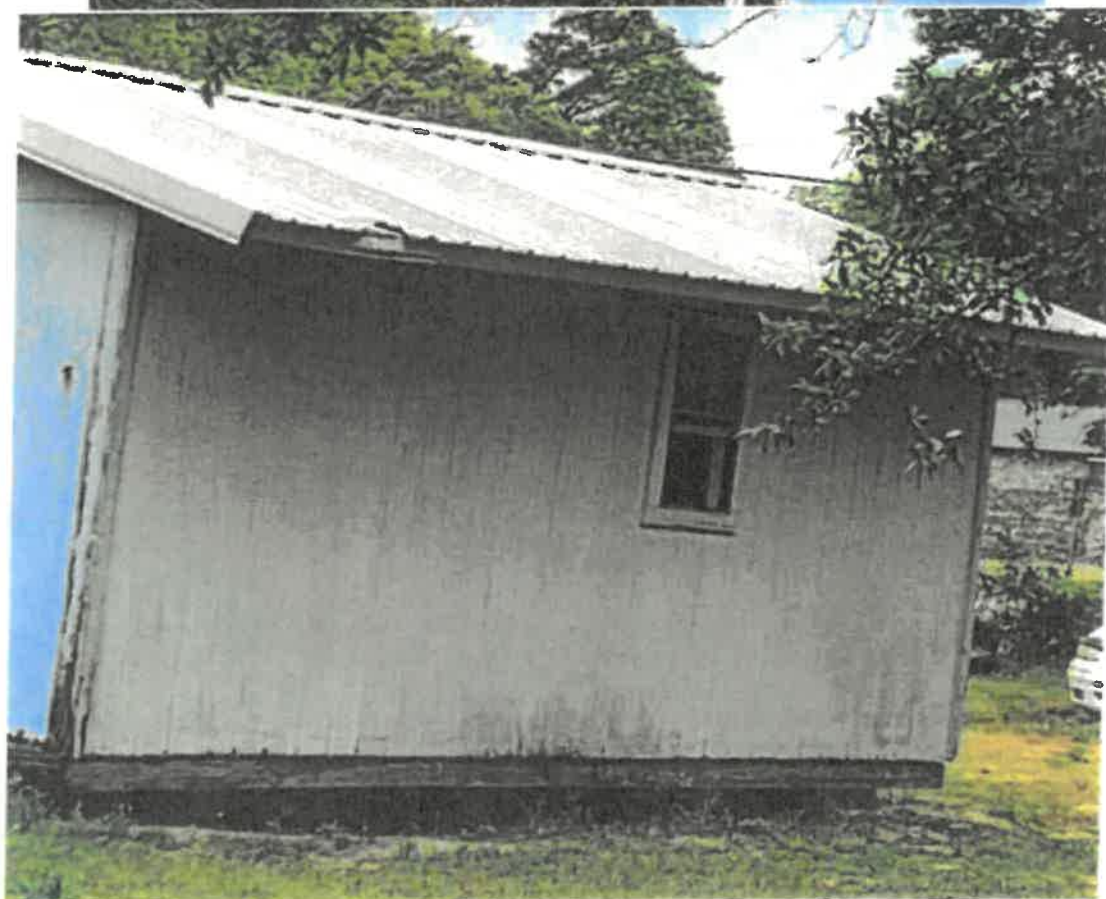
DATE 4/28/2022





Case # 22-827

221 S Booker St



***** *RM*





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 Rayson

PRINTED NAME OF BUILDING OFFICIAL Ronald Rayson

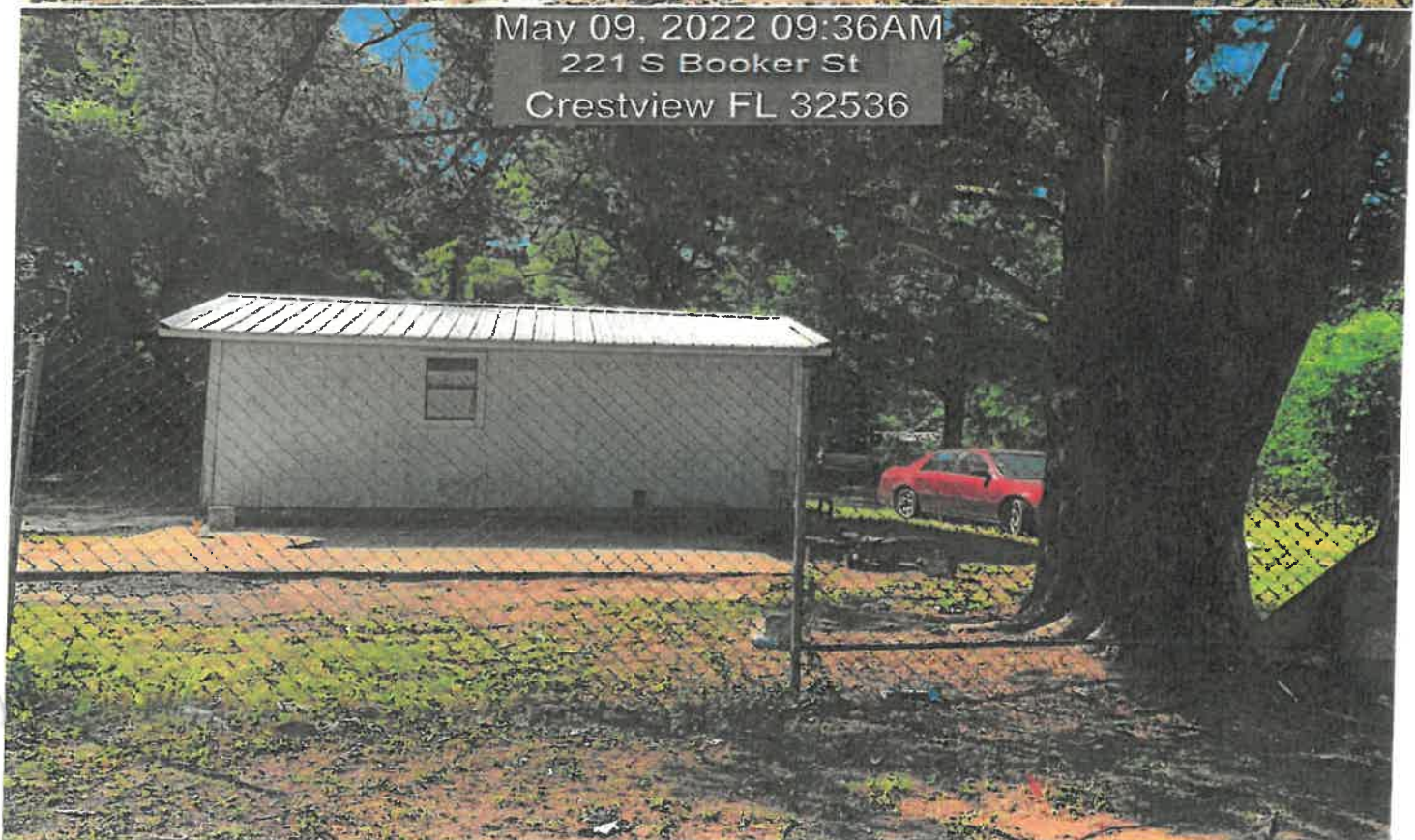
4/26/22

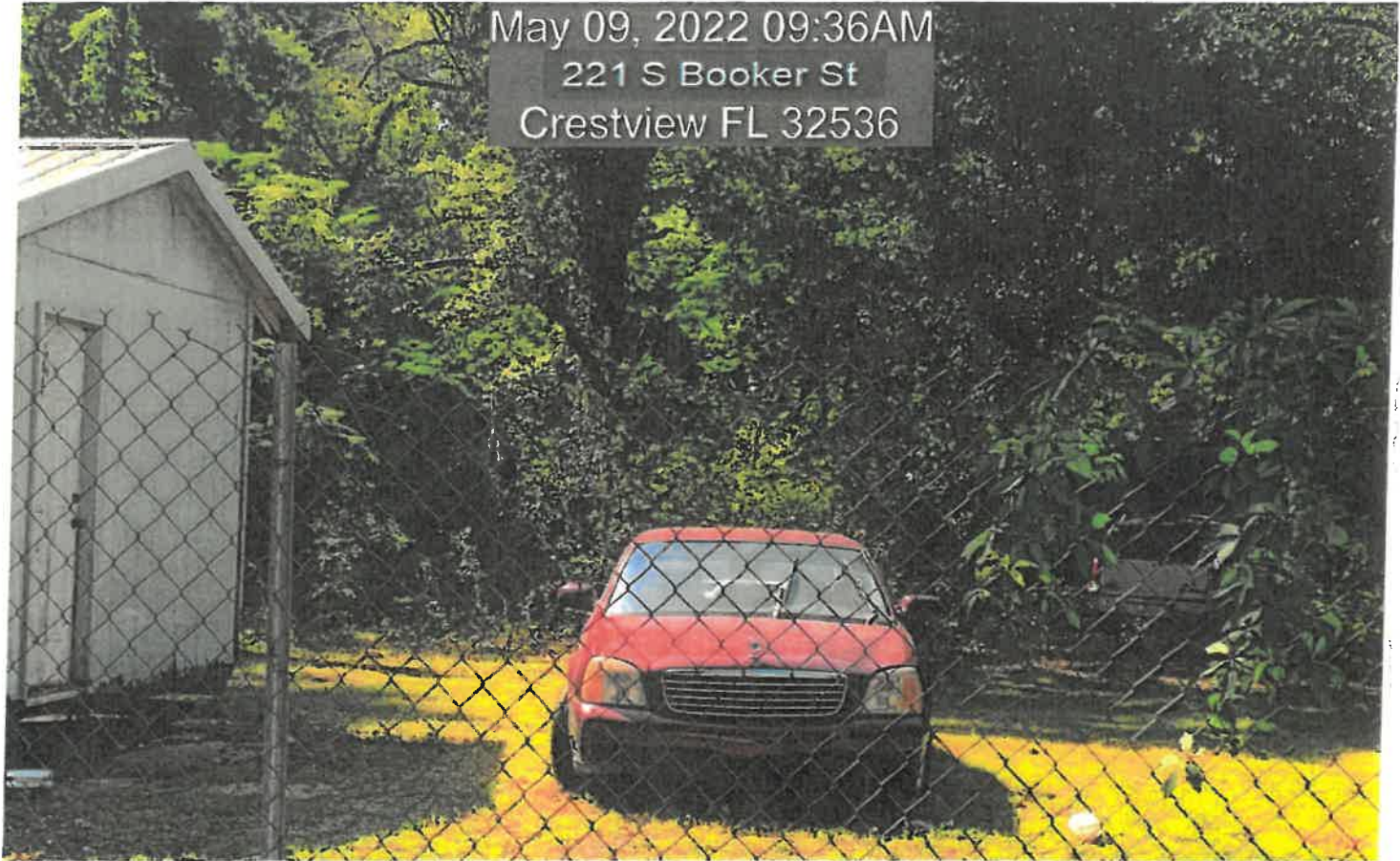
DATE 4/28/2022



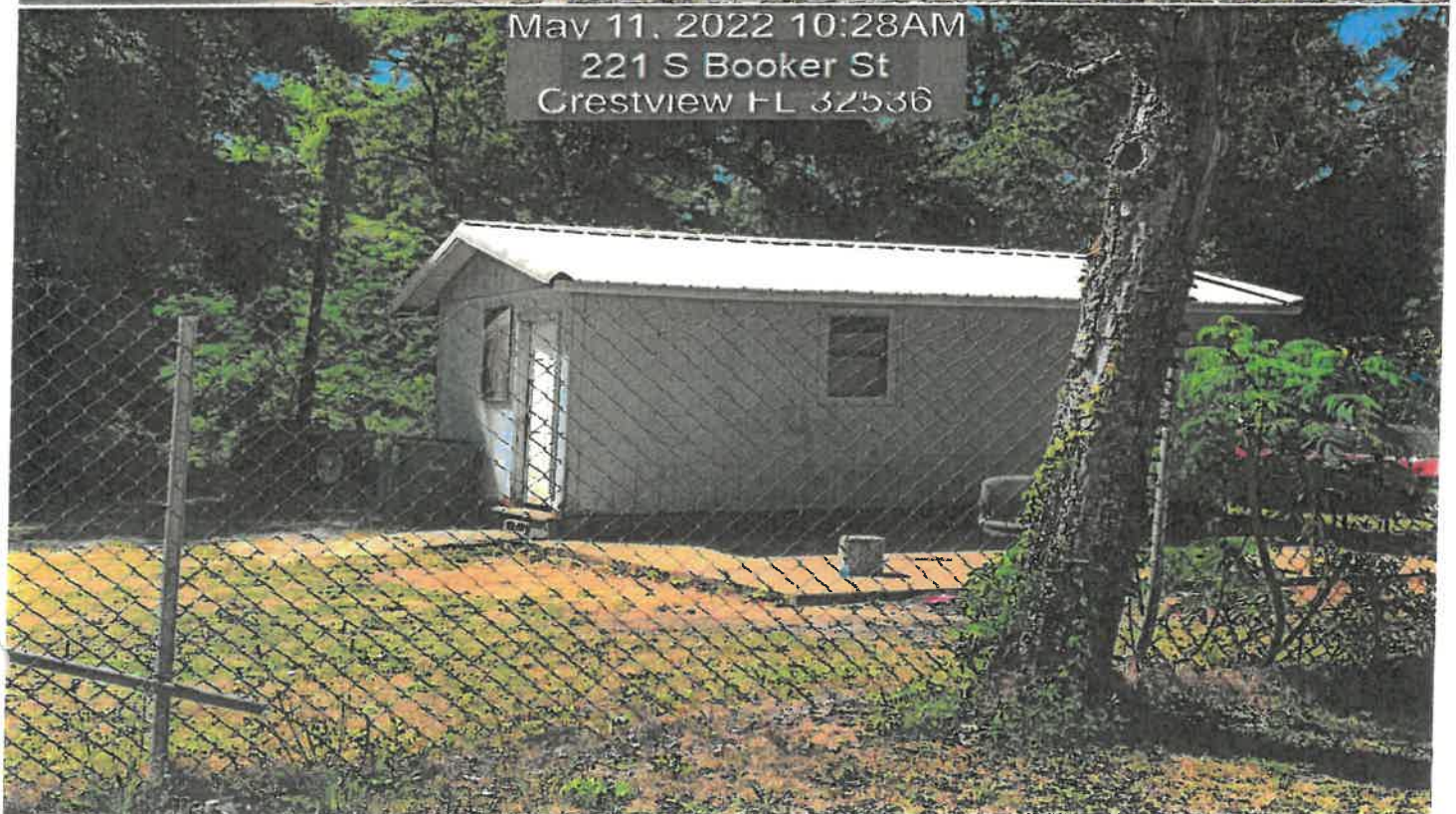


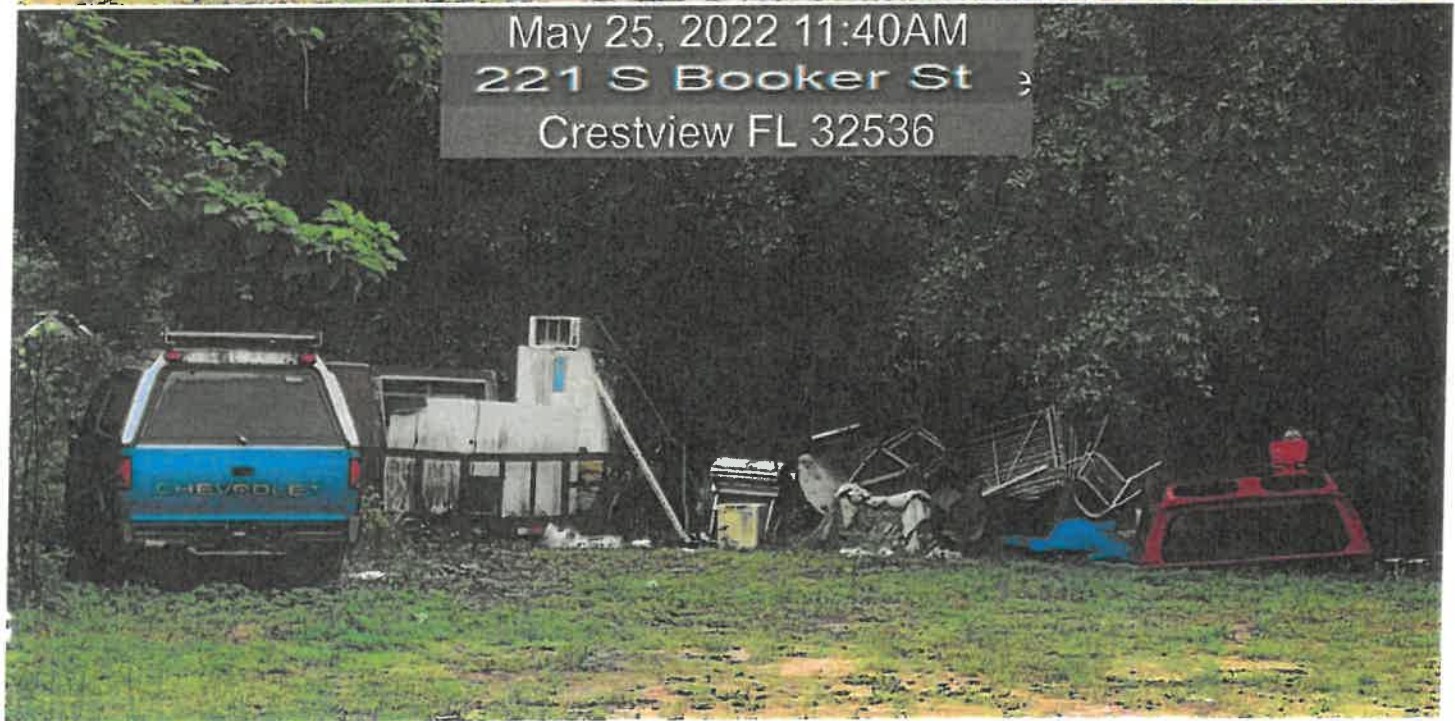






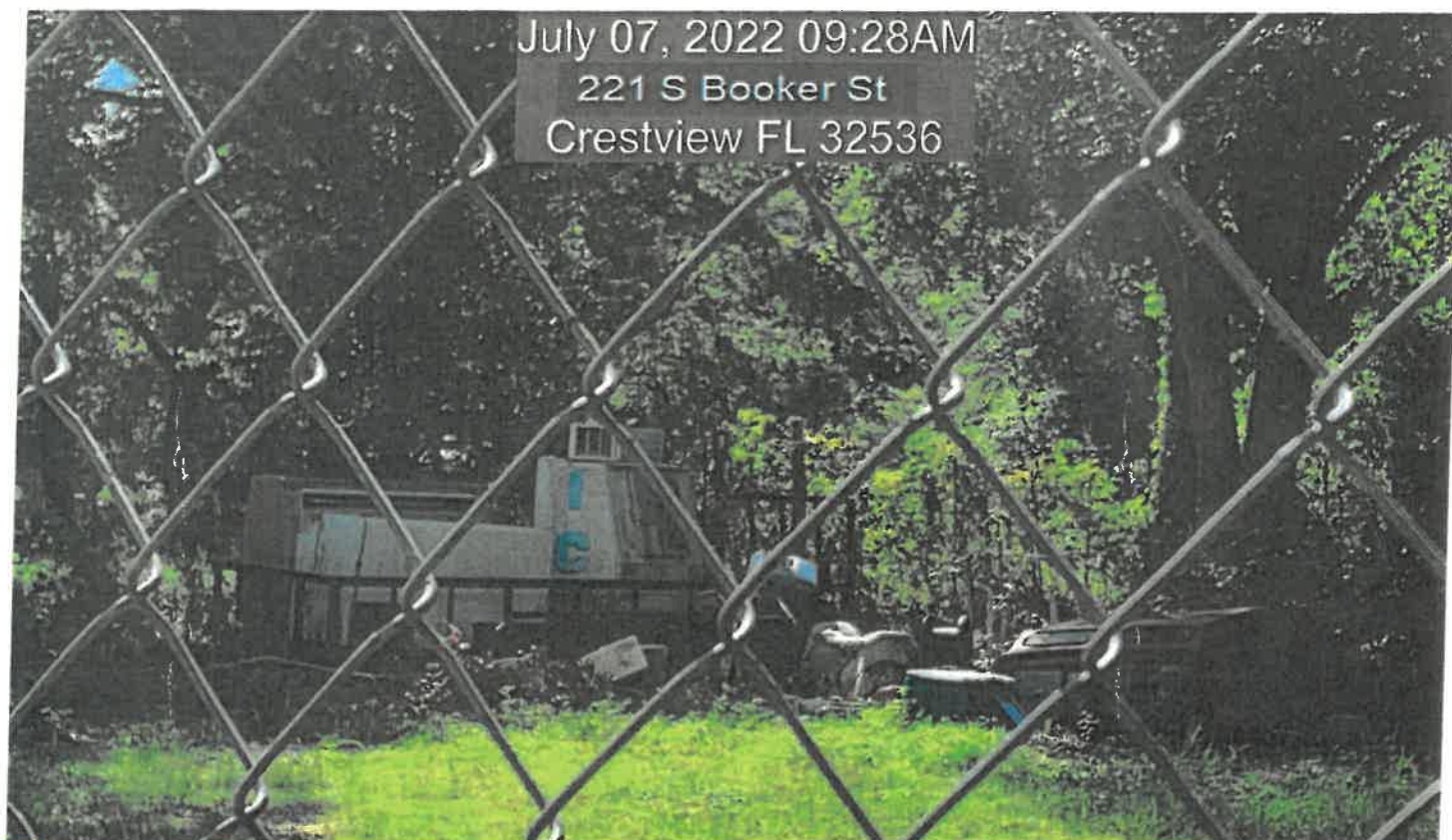








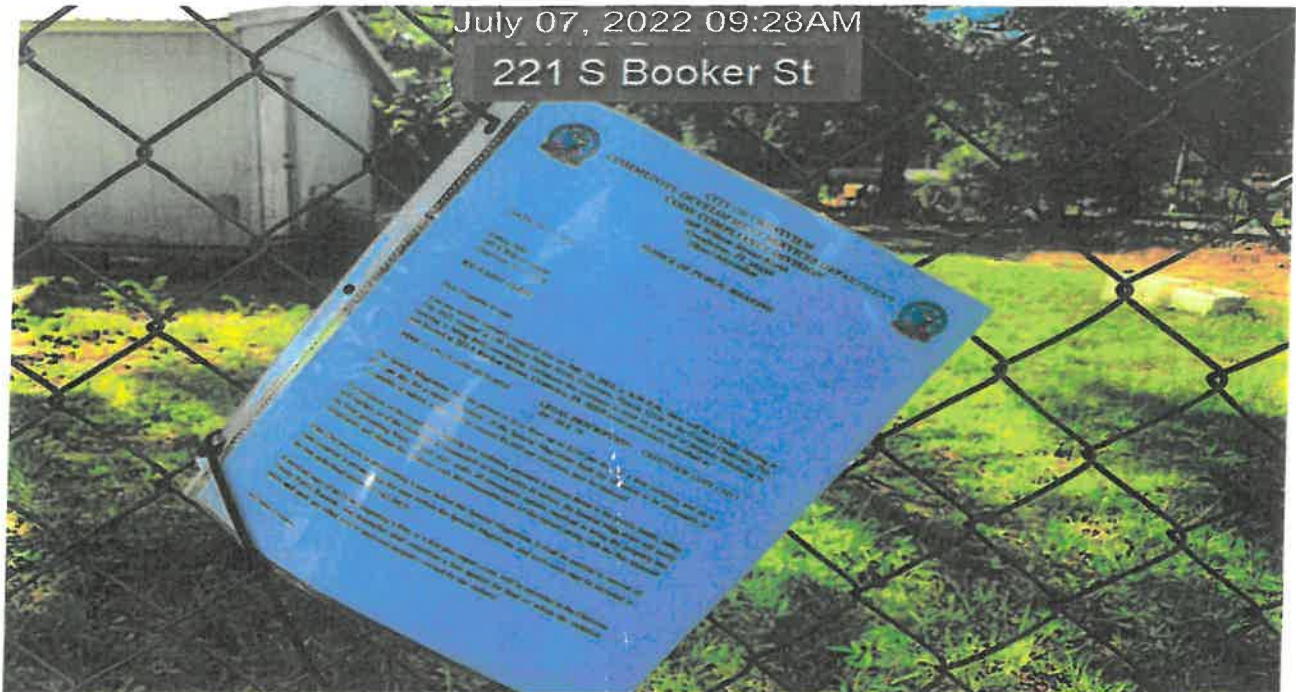






Case # 22-828

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**

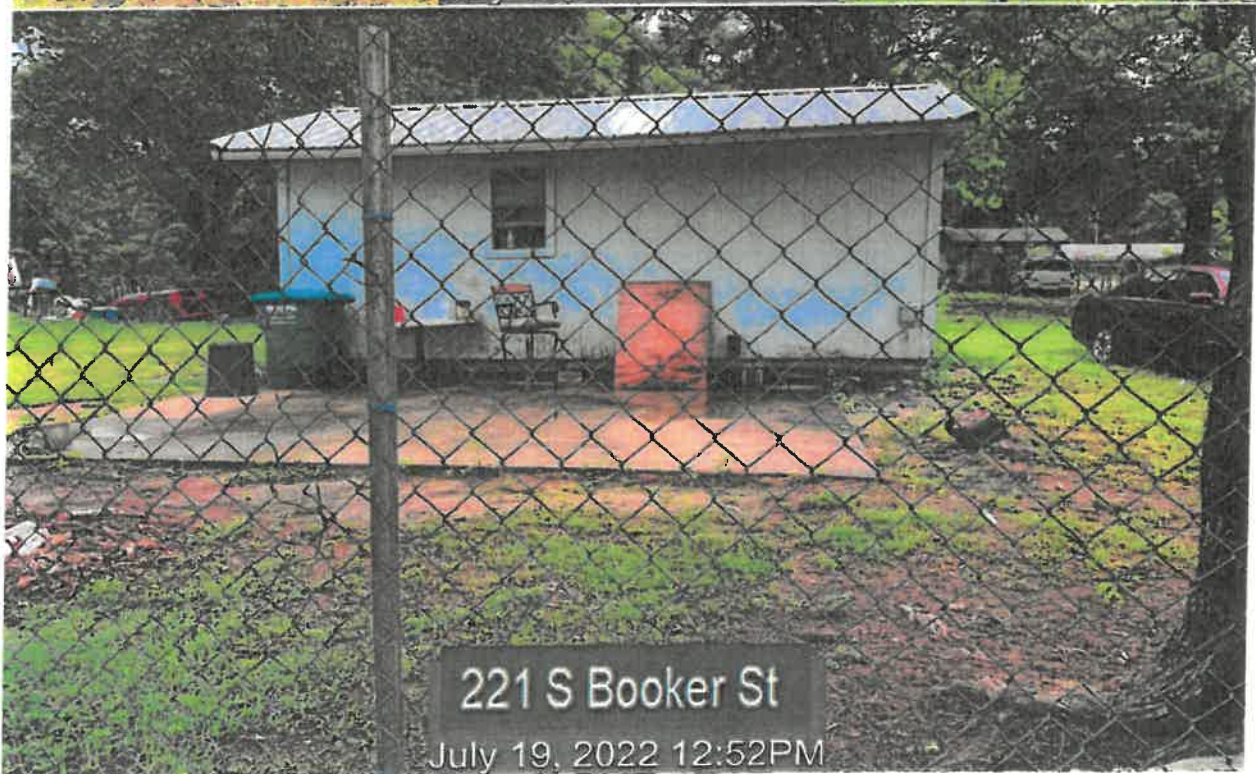
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

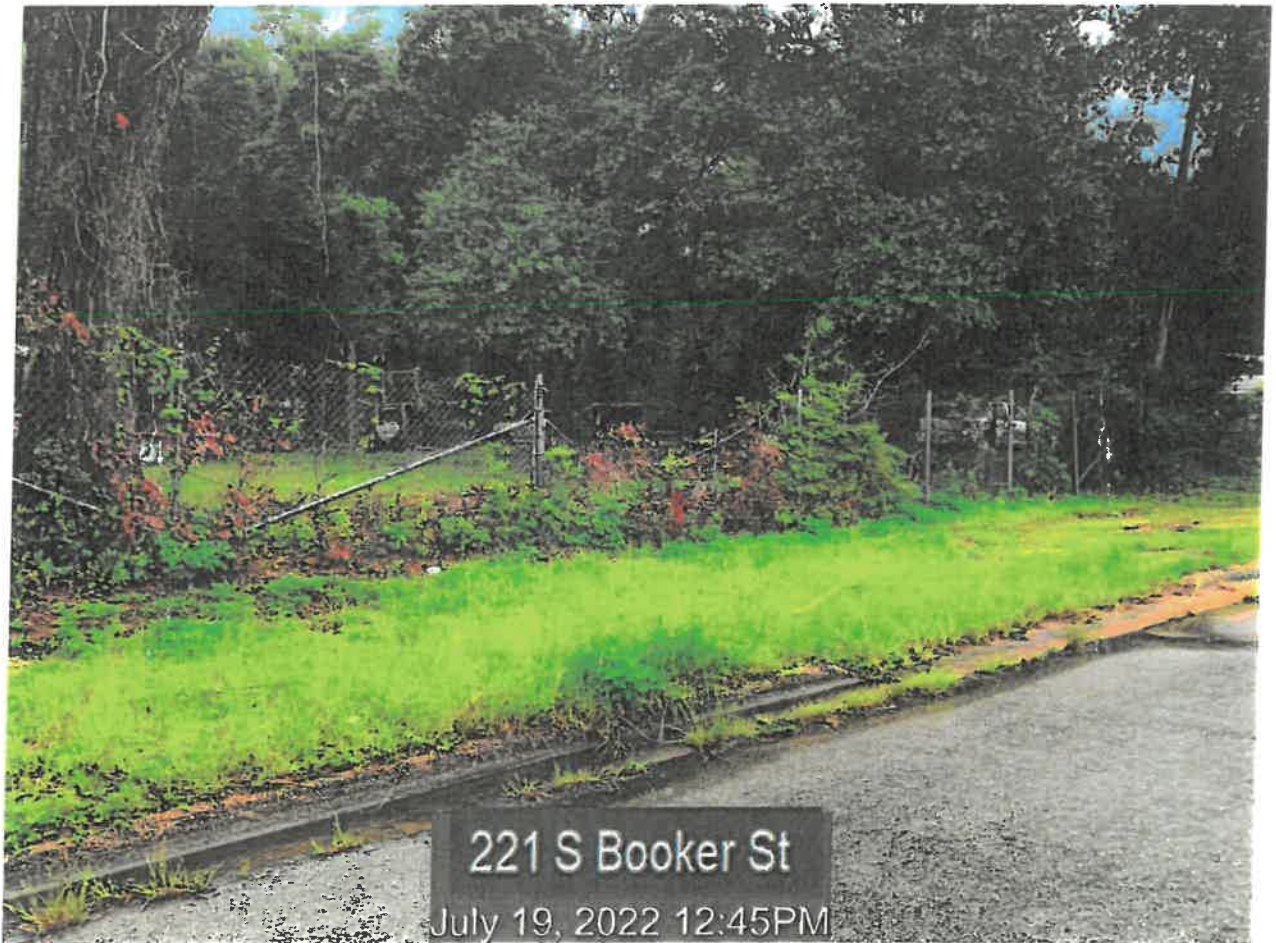
If a violation, or the condition causing the violation, presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the local governing body, which may make all reasonable repairs required to bring 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)			
Restricted Delivery Fee (Endorsement Required)			
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 to KENNY SILVER	
Attn: 8 WILSON ST	
City, State, ZIP+4® CRESTVIEW, FL 32536	
PS Form 3800, April 2015 PSN 7500-00-000-9047 See Reverse for Instructions	

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:

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).

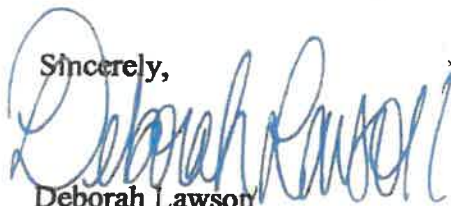
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

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: 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

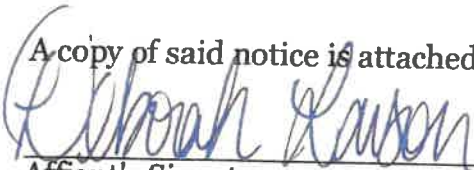
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

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.

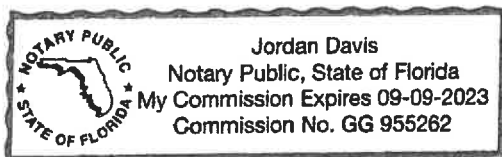

Affiant's Signature

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

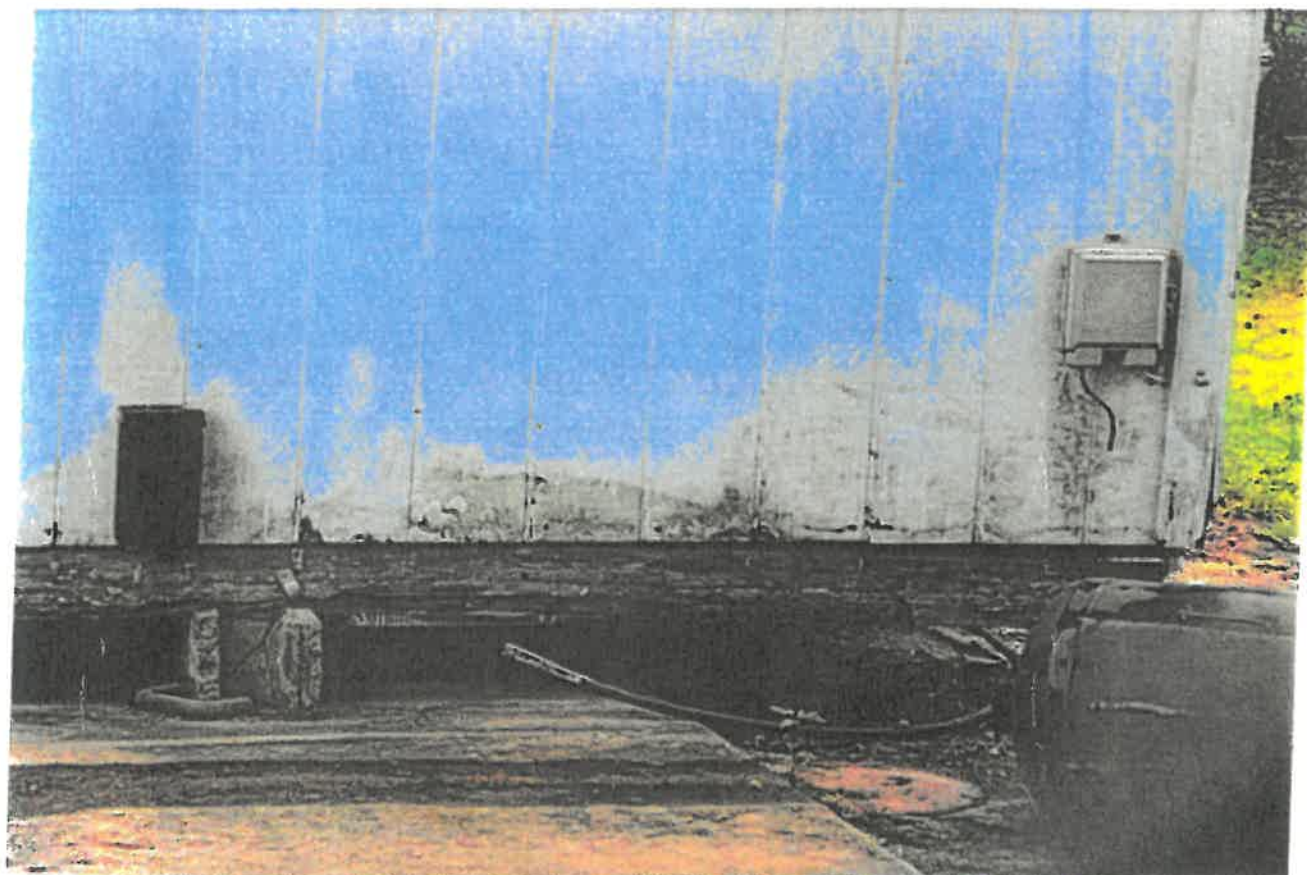
PRINTED NAME OF BUILDING OFFICIAL Ronald Raybon

4/26/22

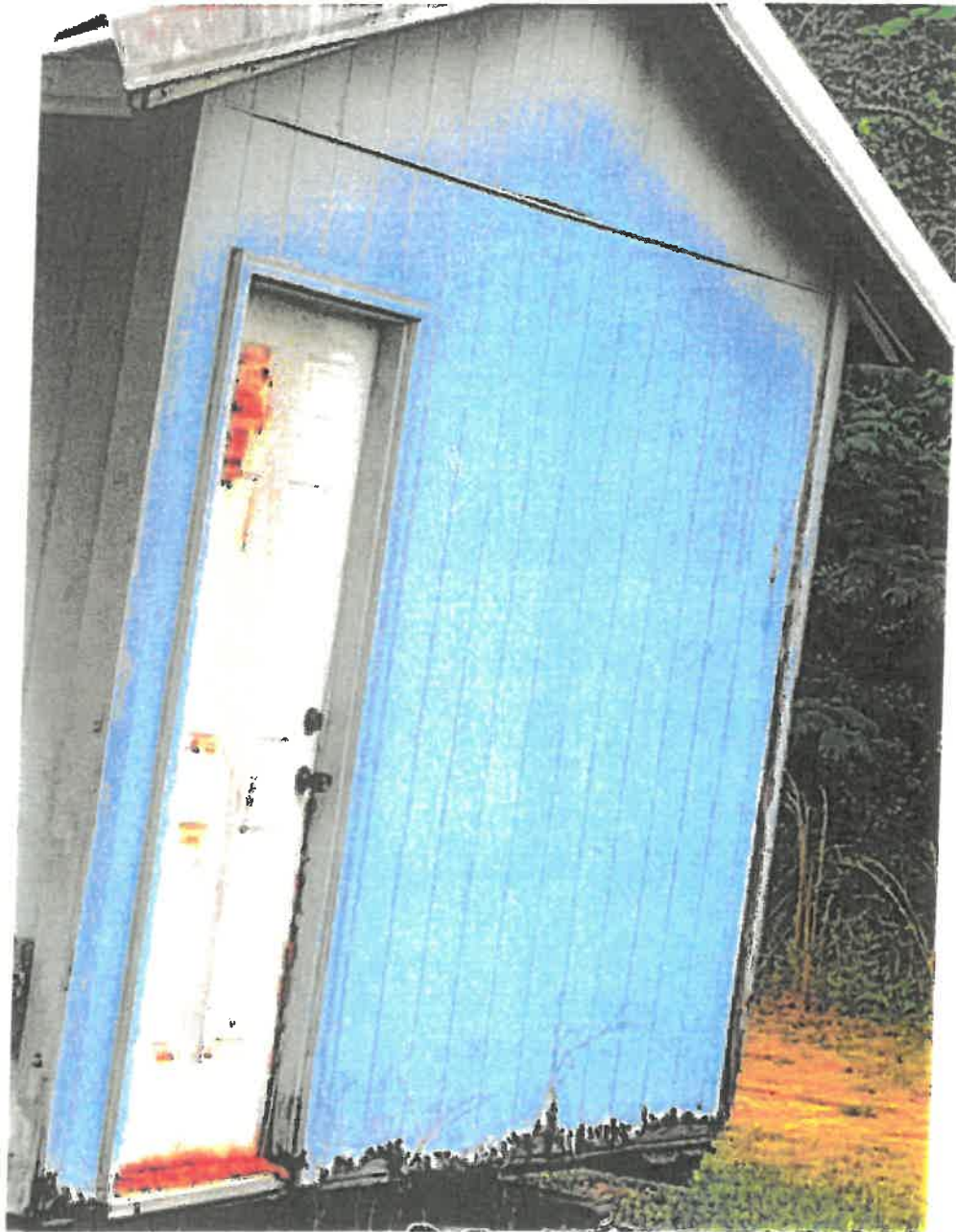
DATE 4/26/2022

Page 583 of 965











**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.

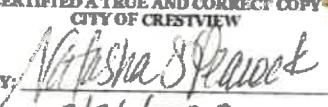
10. If the violation(s) are not corrected by October 19, 2022, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondents' responsibility to notify the City when the Violations have been corrected so that the Property can be inspected to confirm 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.

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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:

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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.
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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.
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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 8/18/2021

Violations: 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:

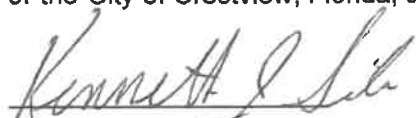
Kenneth J. L...

Date:

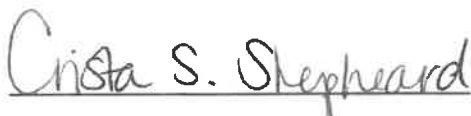
Sept 14 - 22

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.



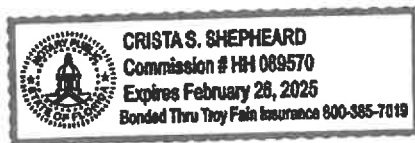
(Printed Name of Notary Public)



(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

☒ (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:

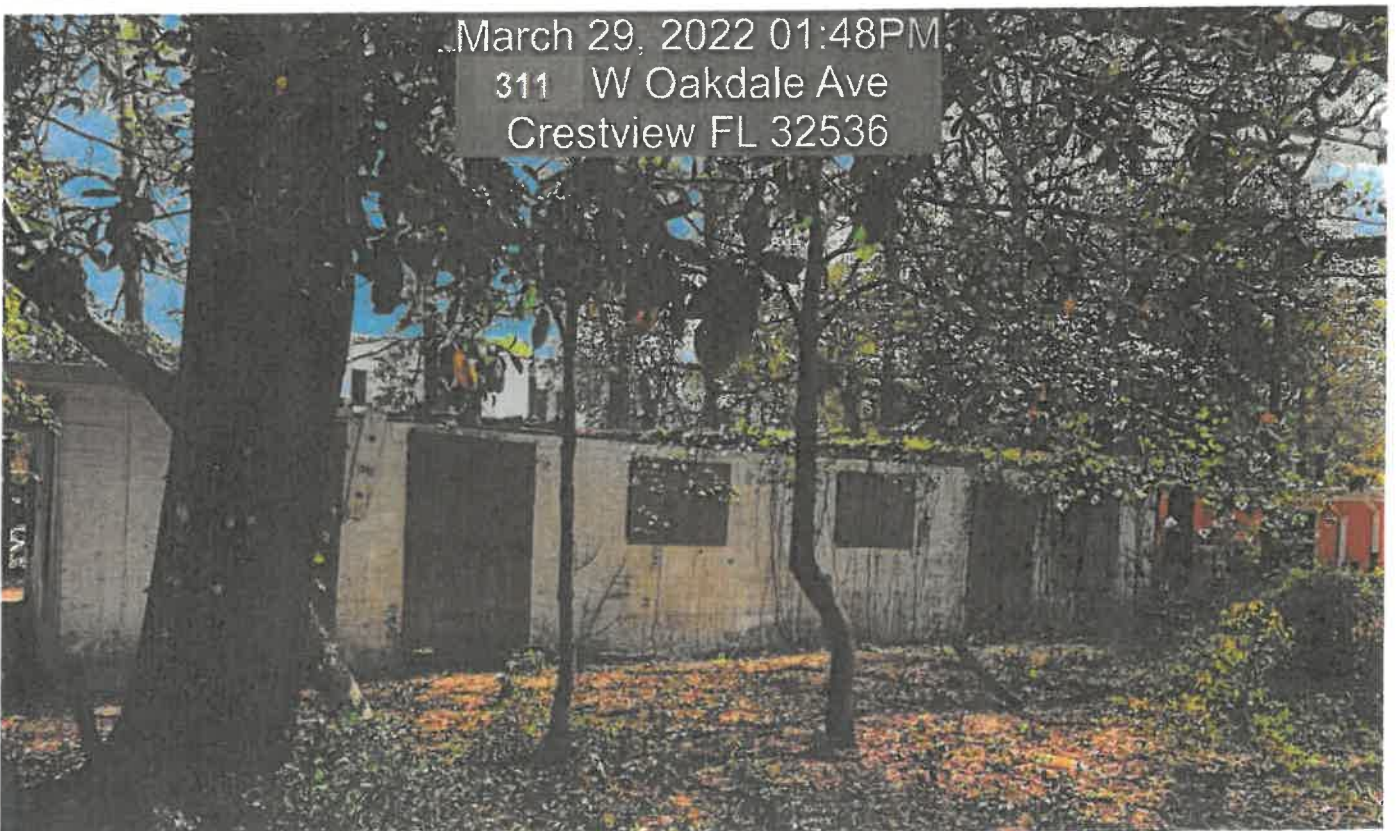
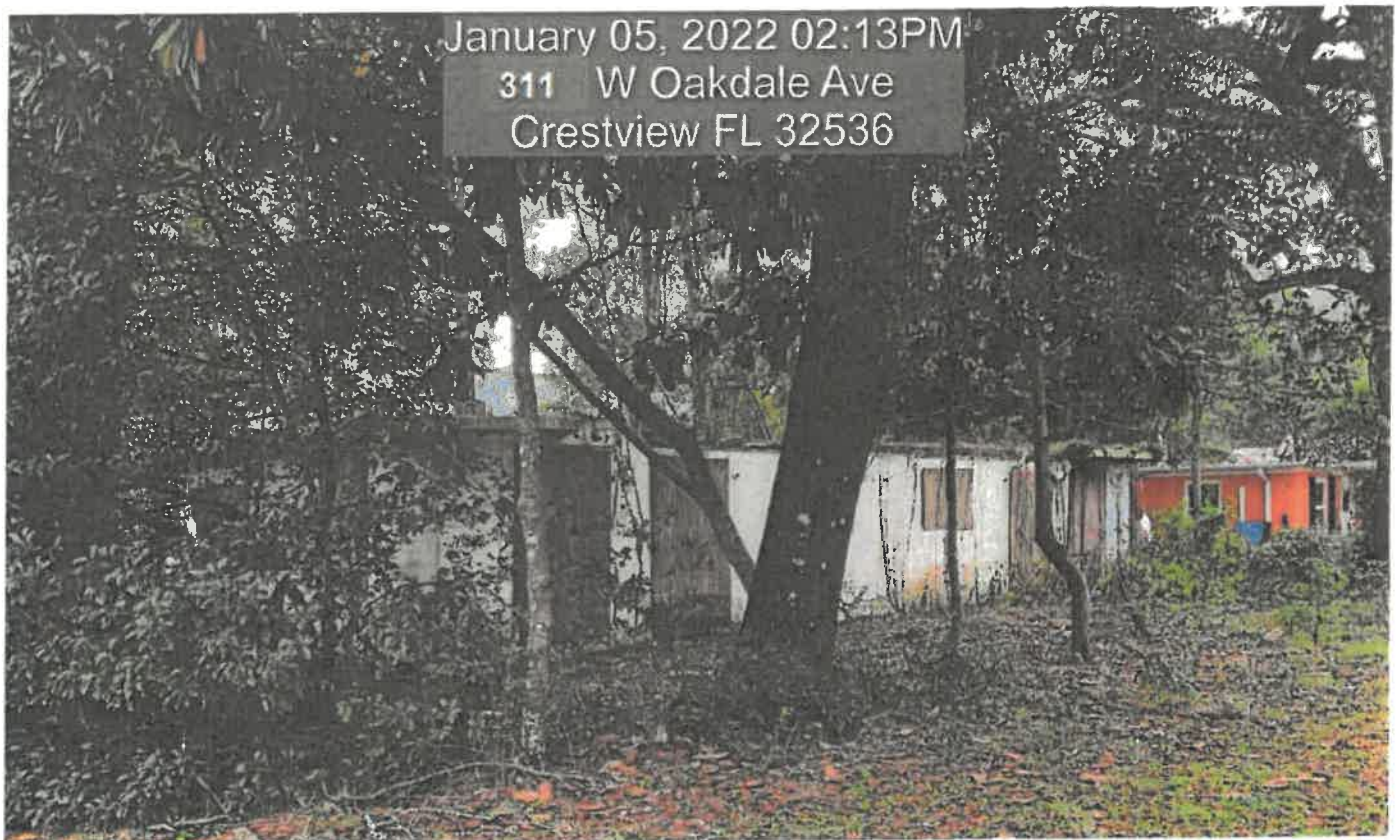
Structure has Block walls and could be used with
a new roof system. Roof system will be required to be engineered
and meet the design criteria for this area in accordance with FBC.

SIGNATURE OF BUILDING OFFICIAL

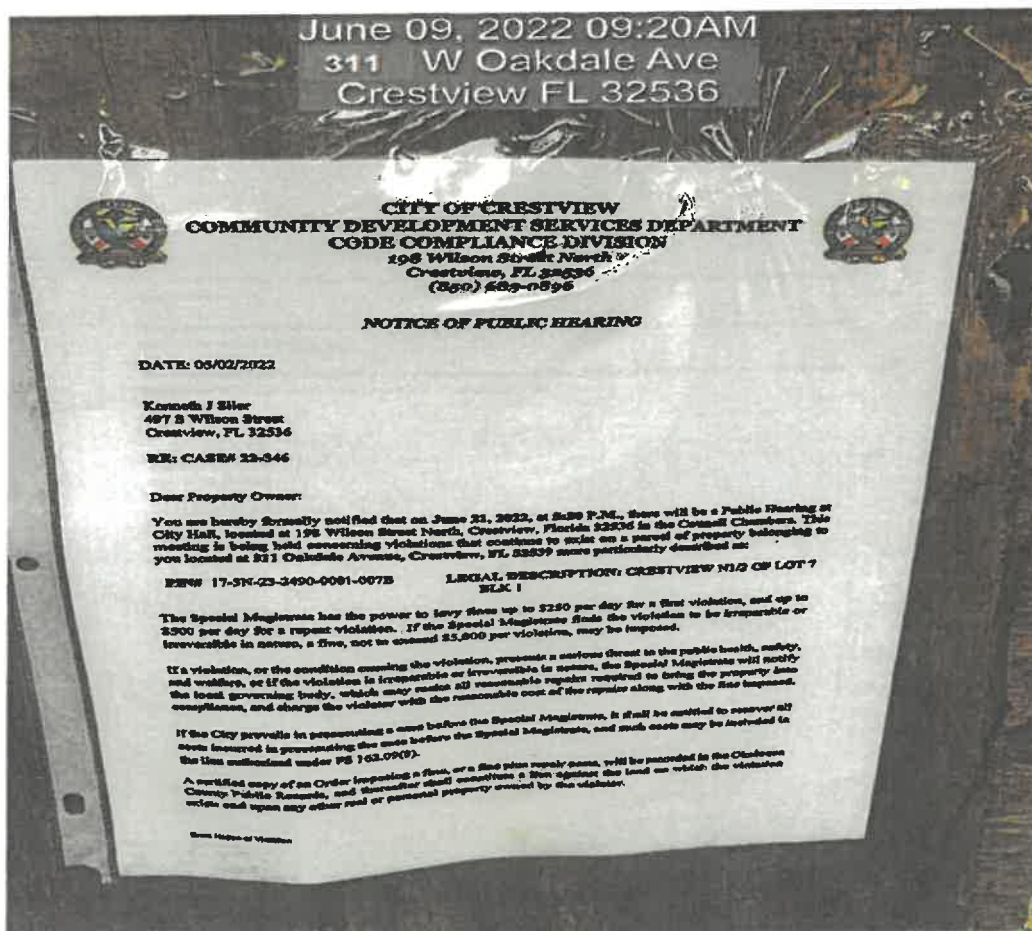
PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 1







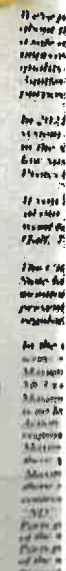
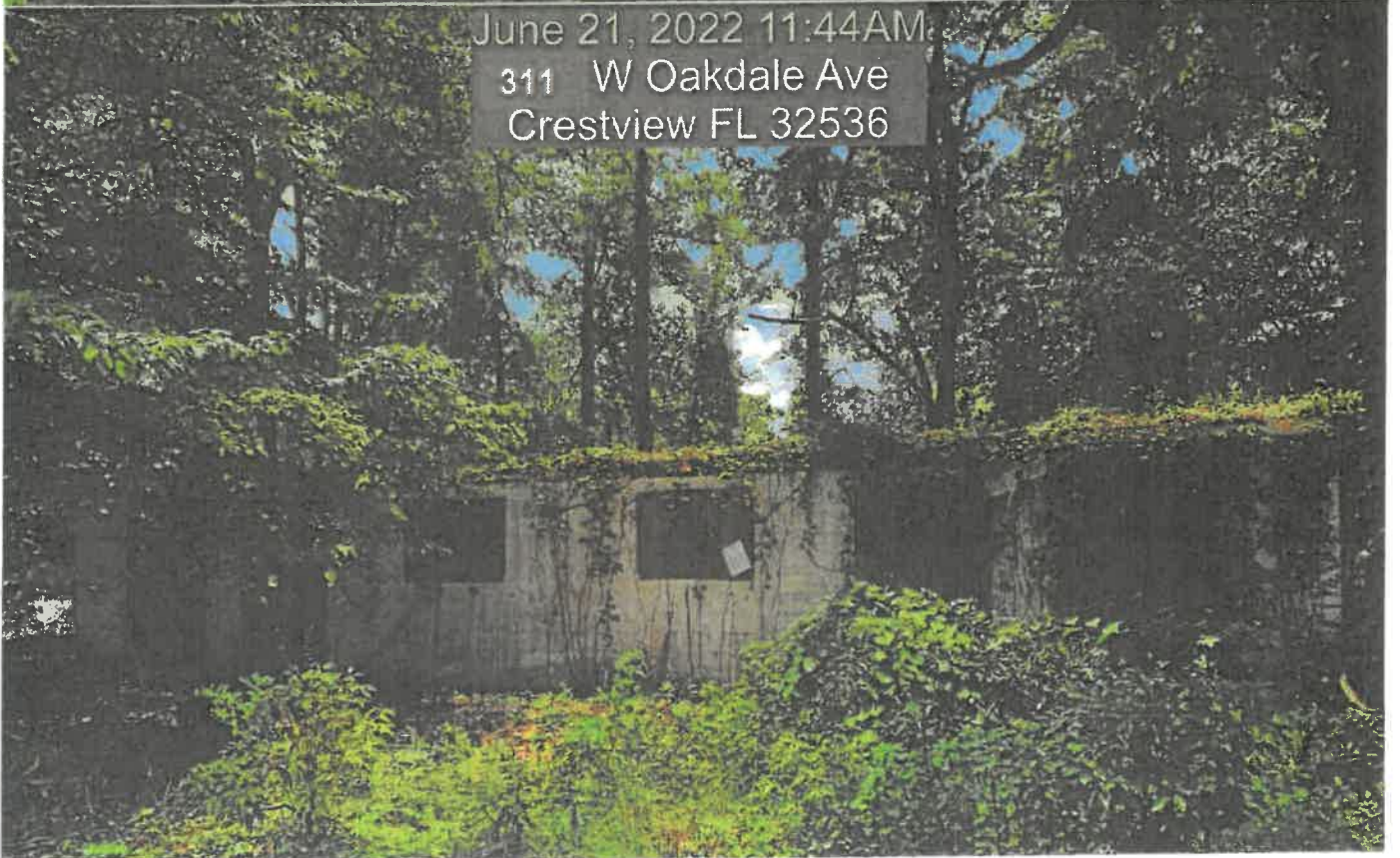


EXHIBIT # 1





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 0000 0621 2948

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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	22-346 N1
Kenneth J. Siler	
497 S. Wilson St.	
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 :

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 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.

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: 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.

(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 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

Tracking Number: 70113500000091333927

Remove X

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April 17, 2022

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.33

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#22-344

KENNETH J SLER
 Street, Apt. No.: 497 S WILSON ST
 or PO Box No.:
 CRESTVIEW FL 32536

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

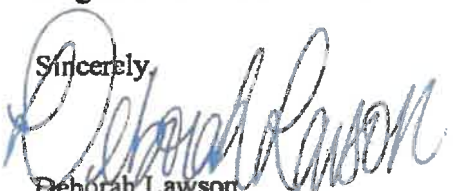
EXHIBIT # 1

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

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(Domestic Mail Only; No Insurance Coverage Provided)

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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.

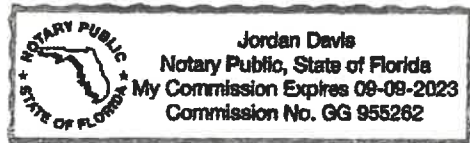
(SEAL)

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:

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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.

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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.
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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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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

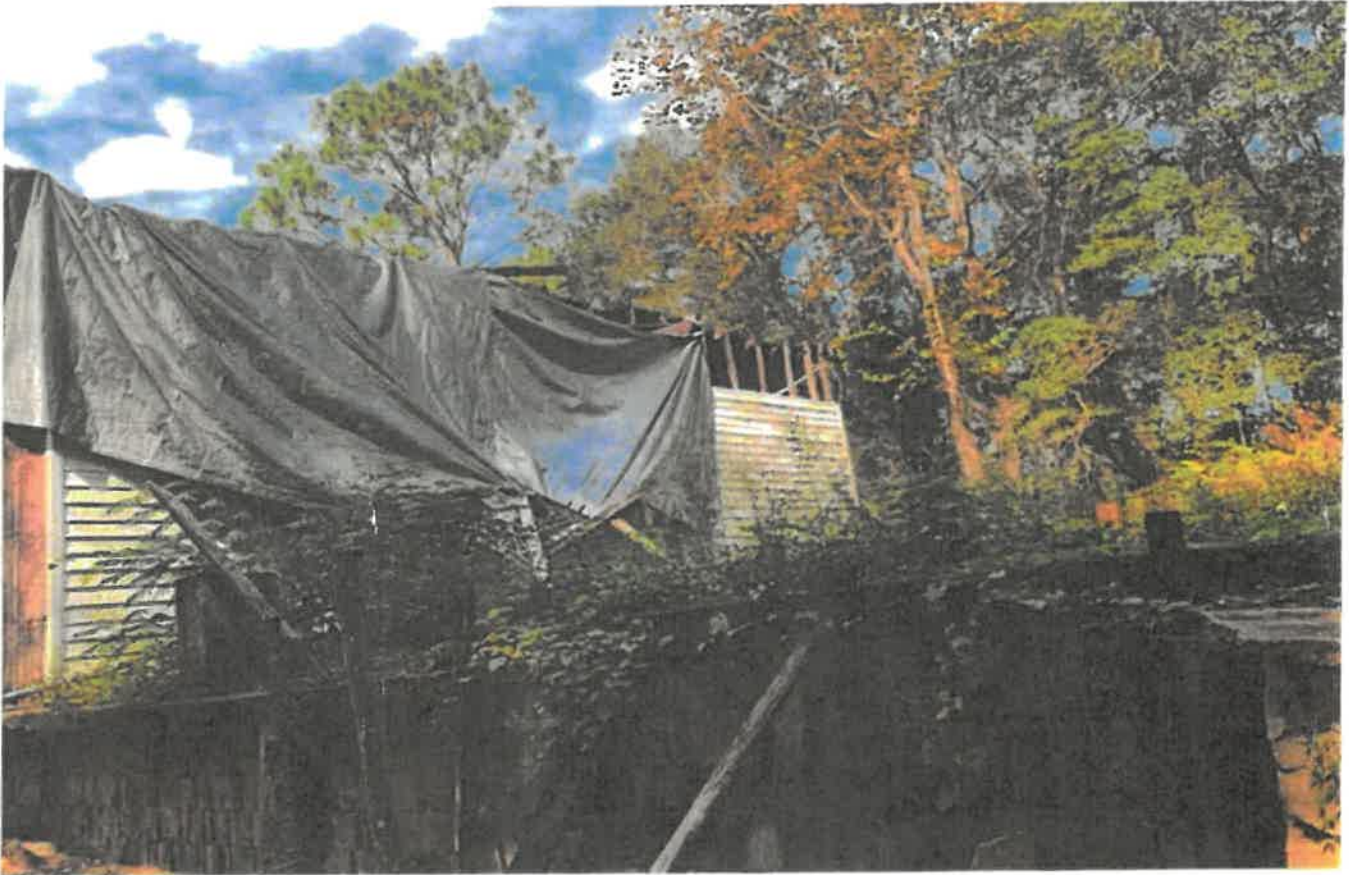


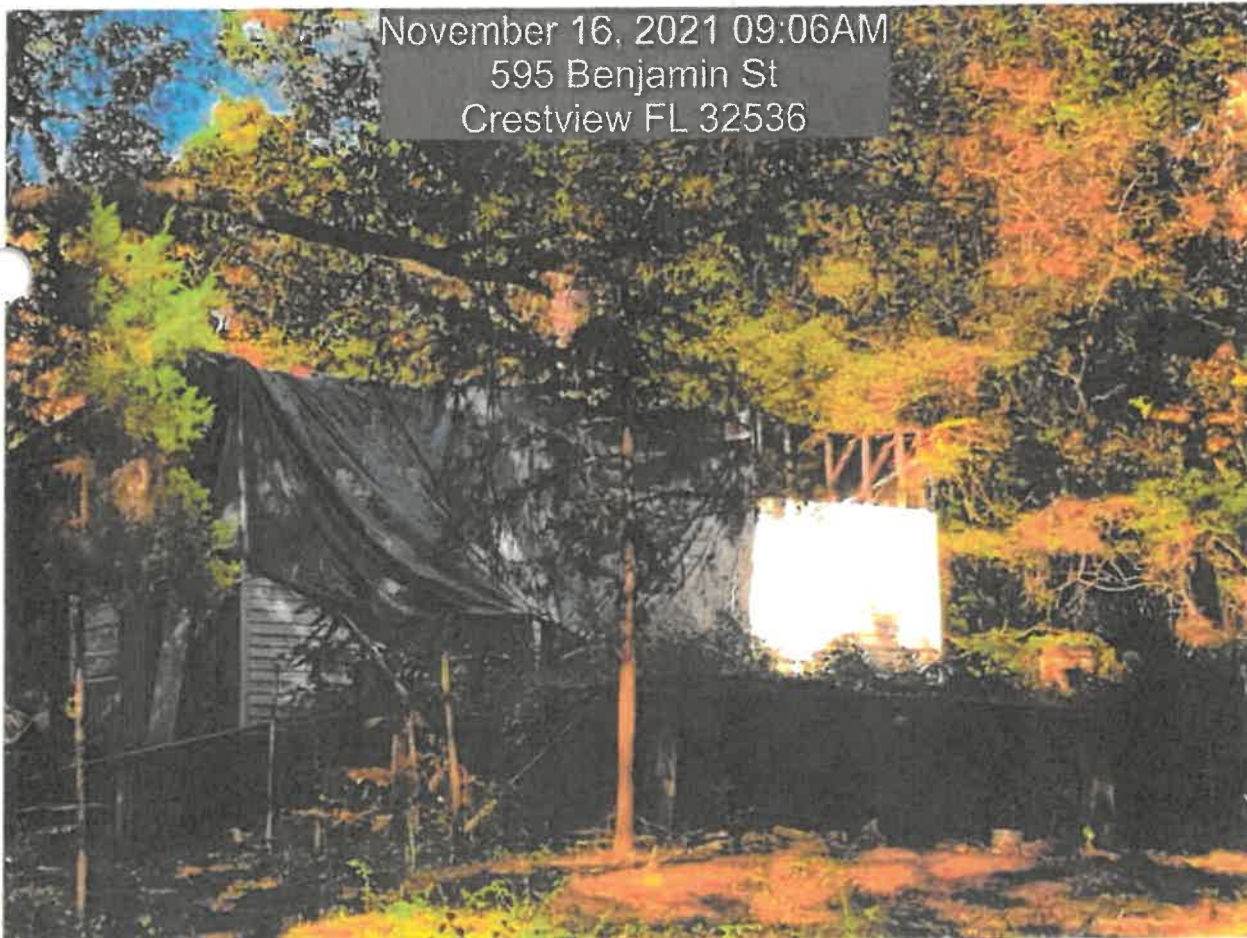
EXHIBIT # 2



EXHIBIT # 2



EXHIBIT # 2



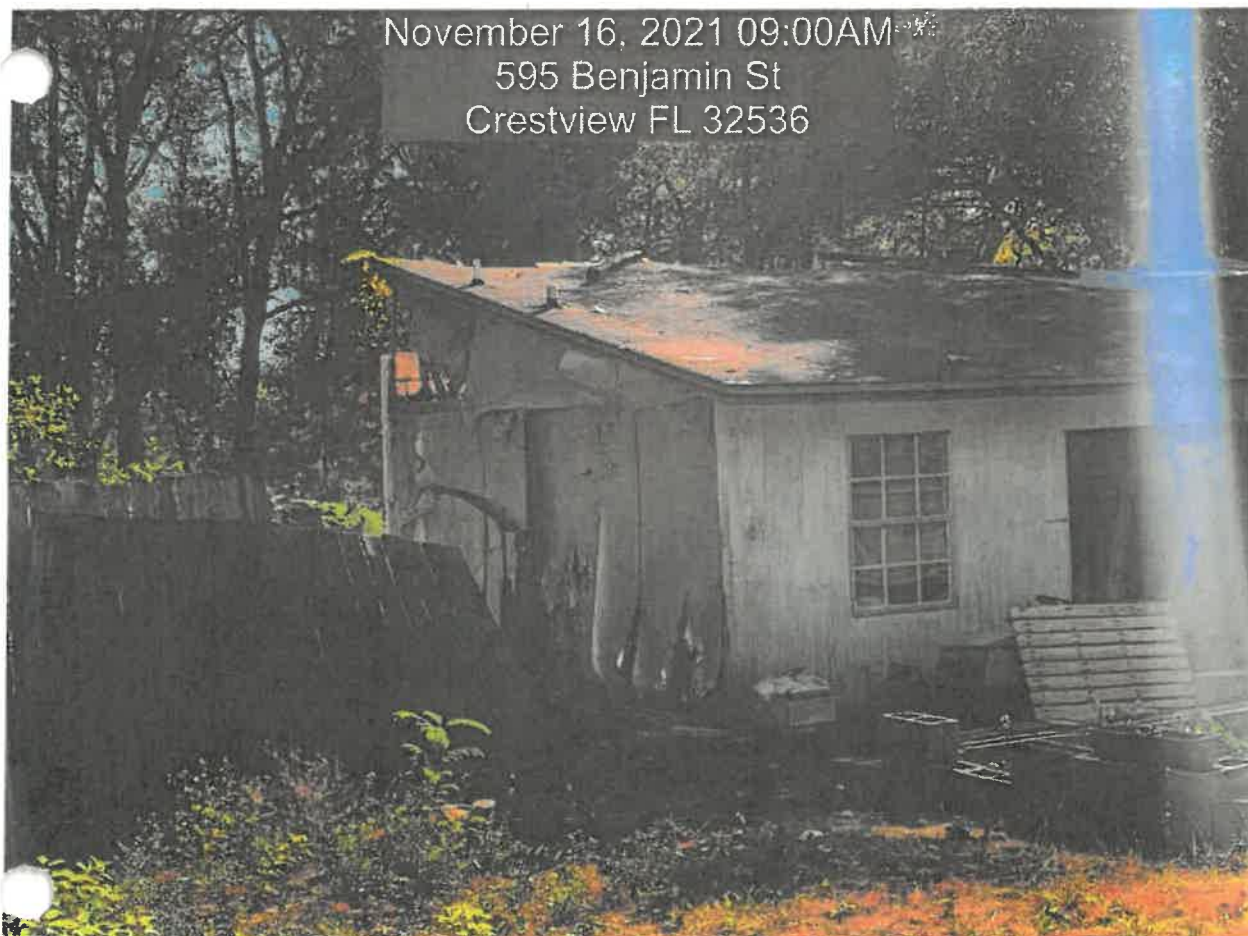
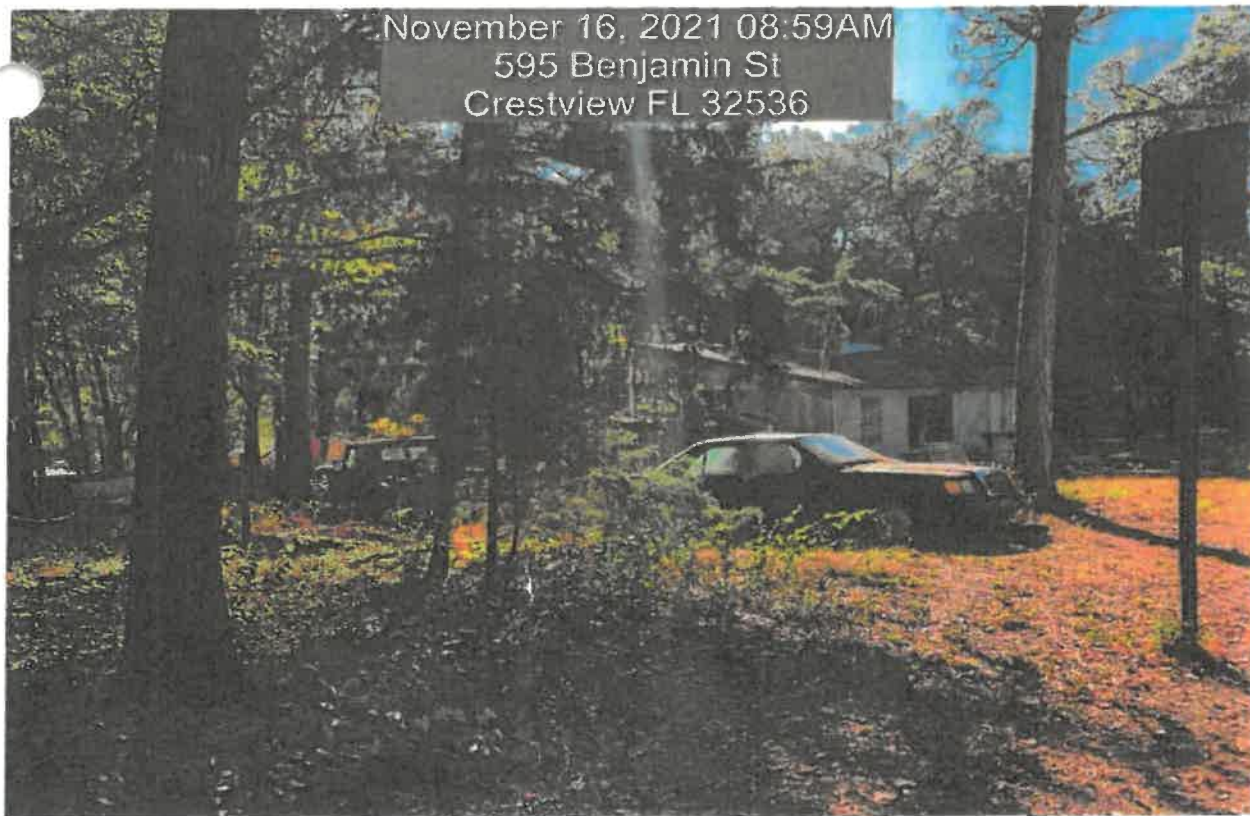
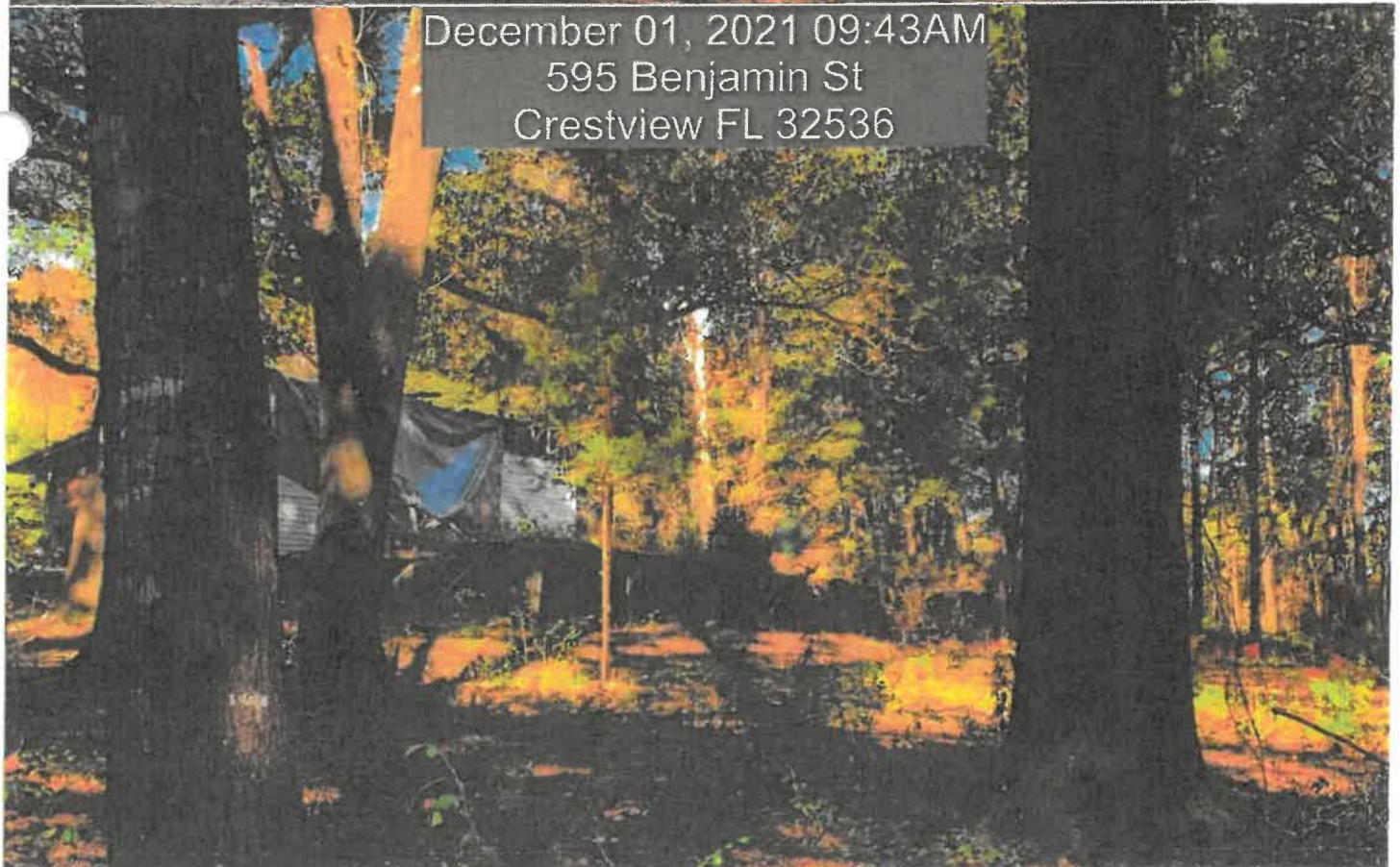
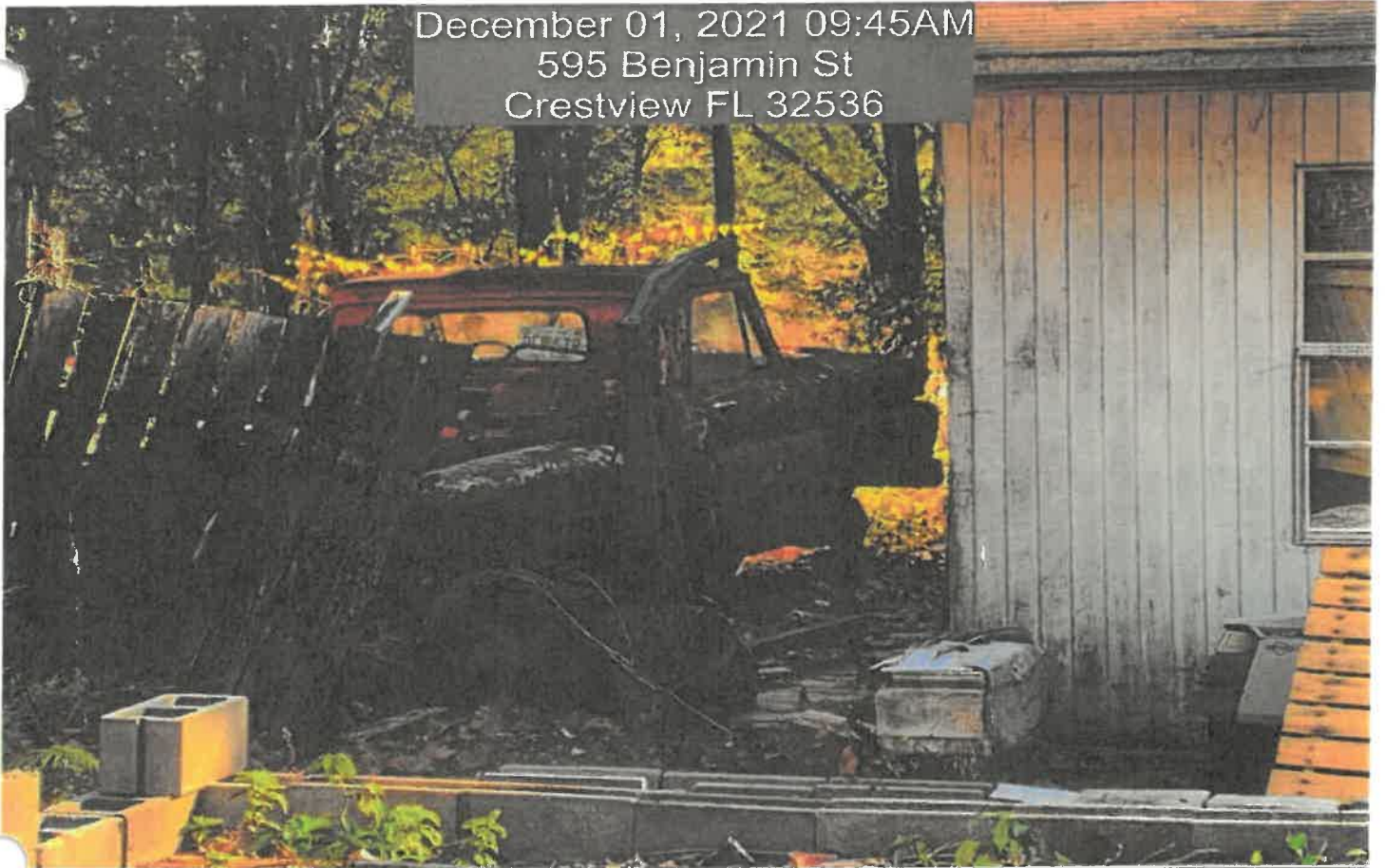


EXHIBIT # 2



December 01, 2021 09:45AM
595 Benjamin St
Crestview FL 32536



December 01, 2021 09:46AM
595 Benjamin St
Crestview FL 32536

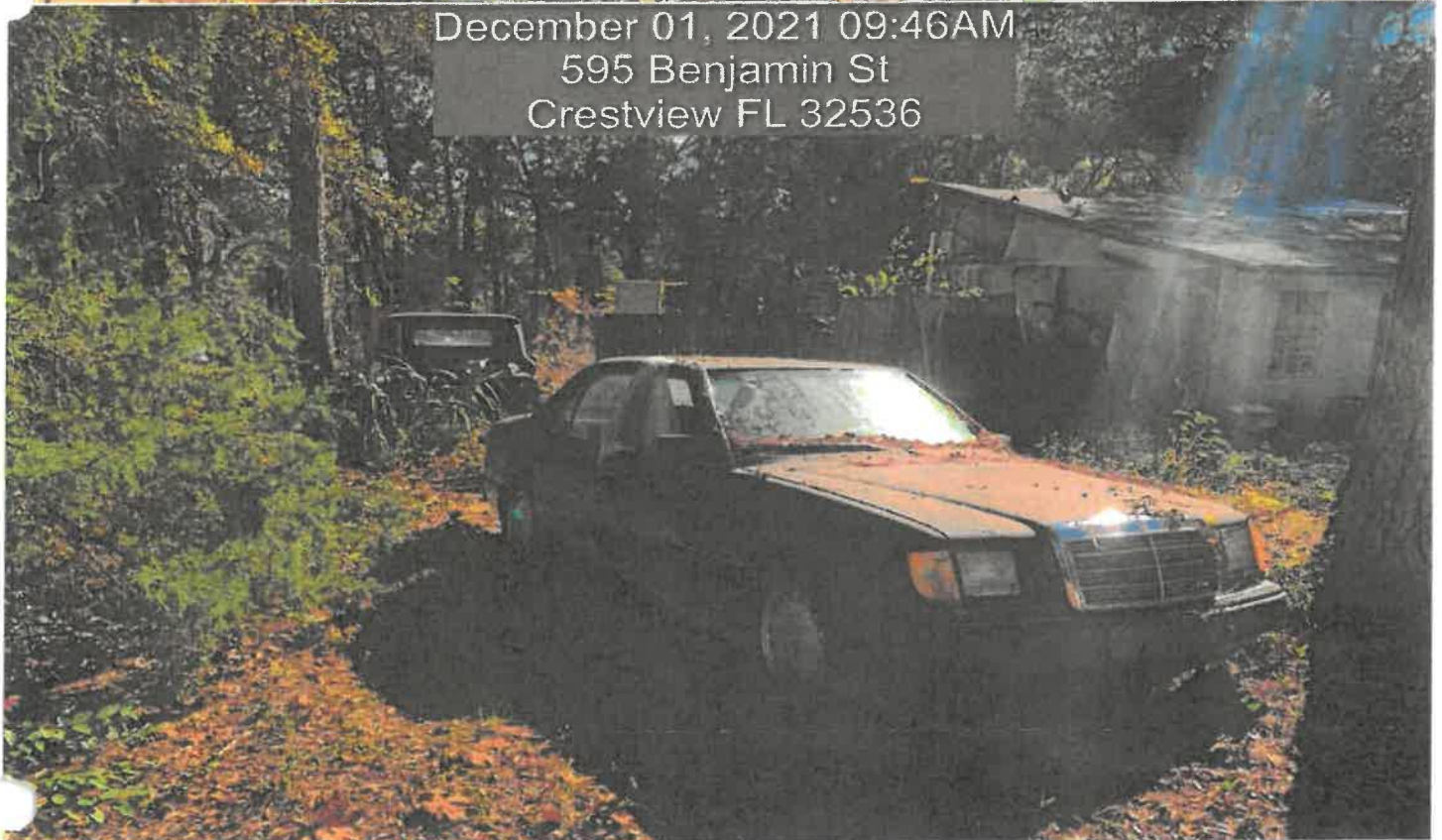
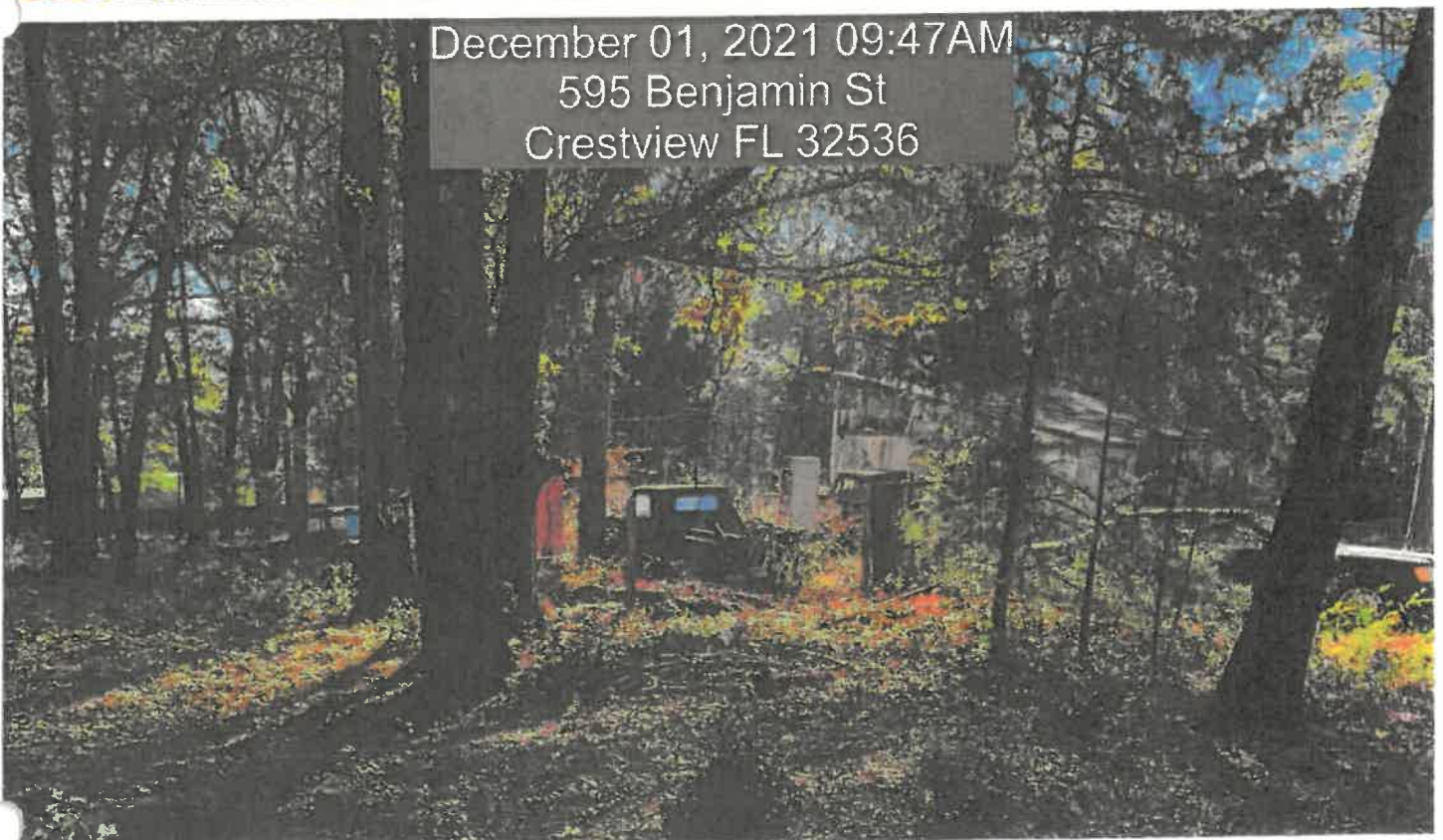
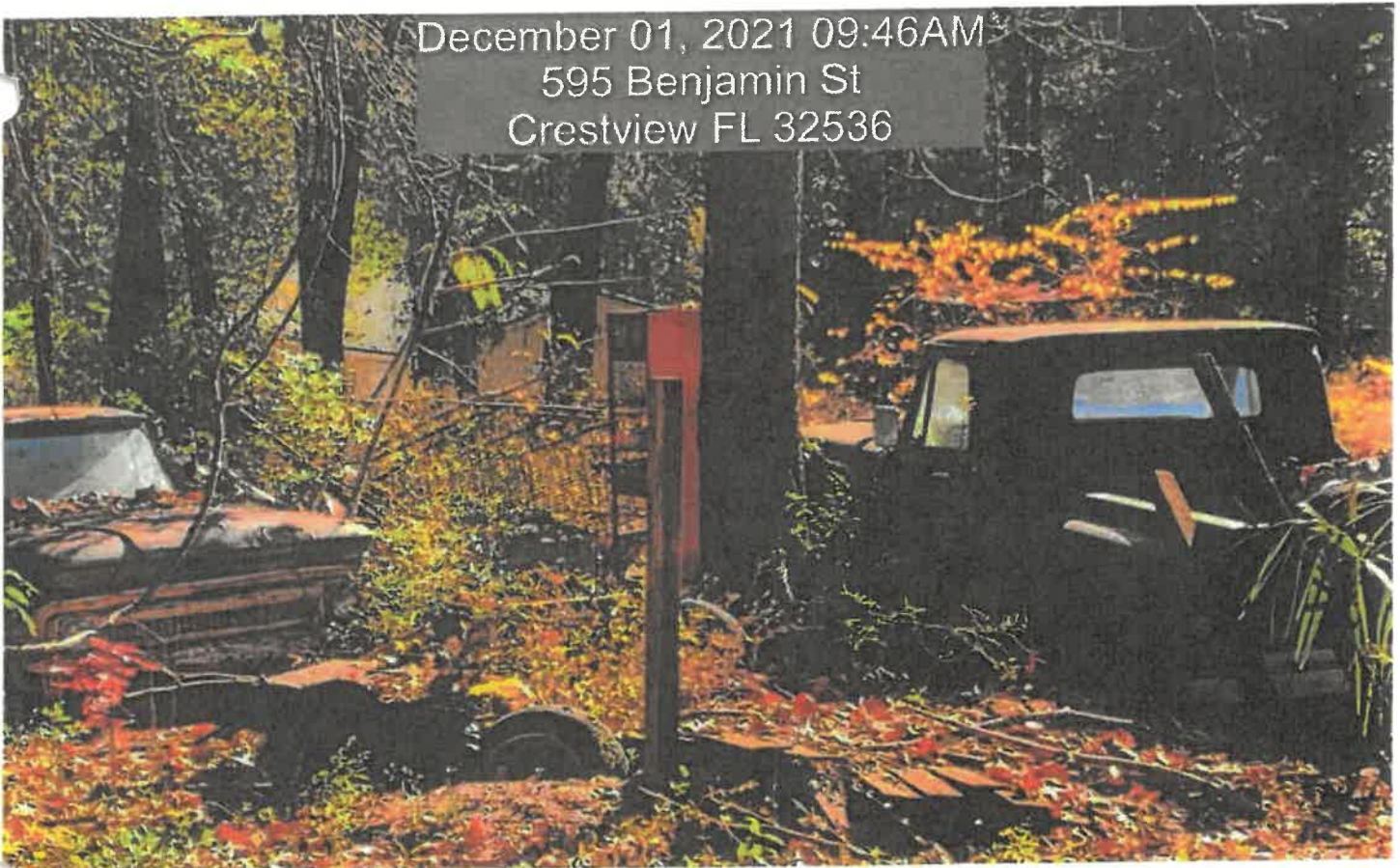


EXHIBIT # 2



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 FT E 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

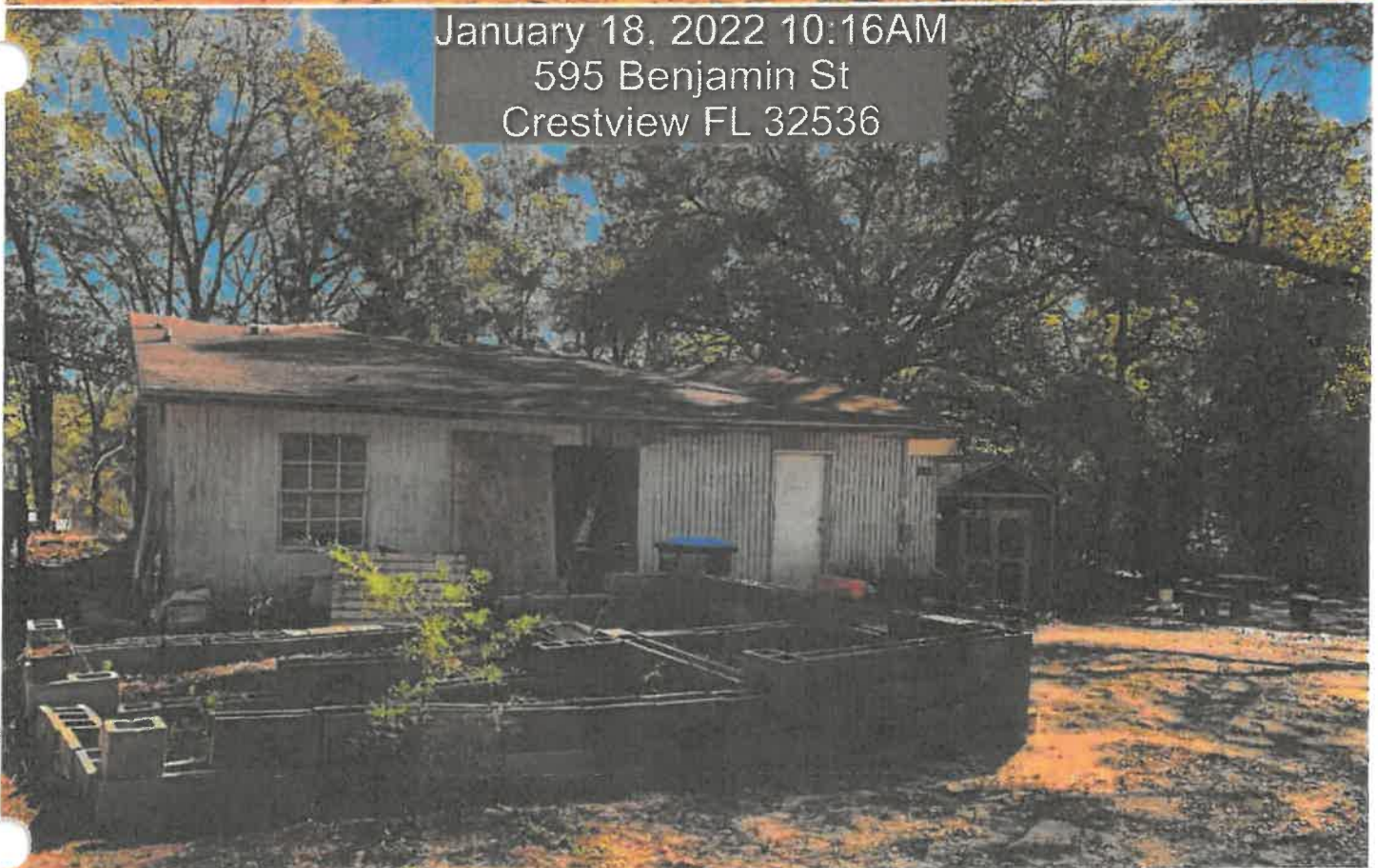
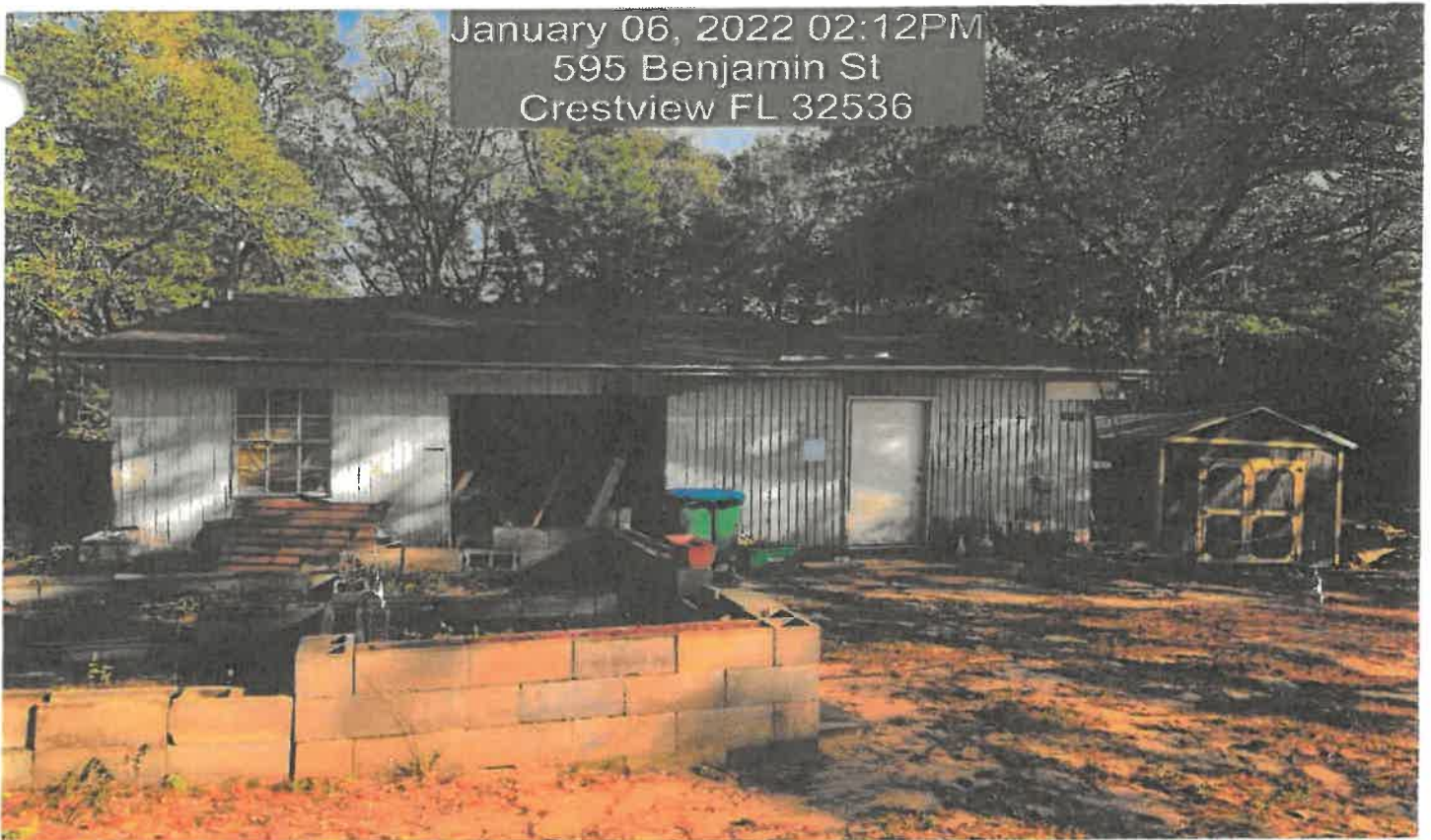


EXHIBIT # 2

January 18, 2022 10:16AM
595 Benjamin St
Crestview FL 32536

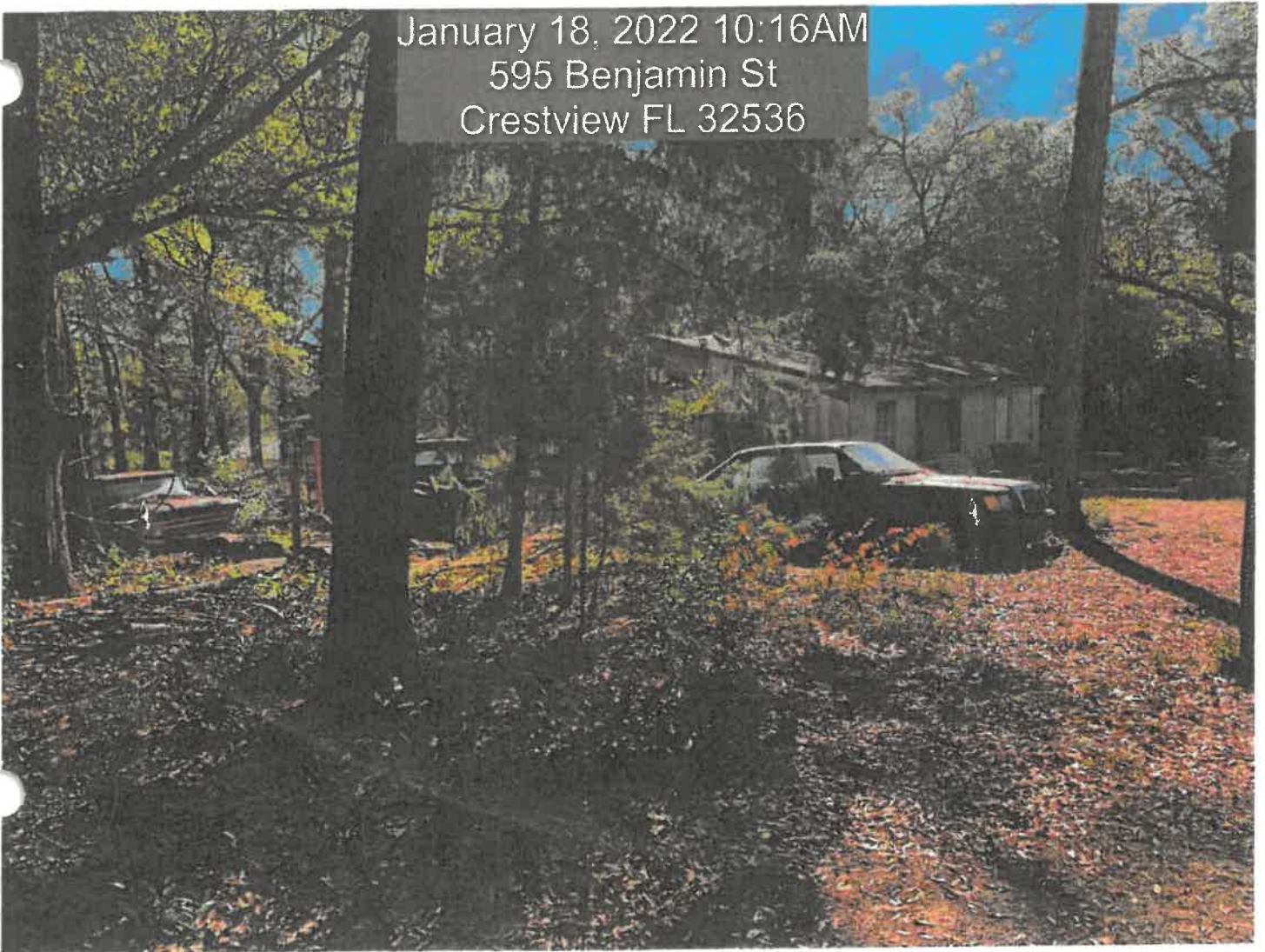


EXHIBIT # 2



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

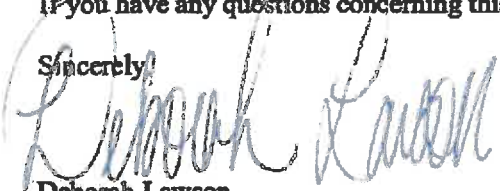
Legal: BEG SW COR OF SE1/4 OF NW1/4 N, 208.75 FT E 208.75 FT, 208.75 FT W 208.75 FT

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

VIOLATION DETAIL

PAGE 1

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,

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

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CRESTVIEW, FL 32539

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LEONARD ADIB
320 FOREST
CRESTVIEW, FL 32539

PS Form 3800, July 2014

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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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#22-1201

LEONARD ADIB LEE
 Street & Apt. No.,
 or PO Box No. 320 FOREST DRIVE
 CRESTVIEW, FL 32539

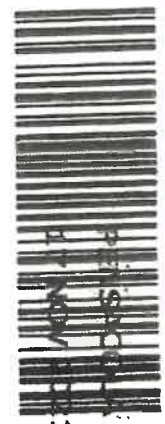
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City of Crestview
 City Hall
 198 North Wilson Street
 Crestview, FL 32536

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Leonard Adib Lee
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 Crestview, FL
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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.

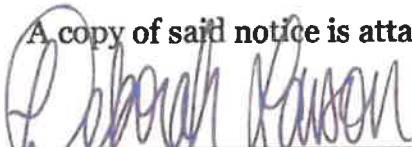
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

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

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 | ☐ (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

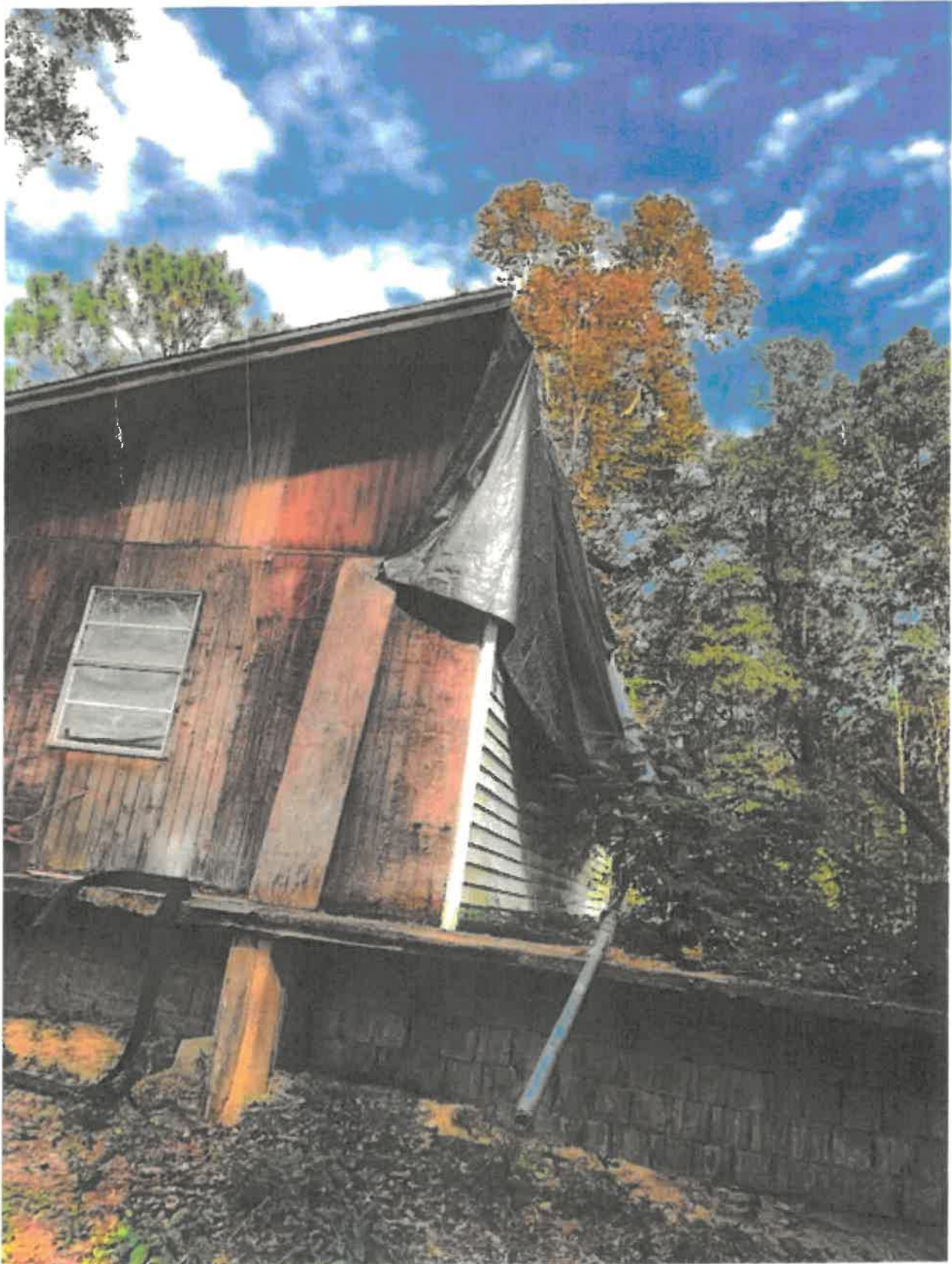
Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

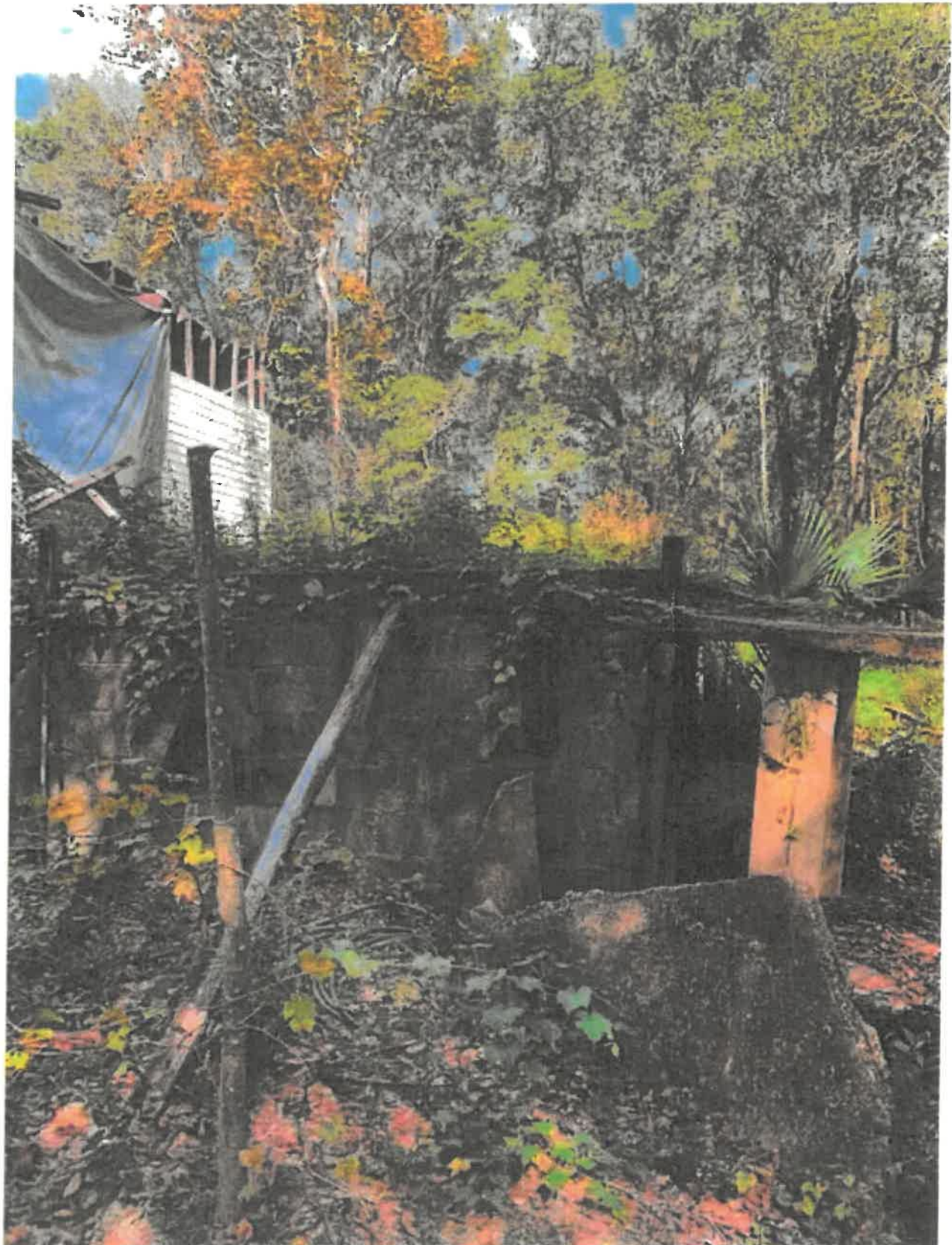
11/1/21
DATE

EXHIBIT # 21A











**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.

CASE# 22-120

Leonard Adib Lee
320 Forrest Parkway
Crestview, FL

Respondents.

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

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,

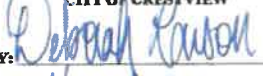
e. Obtain a license engineer to perform a structural evaluation and submit a letter to the Building Official stating the findings as to the condition of the structure, submit plans, applicable documents and pay associated fees.

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.

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/25/21

DATE

457 BLAKELY

ADDRESS-LOCATION OF VIOLATION

20-286

☐ (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): Unsafe structure. Recommend removal
of structure from property. Front porch parts missing, extensive
amount of siding missing, windows and doors busted out. Unsafe
electrical.

If repaired structural evaluation from structural engineer would be
required prior to permit issuance.

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 3

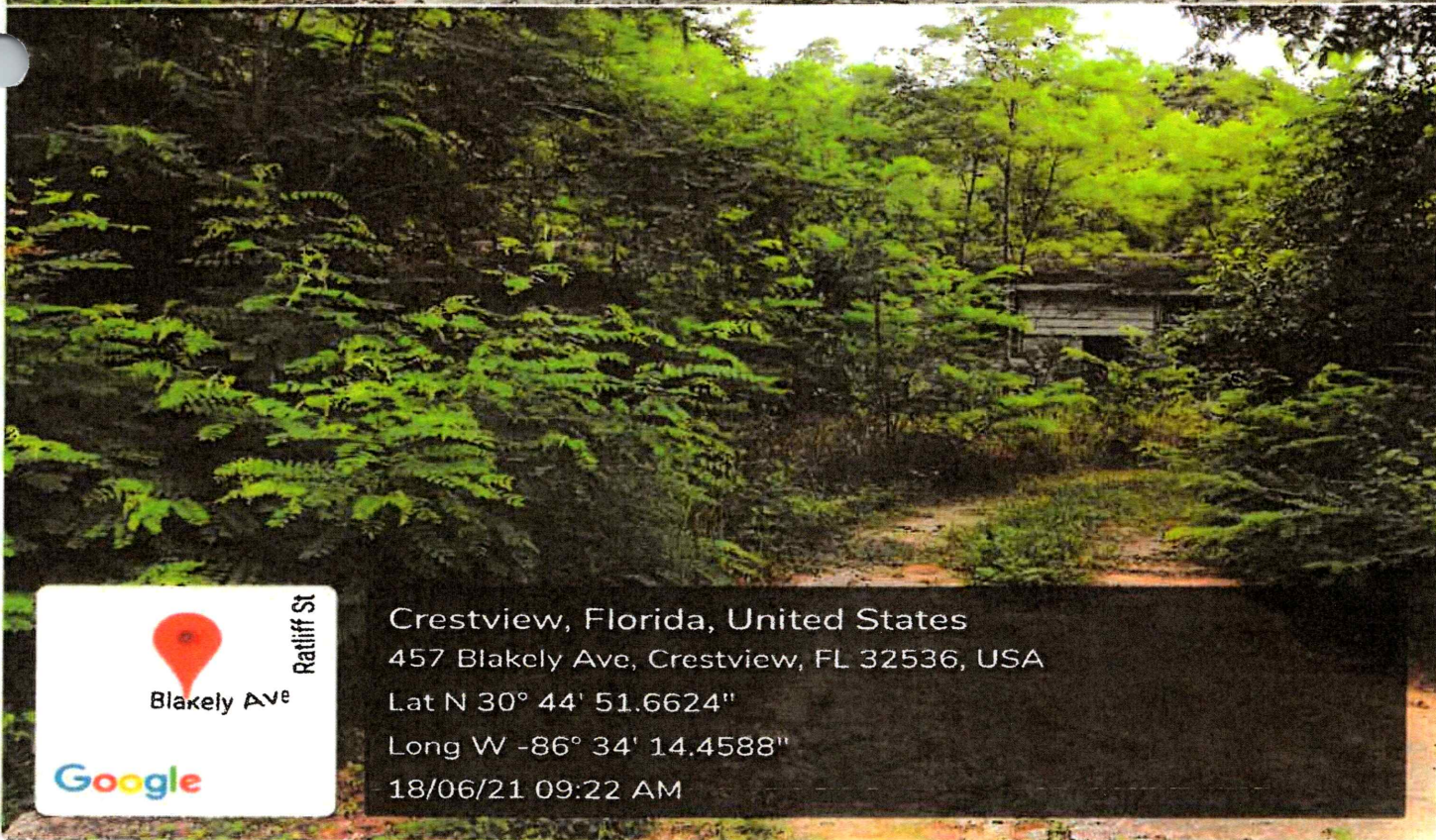
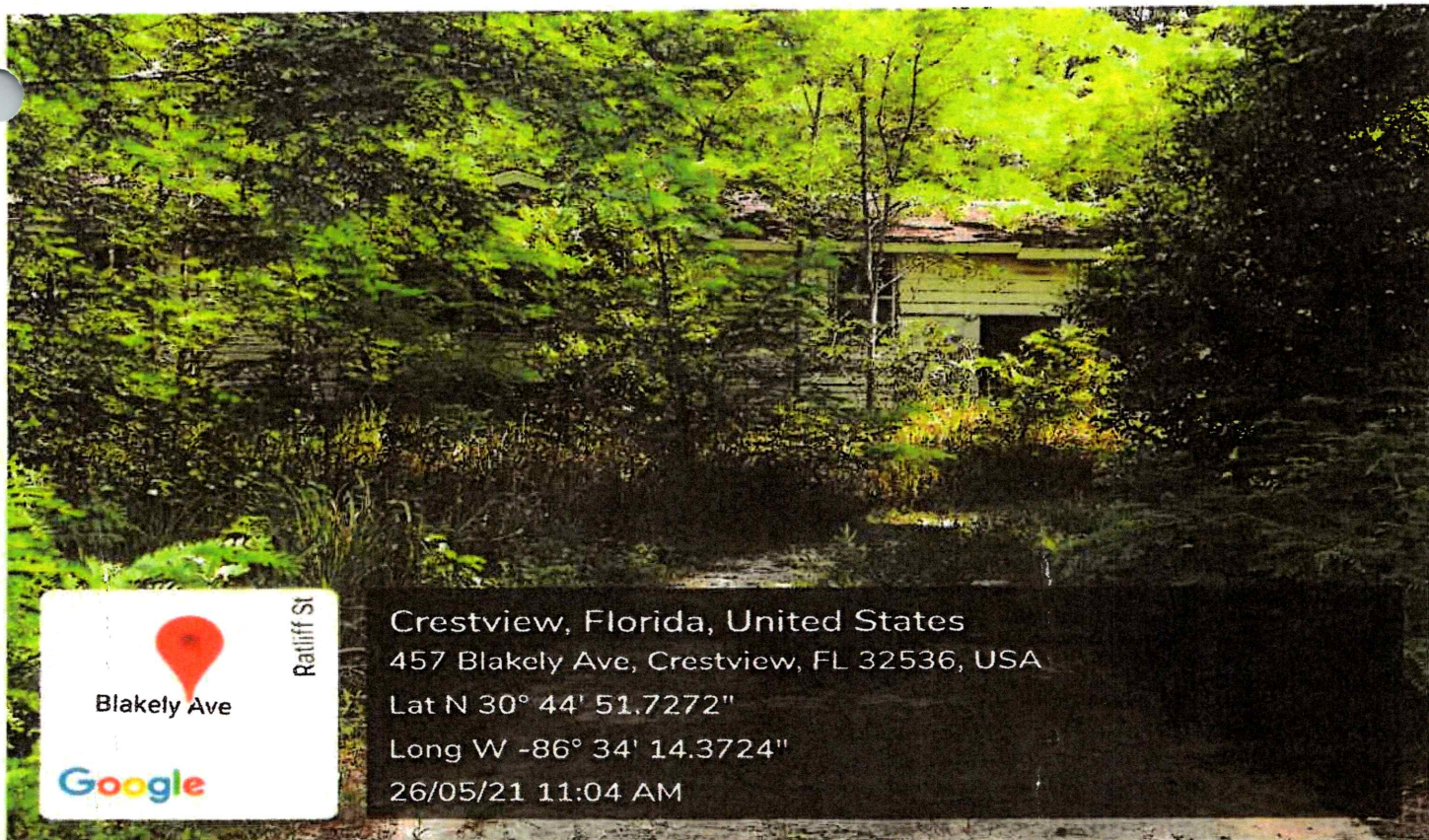
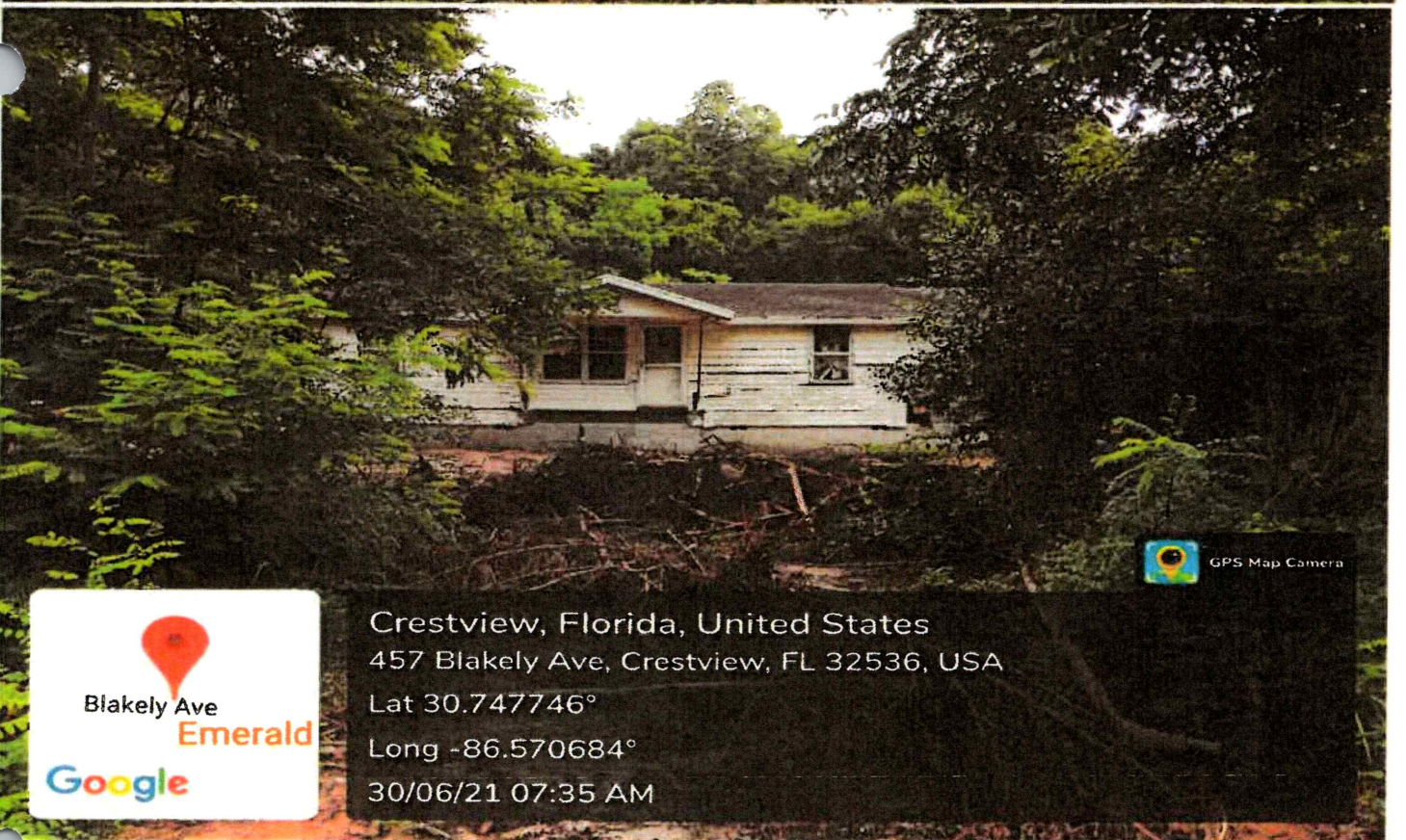


EXHIBIT # 3



October 19, 2021 10:06 AM

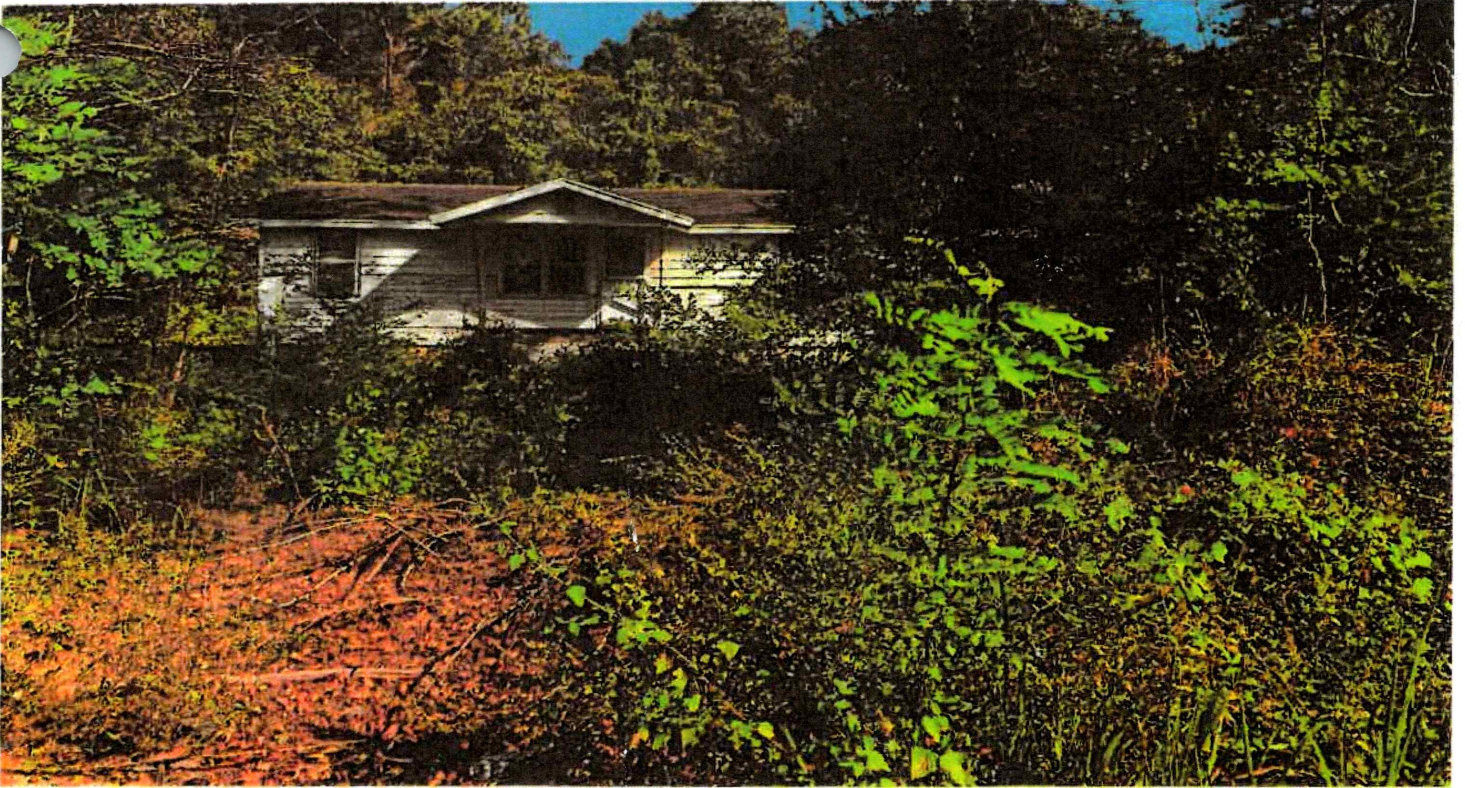


EXHIBIT # 3



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 #: 20-00000286

KENNETH & CALVIN 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: 457 BLAKELY AVE
Tax Identification Number: 20-3N-23-2390-0012-0050
Legal: SULLIVANS ADD LOTS 5 & 6 BLK, 12,

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 # 3

CASE NUMBER 20-00000286
PROPERTY ADDRESS 457 BLAKELY AVE

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 # 3

CASE NUMBER 20-00000286
PROPERTY ADDRESS 457 BLAKELY 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 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS 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.

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 2106

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OFFICIAL USE

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Extra Services & Fees (check box, add fee to each column)

☒ 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: KENNETH & CALVIN SILER

Street Apt. Box: 497 S WILSON STR

City, State, ZIP+4: CRESTVIEW, FL 32536

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here: MAY 28 2021

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 & CALVIN SILER</u> <u>497 S WILSON STR</u> <u>CRESTVIEW, FL 32536</u> 2. Article Number (Time Stamp) <u>7020 1290 0001 5682 2106</u>	A. Signature <u>Kenneth J. Siler</u> ☐ Agent ☐ Address B. Received by (Printed Name) <u>Kenneth J. Siler</u> C. Date of Delivery <u>5-28-21</u> 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 Restr. Delivery ☐ Certified Mail Restricted Delivery on Delivery ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery on Delivery Restricted Delivery ☐ Signature Confirmation ☐ Insured Mail ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail Restricted Delivery (over \$500)



9590 9402 5522 9249 9957 33

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Recel

EXHIBIT # 3



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 #: 20-00000286

KENNETH & CALVIN SILER
497 S WILSON ST
CRESTVIEW, FL 32536

Dear KENNETH & CALVIN 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: 457 BLAKELY AVE
Tax Identification Number: 20-3N-23-2390-0012-0050
Legal: SULLIVANS ADD LOTS 5 & 6 BLK, 12,

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 # 3

CASE NUMBER 20-00000286
PROPERTY ADDRESS 457 BLAKELY AVE

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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- (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 # 3

CASE NUMBER 20-00000286
PROPERTY ADDRESS 457 BLAKELY AVE

CORRECTIVE ACTION REQUIRED :

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

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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: 5/27/21
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.

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CORRECTIVE ACTION REQUIRED :

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

EXHIBIT # 3

U.S. Postal ServiceTM
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OFFICIAL USE

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Certified Mail Fee \$ 3.60

Extra Services & Fees (check box, add fee as appropriate)

☒ 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 Fee \$ 6.96

Sent by KENNETH SILER

Sent to 497 S WILSON STR

CRESTVIEW, FL 32536

Postmark Here 20-286

PS Form 3800, April 2015 PSN 7530-02-000-9033 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:
KENNETH SILER
497 S WILSON STR
CRESTVIEW, FL 32536


 9590 9402 6373 0303 1373 76

2. Article Number (Transfer from service label)
7020 1290 0001 5682 2373

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Kenneth Siler ☐ Agent ☒ Addressee

B. Received by (Printed Name)
Kenneth Siler

C. Date of Delivery
July 10-21

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 MailTM

☐ Certified Mail[®] ☐ Registered Mail Restricted Delivery

☐ Certified Mail Restricted Delivery ☐ Signature ConfirmationTM

☐ Collect on Delivery ☐ Signature Confirmation Restricted Delivery

☐ Collect on Delivery Restricted Delivery ☐ Insured Mail

☐ Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9033 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: 9/7/2021

**Kenneth & Calvin Siler
497 S Wilson Street
Crestview, FL 32536**

RE: CASE# 20-286

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 457 Blakely Avenue, Crestview, FL 32536 more particularly described as:

**PIN# 20-3N-23-2390-0012-0050 LEGAL DESCRIPTION: SULLIVANS ADD LOTS 5 & 6
BLK 12**

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 # 3

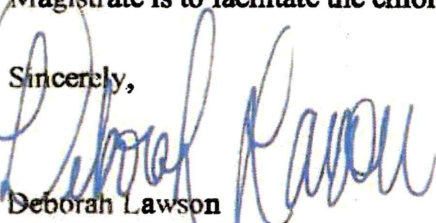
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

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 (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 the vegetation or weeds from the property.

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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

7011 3500 0000 9133 8595

Street, Apt. No.,
 or PO Box No. **KENNETH + CALVIN SILER 20-254**
497 S WILSON ST
 City, State, ZIP+4 **CRESTVIEW FL 32536**

PS Form 3800, August 2005 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 + CALVIN SILER 497 S WILSON ST CRESTVIEW, FL 32536 2. Article Number (Transfer from service label) 7011 3500 0000 9133 8595	A. Signature X [Signature] ☐ Agent ☐ Addressee B. Received by (Printed Name) K. Siler Date of Delivery 9-15-21 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 ☐ 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 ☐ 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 ☐ Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		

9590 9402 6373 0303 1228 22

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

EXHIBIT # 3

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/25/21

DATE

457 BLAKELY

ADDRESS/LOCATION OF VIOLATION

20-286

- ☐ (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): Unsafe structure. Recommend removal
of structure from property. Front porch posts missing, extensive
amount of siding missing, windows and doors busted out. Unsafe
electrical.

If repaired structural evaluation from structural engineer would be
required prior to permit issuance.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

5/25/21

DATE

EXHIBIT # 3A



EXHIBIT # 3A



EXHIBIT # 3A



EXHIBIT # 3A

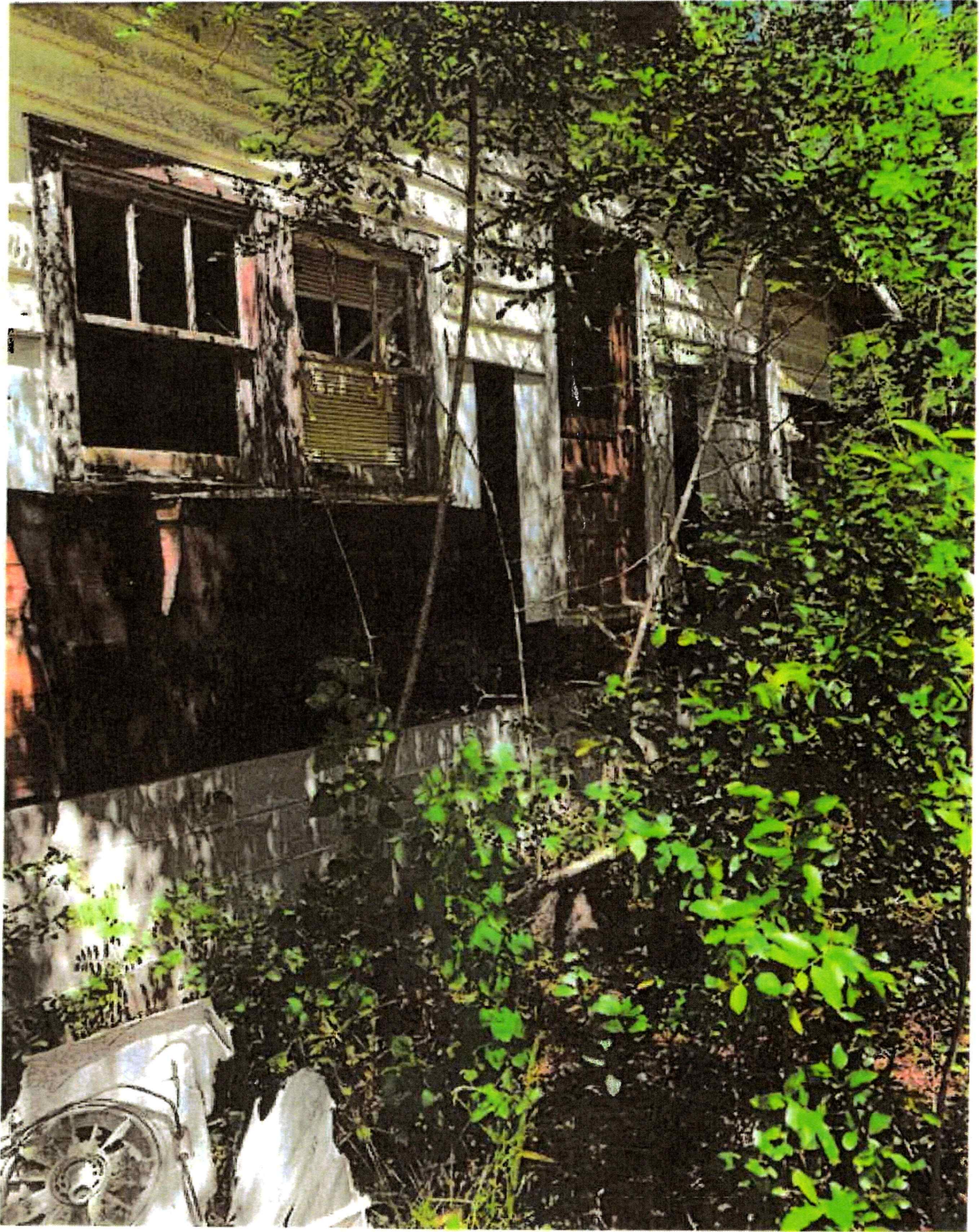


EXHIBIT # 3A



EXHIBIT # 3A

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/25/21

DATE

457 BLAKELY

ADDRESS-LOCATION OF VIOLATION

20-286

- ☐ (a) FOUNDATION
- ☐ (b) WOOD SUPPORTS
- ☐ (c) METAL SUPPORTS
- ☐ (d) SKIRTING
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- ☒ (m) STAIRS
- ☒ (n) ROOFS
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- ☐ (r) INSECT SCREENS
- ☐ (s) ACCESSORY STRUCTURES
- ☐ (t) SWIMMING POOLS
- ☐ (u) RODENT HARBORAGE
- ☒ (v) EXTERIOR LIGHTING
- ☐ (w) FENCES AND WALLS
- ☐ OTHER: _____

COMMENTS/CORRECTIVE ACTION(S):

Unsafe structure. Recommend removal of structure from property. Front porch posts missing, extensive amount of siding missing, windows and doors busted out. Unsafe electrical.

If required structural evaluation from structural engineer would be required prior to permit issuance.



SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon

PRINTED NAME OF BUILDING OFFICIAL

5/25/21

DATE

EXHIBIT # 3A



EXHIBIT # 3A



EXHIBIT # 3A



EXHIBIT # 3A



EXHIBIT # 3A



EXHIBIT # 3A



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



Inst. #3500466 Bk. 3583 Pg. 1884
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# 20-286

Kenneth & Calvin 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 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, Kenneth & Calvin Siler, whose last known mailing address is 497 S Wilson St, Crestview, FL 32536, is the owner of the property located at, 457 Blakely Ave., Crestview, FL. 32536, AKA PIN# 20-3N-23-2390-0012-0050, and more particularly described as: SULLIVANS ADD LOTS 5 & 6 BLK 12
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 28, 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 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 - 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. Or obtain structurally engineered plans and the necessary permits to repair the structure.
 - b. Remove the vegetation 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
15:20:35 -05'00'

Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE CORRECT COPY
CITY OF CRESTVIEW

BY: *Forink Ogleby 10-22-21*

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



Inst. #3591818 Bk: 3651 Pg: 4522
Page 1 of 4 Recorded: 11/18/2022 12:38 PM
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# 20-286

Kenneth & Calvin 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 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, Kenneth & Calvin Siler, whose last known mailing address is 497 S Wilson St, Crestview, FL 32536, is the owner of the property located at, 457 Blakely Ave., Crestview, FL. 32536, AKA PIN# 20-3N-23-2390-0012-0050, and more particularly described as: SULLIVANS ADD LOTS 5 & 6 BLK 12
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 28, 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 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 - 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. Or obtain structurally engineered plans and the necessary permits to repair the structure.
 - b. Remove the vegetation 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
15:20:35 -05'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Margaret Schade, 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.



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Stephen McCosker, Police Chief
DATE: 4/20/2023
SUBJECT: Multi-Agency Law Enforcement MOU Renewal Approval

BACKGROUND:

The City of Crestview Police Department is a Law Enforcement Agency that provides assistance to other jurisdictions during emergency circumstances or may request the assistance of other jurisdictions for emergencies occurring within the city limits of Crestview.

It is essential that the Crestview Police Department participates in the construction of a Memorandum of Understanding (MOU) to remain compliant with state and federal laws as they pertain to emergency services provided outside of the jurisdiction of the City.

Memorandums of Understanding are agreements between agencies to assist in emergency circumstances or for the purpose of assisting in incidents requiring additional staffing.

DISCUSSION:

The Crestview Police Department enters into an agreement for the completion of a Memorandum of Understanding between the City of Crestview and the City of Fort Walton Beach, City of Niceville, City of Valparaiso, City of Shalimar, Northwest Florida State College and the 96 Security Forces Squadron to which binds each jurisdiction to the Memorandum of Understanding for support with law enforcement services.

In this memorandum, the agreements are equal. The City of Crestview Police Department agrees to assist those agencies identified above, and each agency agrees to assist the Crestview Police Department.

Memorandums of Understanding are both necessary and binding to secure law enforcement services for all jurisdictions, especially in emergency or disastrous circumstances.

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

As a Memorandum of Understanding is binding to all parties, a financial impact is not expected except in circumstances of emergencies or disasters. Therefore they cannot be effectively predicted.

RECOMMENDED ACTION

Staff respectfully requests the approval of the Memorandum of Understanding between the City of Crestview Police Department and the City of Fort Walton Beach Police Department, City of Niceville Police Department, City of Valparaiso Police Department, City of Shalimar Police Department, Northwest Florida State College Police Department and the 96 Security Forces Squadron.

Attachment: Manicipal Law Enforcement Agreement MOU 2023

Attachments

1. MOU Law Enforcement

**COMBINED
OPERATIONAL ASSISTANCE AND VOLUNTARY COOPERATION
MUNICIPAL MUTUAL AID AGREEMENT**

WITNESS TO

WHEREAS, the subscribing law enforcement agencies are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

- (1) Situations including but not limited to emergencies and disasters as defined under Section 252.34, F.S.; and
- (2) Continuing, multi-jurisdictional law enforcement problems, so as to protect the public peace and safety, and preserve the lives and property of the people; and

WHEREAS, The Crestview Police Department, The Fort Walton Beach Police Department, The Niceville Police Department, The Shalimar Police Department, The Valparaiso Police Department, the Northwest Florida State College Police Department and the 96th Security Forces Squadron have the authority under Section 23.1255, F.S.; et seq; the Florida Municipal Aid Act, to enter into a combined Municipal Aid Agreement for law enforcement service which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; and
- (2) Provides for rendering of assistance in a law enforcement emergency as defined in Section 252.34, F.S.

NOW, THEREFORE, the parties agree as follows:

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies so represented may request and render law enforcement assistance to the other to include, but not necessarily be limited to, dealing with civil disturbances, large protest demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, concerts, parades, special events, escapes from detention facilities, and incidents requiring utilization of specialized units, to include; traffic units, SWAT or SRT, K-9, drug interdiction, crime scene investigation, or any other unit or division to which the entering agencies agree.

SECTION II: PROVISIONS FOR VOLUNTARY COOPERATION

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other in dealing with any violations of Florida Statutes to include, but not necessarily be limited to, investigating homicides, sex offenses, robberies, assaults, burglaries, larcenies, gambling, motor vehicle thefts and drug violations pursuant to Chapter 893, F.S., and in support of backup service during patrol activities, school resource officers on official duty out of their jurisdiction, off duty details, Driving Under the Influence (DUI) enforcement and inter-agency task forces and/or joint investigations.

SECTION III: PROCEDURE FOR REQUESTING ASSISTANCE

In the event that a party to this agreement is in need of assistance as set forth above, such party shall notify the agency or agencies from whom such assistance is required. The law enforcement agency head, or his authorized designee, whose assistance is sought; shall evaluate the situation and his available resources and will respond in a manner he deems appropriate.

The agency head, whose jurisdiction assistance is being rendered, may determine who is authorized to lend assistance in his jurisdiction, for how long such assistance is authorized and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.

Should a sworn law enforcement officer be in another subscribed agency's jurisdiction for matters of a routine nature, such as traveling through the jurisdiction on routine business, attending a meeting, or transporting a prisoner, and a violation of Florida Statutes occurs in the presence of said party, representing his/her respective agency, he/she shall be empowered to render enforcement assistance and act in accordance with the law. Should enforcement action be taken, said party shall notify the agency having normal jurisdiction and upon the latter's arrival, turn the situation over to them and offer any assistance requested, including but not limited to a follow-up written report documenting the event and the actions taken. This provision so prescribed in this paragraph is intended to grant general authority to conduct investigations, serve warrants and/or subpoenas, and is intended to address critical, life threatening or public safety situations, prevent bodily injury to citizens or secure apprehension of criminals who the law enforcement officer may encounter.

The agency head's decisions in these matters shall be final.

SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY

The personnel and equipment that are assigned by the assisting agency head shall be under the immediate command of a supervising officer designated by the assisting agency head. Such supervising officer shall be under the direct supervision and command of the agency head or his designee of the department requesting assistance.

SECTION V: LIABILITY

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions, or conduct of such party's own employees while engaged in rendering such aid pursuant to this agreement, subject to the provision of Section 768.28, F.S. where applicable.

SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

- a. Employees of each participating department, when actually engaging in mutual cooperation and assistance outside of their jurisdiction limits but inside the State of Florida, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127(1), F.S., have the same powers, duties, rights,

privileges and immunities as if the employee was performing duties inside the employee's political subdivision in which normally employed.

- b. Each party agrees to furnish necessary personnel, equipment, resources and facilities and to render services to each other party to the agreement as set forth above; provided however; that no party shall be required to deplete unreasonable, its own personnel, equipment, resources, facilities and services in furnishing such mutual aid.
- c. A political subdivision that furnishes equipment pursuant to this party must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.
- d. The agency furnishing aid pursuant to this section shall compensate its appointee/employees during the time such aid is rendered and shall defray the actual travel and maintenance expenses of its employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such assistance.
- e. The privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance relief, disability, workers compensation, death and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency, apply to the employee to the same degree, manner and extent while engaged in the performance to the employee's duties extraterritorially under the provisions of this mutual aid agreement. The provisions of this section shall apply with effect to paid, volunteer and reserve employees.
- f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

SECTION VII: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until April 1, 2025. Under no circumstance may this agreement be renewed, amended, or extended except in writing.

SECTION VIII: CANCELLATION

Any party may cancel their participation in this agreement upon delivery of written notice to the other parties. Cancellation will be at the direction for any subscribing party.

[Signatures Appear on Next (Separate) Page]

In witness whereof, the parties hereto cause these present to be signed on the date specified.

Stephen McCosker, Chief Police
Crestview Police Department

Date

JB Whitten, Mayor
City of Crestview

Date

Robert Bage, Chief of Police
Fort Walton Beach Police Department

Date

Jeff Peters, City Manager
(Acting)
City of Fort Walton Beach

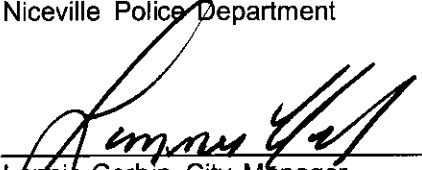
Date



David Popwell, Chief of Police
Niceville Police Department

4-11-2023

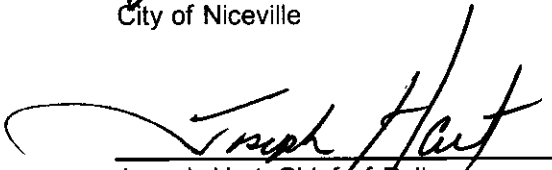
Date



Lannie Corbin, City Manager
City of Niceville

4/11/2023

Date



Joseph Hart, Chief of Police
Valparaiso Police Department

4/12/2023

Date



Hubert B. Brent Smith, Mayor
City of Valparaiso

4/13/2023

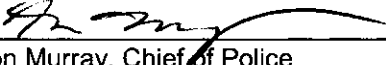
Date

John Cash, Chief of Police
Town of Shalimar

Date

Mark Franks, Mayor
Town of Shalimar

Date


Aaron Murray, Chief of Police
Northwest Florida State College

04.18.2023

Date

Major John Clements
96th Security Forces
Squadron Commander

Date



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM:
DATE: 4/17/2023
SUBJECT: Approval of the minutes of April 10, 2023

BACKGROUND:

DISCUSSION:

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

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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

Staff respectfully requests a motion

Attachments

1. 04102023 City Council Minutes Draft

City Council Minutes - DRAFT
April 10, 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 Brian Walton of Community of Christ Church

The Invocation and Pledge of Allegiance was led by Pastor Brian Walton of Community of Christ Church.

Mayor JB Whitten requested a moment of silence for Dr. Naomi Barnes, in honor of all her contributions to the City of Crestview. He mentioned her visitation is scheduled for Friday, April 14th at 5:00 p.m. and service on Saturday at 11:00 a.m. at the Community Center.

3. Open Policy Making and Legislative Session

Mayor JB Whitten established a quorum and went over the rules and procedures.

4. Approve Agenda

Mayor JB Whitten called for action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Douglas Capps to approve the agenda.

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

5. Presentations and Reports

6. Consent Agenda

Councilmember R. Bullard requested that Item 6.1 be removed from the Consent Agenda to discuss further.

Mayor JB Whitten called for action.

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

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

6.1. Purchase of New Patrol Vehicles

Councilmember R. Bullard stated he fully supports the new purchases, but he is concerned with the cost and the take-home vehicle policy.

City Manager Tim Bolduc mentioned that it is better to look at the cost of the vehicles during the budget process and review the return on investment. Nationally, officers use take-home vehicles as part of the overall benefits package, adding he wants to stay competitive with surrounding jurisdictions. He will come back to Council with a report. In response to Councilmember R. Bullard's question on the half-cent sales tax, City Manager Tim Bolduc said the tax is only allocated for specific uses. However, residuals are used, if we receive more tax than anticipated.

Motion by Councilmember Cynthia Brown and seconded by Councilmember Ryan Bullard to approve the purchase.

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

Councilmember D. Capps said he is against changing the take-home policy. Councilmember R. Bullard explained he wanted information on how far out the cars are being taken. He added that the police chief should be able to determine the necessity of how far out the car can go. Mayor JB Whitten agreed we can define the radius in the policy.

- 6.2. Digital Forensic Workstation Purchase
- 6.3. WWTP Solids Handling Project Change Order #1 Re-Executed
- 6.4. Task Order 2020-02 Biosolids Improvements Amendment 1
- 6.5. Approval of minutes from March 27, 2023

7. Public Hearings / Ordinances on Second Reading

- 7.1. Ordinance 1918 - Amendment to the Code of Ordinances Chapter 38 - Property Maintenance and Housing Standards
Police Chief Stephen McCosker came forward to discuss the second reading of Ordinance 1918. He explained Code Enforcement has been revamped, so we had to determine what changes were required. Our staff reviewed the ordinance line by line and made the recommended changes.

Police Chief Stephen McCosker presented Ordinance 1918 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, Amending Chapter 38 Property Maintenance and Housing Standards, of the Code of Ordinances; Providing For Intent; Providing For Authority;

Providing For Severability; Providing For Scrivener's Errors; Providing For Liberal Interpretation; and Providing For an Effective Date.

City Manager Tim Bolduc addressed several criteria in the ordinance and mentioned with the move to the police department, it made sense to define the role of the code enforcement office and provide clarification.

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 Joe Blocker to adopt Ordinance 1918 on second reading.

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

8. Ordinances on First Reading

8.1. Ordinance 1929 Repeal & Replace Chapter 32 Fair Housing to establish SHIP program

Planning Administrator N. Schwendt reviewed the SHIP program details regarding affordable housing and eligibility for funding. He mentioned the Housing and Finance staff are assisting the city with a plan and went over the sections of the plan. He stated we hope to have the approval by July 1st. This ordinance will provide the legislative format. We will add a trust fund and committee in the plan which will mirror off the State plan.

Planning Administrator N. Schwendt presented Ordinance 1929 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, Repealing and Replacing the Current Chapter 32 – Fair Housing With Chapter 32 - Housing, Establishing the Local Housing Assistance Trust Fund, the Local Housing Assistance Program, Provisions Regarding Ship Program Administration and Implementation, and the Affordable Housing Advisory Committee; 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.

City Manager T. Bolduc said staff will provide direction for potential properties. Our CDBG program is for blight, but this ordinance will assist owner-occupied homes and provide a funding source adding the County is currently receiving the funds.

Mayor JB Whitten called for comment from the Council.

Mayor Pro-Tem A. Rencich asked what the current allocation is and Planning Administrator N. Schwendt responded that we received \$160,000, but we will

receive \$202,000 with this change. City Manager T. Bolduc replied that this will also allow for Habitat for Humanity housing. Our best interest is to get people into affordable housing. Mayor Pro-Tem A. Rencich asked about the percentage of funds being used for rentals, and City Manager T. Bolduc said the main purpose is for home ownership.

Councilmember D. Capps asked about SHIP program and whether affordable housing would be defined, and City Manager T. Bolduc replied that it is based on HUD levels and HUD will provide whether it is within a certain percentage. He added we have acquired properties that will allow us to provide these homes.

Councilmember R. Bullard asked about who will serve on the Board, and Planning Administrator N. Schwendt replied that the Board will consist of eight individuals based on certain requirements per Statute. They will be appointed by Resolution. We would have twelve months from adoption to form the Board. Councilmember R. Bullard offered to volunteer to serve on the Board and asked if we can preclude rentals. City Manager T. Bolduc added that staff will make recommendations to the Board, so the Board will not need to review all cases adding home ownership is the main focus.

Councilmember Joe Blocker asked who would pay the taxes, and City Manager T. Bolduc replied that the homeowner will pay the tax.

Mayor JB Whitten called for comment from the public.

Mayor JB Whitten called for action.

Motion was made by Councilmember Ryan Bullard and seconded by Councilmember Douglas Capps to approve Ordinance 1929 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 1922 - Richburg Lane Annexation

Planning Administrator N. Schwendt presented Ordinance 1922, Richburg Lane Annexation to the City Council and mentioned the property pertains to 2.45 acres which is currently outside of city limits. The developer has asked for utilities. He went over the current mixed use, as well as the surrounding zoning. The property is developed for commercial use. He went over the posting and noticing information.

Planning Administrator N. Schwendt asked the City Clerk to read the ordinance.

City Clerk Maryanne Schrader read the Ordinance by Title: An Ordinance Annexing to the City of Crestview, Florida, ± 2.45 Acres of Contiguous Lands Located in Section 9, Township 3 North, Range 23 West, and Being Described as Set Forth Herein; Providing For Authority; Providing For Land Description; Providing For Boundary; Providing For Land Use and Zoning Designation; Providing For

Amendment to the Base, Land Use and Zoning Maps; Providing For A Comprehensive Plan Amendment; Providing For Filing With the Clerk of Circuit Court of Okaloosa County, the Chief Administrative Officer of Okaloosa County and the Florida Department of State; 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 was made by Councilmember Joe Blocker and seconded by Councilmember Ryan Bullard to approve Ordinance 1922 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 1923 - Richburg Lane Comp Plan Amendment

Planning Administrator N. Schwendt presented Ordinance 1923, Richburg Lane Comprehensive Plan Amendment, to the City Council mentioned the information was the same as the annexation. He 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 Okaloosa County Mixed Use to Commercial (C) on Approximately 2.45 Acres, More or Less, In Section 9, 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 was made by Councilmember Douglas Capps and seconded by Councilmember Cynthia Brown to approve Ordinance 1923 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.

8.4. Ordinance 1924 - Richburg Lane Rezoning

Planning Administrator N. Schwendt presented Ordinance 1924, Richburg Lane Rezoning, to the City Council and went over the zoning details stating the information was the same as the previous ordinances.

Planning Administrator N. Schwendt 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 2.45 Acres, More Or Less, Of Real Property, Located In Section 9, Township 3 North, Range 23 West, From the Okaloosa County Mixed Use Zoning District to the Commercial Low-Intensity District (C-1) 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 was made by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Joe Blocker to approve Ordinance 1924 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.

8.5. Ordinance 1925 - Richburg Lane and Third Avenue Annexation

Planning Administrator N. Schwendt presented Ordinance 1925, Richburg Lane, and Third Avenue Annexation to the City Council. He mentioned the property is located behind the movie theater. He said it is currently in unincorporated Okaloosa County. He reviewed the current zoning and mentioned that the next three ordinances were not recommended by the Planning Board. He went over the surrounding zoning. He stated there is a mix of residential and commercial in the area. There is no development application on file. Traffic will need to be approved once an application is received. He added that notices have been mailed and postings done.

Planning Administrator N. Schwendt asked the City Clerk to read the ordinance.

City Clerk Maryanne Schrader read the Ordinance by Title: An Ordinance Annexing to the City of Crestview, Florida, ± 23.28 Acres of Contiguous Lands Located In Section 4, Township 3 North, Range 23 West, And In Section 9, Township 3 North, Range 23 West and Being Described As Set Forth Herein; Providing For Authority; Providing For Land Description; Providing For Boundary; Providing For Land Use And Zoning Designation; Providing For Amendment to the Base, Land Use and Zoning Maps; Providing For A Comprehensive Plan Amendment; Providing For Filing With the Clerk of Circuit Court of Okaloosa County, the Chief Administrative Officer of Okaloosa County and the Florida Department of State; 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.

In response to the question from Councilmember Ryan Bullard on why the Planning Development Board did not recommend the approval, Planning Administrator N.

Schwendt replied the Board did not give a reason for not recommending approval.

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

Motion was made by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Cynthia Brown to approve Ordinance 1925 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.

- 8.6. Ordinance 1926 - Richburg Lane and Third Avenue Comp Plan Amendment
Planning Administrator N. Schwendt presented Ordinance 1926, Richburg Lane and Third Avenue Comprehensive Plan Amendment, to the City Council stating the information is the same as the last ordinance.

Planning Administrator N. Schwendt 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 Okaloosa County Low Density Residential and Mixed Use To Mixed Use (Mu) On Approximately 23.28 Acres, More Or Less, In Section 4, Township 3 North, Range 23 West, and In Section 9, 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 was made by Councilmember Ryan Bullard and seconded by Councilmember Joe Blocker to approve Ordinance 1926 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.

- 8.7. Ordinance 1927 - Richburg Lane and Third Avenue Rezoning
Planning Administrator N. Schwendt presented Ordinance 1927, Richburg Lane and Third Avenue 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 23.28 Acres, More Or Less, Of Real Property, Located In Section 4, Township 3 North, Range 23 West, and In Section 9, Township 3 North, Range 23 West, From the Okaloosa County

Residential-1 and Mixed Use Zoning District to the Mixed Use (Mu) 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.

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

Motion was made by Councilmember Ryan Bullard and seconded by Councilmember Joe Blocker to approve Ordinance 1927 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

Nothing brought forward.

10. Action Items

Nothing brought forward.

11. City Clerk Report

Nothing brought forward.

12. City Manager Report

City Manager Tim Bolduc provided an update to the City Council. He mentioned the roof leak at the gym has been looked at but, he was unsure of the long-term use yet. He has met with a couple of contractors about options. After meeting with the contractors, we are working on a proposal to insulate the building, etc. and continue to use it as a gym with the option of using it as a dual-purpose building in the future. He spoke of a large scale indoor recreational complex as a potential use.

Regarding the solar panel ordinance, the discussion from the Planning and Development Board was to request staff to look at the placement of the panels, and the height and parking under the panels, so we will bring it back to the Planning and Development Board with options.

He mentioned potential funds for Vineyard Village in the amount of \$750,000 as it made it to the state budget process. We have returned the packet to the legislative with pictures of the area, the construction timeline, and the design plan, adding the site plan has been done. There will be 28 units. They will be leased at 80% of the HUD-recommended rent. He also displayed a rendering of the units.

He briefed the City Council on the Sexual Predator ordinance addressing where they can live within the city limits. The current statute has requirements we have identified that there are violations currently. He has met with Councilmember D. Capps, and we will map

out the requirements. The Chief of Police will review the registered sex offenders against the map and then a detective will investigate. He added before we adopt the law, we are checking our current enforcement.

13. Comments from the Mayor and Council

Councilmember D. Capps requested that the solar panel ordinance be added to the next Council meeting and asked about calling a special meeting with the Planning Development Board (PDB). City Manager T. Bolduc said he will brief the entire Board.

Discussion ensued about the need to fill the current vacancy for an alternate. Planning Administrator N. Schwendt mentioned that the alternate has not been approved yet. The solar panel ordinance process was also discussed, and City Manager T. Bolduc explained that the PDB is a board recommendation required by Statute. City Attorney Jon Holloway added that on the comprehensive plan, the PDB must make a recommendation.

Councilmember R. Bullard asked whether the PDB knew the vision of the Council and City Manager T. Bolduc replied that he can brief the Board on the vision.

Councilmember R. Bullard asked about the correct spelling of Richburg Lane, and City Attorney Jon Holloway replied that he has some answers and will get back to him.

Mayor Pro-Tem A. Rencich asked that Tim require that current staffing is met on the Board and that they are briefed on the current direction of the Council. He added if the Board says "no", they need to provide a reason. Councilmember D. Capps agreed.

City Manager T. Bolduc said we will set up a special meeting on the solar panel ordinance and go over the overall strategy of planning in preparation of growth.

Councilmember C. Brown said we appreciate the work of the Board but want them to know our direction.

Councilmember Joe Blocker asked about the location of each property and asked that the exhibits be displayed.

Mayor JB Whitten mentioned this past weekend, he visited the disc golf tournament stating it was well attended. He went to the sunrise service, which was also well attended. He mentioned this weekend's car show is being held on Main Street.

14. Comments from the Audience

Lisa Burke came forward stating she lives in the unincorporated area of the county and does not want to be incorporated into the city. In reply, City Manager T. Bolduc explained that the ordinances tonight are not involuntary. Mayor JB Whitten added the city does not do involuntary annexations.

Ms. Wanda Hulion thanked the Council for the work on Shortwell, however, they need streetlights. Public Services Director M. Criddle said they have ordered the two additional streetlights from Florida Power and Light.

15. Adjournment

Mayor JB Whitten adjourned the meeting at 7:06 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: April 24, 2023

TYPE OF AGENDA ITEM: Second reading

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Nicholas Schwendt, Senior Planner
DATE: 4/17/2023
SUBJECT: Ordinance 1929 Repeal & Replace Chapter 32 Fair Housing to establish SHIP program

BACKGROUND:

In 1992, the Florida Legislature adopted the William Sadowski Affordable Housing Act, creating the State Housing Initiatives Partnership (SHIP) Program to expand affordable housing resources in the state. Previously, the City did not collect its allocation for SHIP funding, and it was deferred to Okaloosa County. As the City pursues the goal of improving the minimum housing standards for our citizens through code enforcement and blight removal, we see great value in programs that will assist homeowners and developers in purchasing, building, or rehabilitating housing that is considered affordable.

DISCUSSION:

In late January of 2023, Florida Housing Finance Corporation (FHFC) staff contacted City staff, spurring a discussion regarding eligibility for SHIP funding. After FHFC staff determined that we were eligible for the program, we began working with them to develop the necessary plans, exhibits, resolutions, and ordinances pertaining to our implementation of the SHIP program. We are still working with FHFC staff to finish our Local Housing Assistance Plan (LHAP). Currently, our plan draft includes assistance for homeowner-occupied rehabilitation, homebuyer assistance, disaster recovery, assistance for the construction of homeowner-occupied affordable housing units, and assistance for developers constructing/rehabilitating rental affordable housing units. These may be subject to change as staff develops the plan based on direction from the FHFC review committee. After their approval, we will bring the plan back to the Council for adoption.

This Ordinance establishes the legislative framework to implement the plan once the FHFC and the Council approve it. Council should expect to see the plan for approval by resolution sometime before July 1st.

The original contents of Chapter 32 - Fair Housing were initially established in the early 1990s. Upon review of the current Florida Statutes, staff found that the same provisions were present in the Statute and that they don't need to be adopted locally by ordinance.

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

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

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

Implementation of the SHIP program will make funds available for various affordable housing assistance strategies.

RECOMMENDED ACTION

Staff respectfully requests a motion that Council adopt Ordinance 1929 on Second Reading.

Attachments

1. Attachment 1

ORDINANCE: 1929

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, REPEALING AND REPLACING THE CURRENT CHAPTER 32 – FAIR HOUSING WITH CHAPTER 32 - HOUSING, ESTABLISHING THE LOCAL HOUSING ASSISTANCE TRUST FUND, THE LOCAL HOUSING ASSISTANCE PROGRAM, PROVISIONS REGARDING SHIP PROGRAM ADMINISTRATION AND IMPLEMENTATION, AND THE AFFORDABLE HOUSING ADVISORY COMMITTEE; 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.

WHEREAS, The City of Crestview is a political subdivision of the State of Florida to which Chapter 166 of the Florida Statutes grants broad authority and provides for the adoption of ordinances to provide for self-governance; and

WHEREAS, in 1992 the Florida Legislature adopted the William Sadowski Affordable Housing Act creating the State Housing Initiatives Partnership (SHIP) Program for the specific purpose of supporting and expanding affordable housing resources throughout the State; and

WHEREAS, the City of Crestview Comprehensive Plan includes goals, objectives and policies designed to enhance the availability of affordable housing in the City; and

WHEREAS, the City Council finds it necessary and in the public interest to adopt the included provisions to establish and efficiently administer the SHIP program within the City Limits of Crestview.

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

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is section 166.021, Florida Statutes, and Section 2 of The City of Crestview Charter.

SECTION 2 – CHAPTER 32 – FAIR HOUSING, OF THE CODE OF ORDINANCES. Chapter 32 – Fair Housing, in its current form is hereby repealed and replaced with Chapter 32 – Housing as attached hereto and incorporated herein (Attachment 1).

SECTION 3 - 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 4 - 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 5 - 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 6 - 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 7 – EFFECTIVE DATE. The effective date of this ordinance shall be thirty (30) days after the adoption on second reading by the City Council.

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

Approved by me this ____ day of _____, 2023.

J. B. Whitten
Mayor

ATTEST:

Maryanne Schrader
City Clerk

CHAPTER 32- HOUSING

ARTICLE I. – IN GENERAL

Secs. 32-1 – 32-11. – Reserved.

ARTICLE II. – STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

Sec. 32-12. – Purpose.

In accordance with and pursuant to the authority of the general laws of the State of Florida, and Chapters 163 and 420, Florida Statutes, this article specifies the requirements for the planning, implementation, and receipt of funds under the State Housing Initiatives Partnership (SHIP) Program as governed by Chapter 420, Florida Statutes, and Rule 67-37, Florida Administrative Code.

Sec. 32-13. – Definitions.

For purposes of their use in this article, specific terms shall be defined the same as defined in Section 420.9071, Florida Statutes. Where no definition exists in Section 420.9071, Florida Statutes, specific terms shall be defined the same as defined in Section 420.0004, Florida Statutes.

Sec. 32-14. – Local Housing Assistance Trust Fund.

- (a) There shall be created within the official fiscal and accounting records of the city, a specifically designated and dedicated local housing assistance trust fund, hereinafter referred to as “the fund.”
 - (1) The fund shall be created within 30 days of the effective date of this article.
 - (2) The fund shall be solely reserved for the deposit and expenditure of funds in support of the Local Housing Assistance Program as required by Chapter 420, Florida Statutes and Rule 67-37, Florida Administrative Code.
 - (3) The fund shall be audited annually, and the financial condition thereof shall be separately stated in the audited financial statements of the city. Copies of said audit shall be provided to the state housing finance agency, the state department of community affairs and/or other agencies designated by law.
 - (4) All investment earnings shall be retained in the fund and used for the purposes thereof.
 - (5) Until utilized for the purposes thereof, monies in the fund shall be held solely for use pursuant to the Local Housing Assistance Program.

Sec. 32-15. – Establishment of the Local Housing Assistance Program.

- (a) There is hereby created, the City of Crestview Housing Assistance Program, hereinafter referred to as the program, which includes utilization of SHIP funds in conformity with the

provisions of Chapter 420, Florida Statutes, Rule 67-37, Florida Administrative Code, and implementation of the City of Crestview Comprehensive Plan.

- (b) SHIP funds may be used to provide down-payment assistance, construction subsidies, mortgage reduction payments, mortgage interest rate subsidies, and/or direct mortgage loans to eligible persons and households to assist in purchase of newly constructed or existing affordable housing, in accordance with the provisions of Chapter 420, Florida Statutes.
- (c) SHIP funds may be used to supplement existing state housing finance agency projects or activities undertaken within the city for the specific purpose of providing additional funding for the state housing finance agency's State Apartment Incentive Loan (SAIL) projects within the City.
- (d) SHIP funds may be used to provide emergency housing repairs through existing weatherization program service providers pursuant to Sections 409.509 – 409.5093, Florida Statutes.
- (e) The cost of administering the Local Housing Assistance Program shall not exceed ten percent of the funding received from the state pursuant to the state Housing Initiative Partnership Act.
- (f) The Local Housing Assistance program shall include all other lawful objectives not previously listed if said objectives have been adopted by resolution of the city council into the Local Housing Assistance Plan (LHAP) in the manner prescribed for by Sections 420.907 – 420.9079, Florida Statutes and Rule 67-37, Florida Administrative Code.

Sec. 32-16. – Intent and purpose of the Local Housing Assistance Program.

- (a) The intent and purpose of the Local Housing Assistance Program is:
 - (1) To increase the availability of affordable housing units by combining local resources and cost-saving measures into a local housing partnership and using private and public funds to reduce the cost of housing.
 - (2) To promote more compact urban development and assist in achieving the growth management goals contained in the comprehensive plan by allowing more efficient use of land so as to provide housing units that are affordable to persons who have special housing needs or are very low-, low-, or moderate-income.
 - (3) To promote design and construction that reduce long-term costs relating to maintenance, utilities, or insurance.
 - (4) To promote mixed-income housing to provide increased housing and economic opportunities for persons who have special housing needs and/or who are very low, low, or moderate income; and
 - (5) To develop the organizational and technical capacity of community-based organizations to optimize the role of such organizations in the production of affordable housing.

Sec. 32-17. – SHIP program administration and implementation.

- (a) The Community Development Services Department shall develop and implementation of the Local Housing Assistance Program, with the following responsibilities:
 - (1) Coordinate with the local housing partnership to monitor the success of the program and provide advice and suggestions regarding potential program improvement from year to year.
 - (2) Coordinate with the local housing partnership in local, state, and federal programs to maximize the production of eligible housing through the program.
- (b) The total amount paid for any administrative expenses in connection with the Local Housing Assistance Program will not exceed ten percent of the local SHIP funding distribution.
- (c) The city, the local housing partnership, and all eligible sponsors shall not discriminate in the loan application process involving eligible persons and eligible housing on the basis of race, creed, religion, color, age, sex, sexual preference, marital status, familial status, national origin, or handicap.
- (d) The city shall comply with the rules and regulations of the state housing finance agency in connection with required reporting by the city of compliance with its Local Housing Assistance Program.
- (e) Prior to receiving an award, all eligible persons or eligible sponsors shall enter into an agreement to comply with the affordable housing criteria provided under Sections 420.907 – 420.9079, Florida Statutes, and this article. All eligible persons or eligible sponsors shall include in the deed transferring ownership of the property to the eligible person or eligible sponsor a covenant agreeing to comply with the terms of the above-described laws which covenant will run with the land or in the alternative, the agreement shall be made a part of the mortgage agreement. Failure to comply with the covenant in the mortgage shall result in a default of the mortgage with all remedies and rights for enforcement inuring the benefit of the city.
- (f) Eligible sponsors receiving assistance from both the State Housing Initiative Partnership (SHIP) Program and the Low Income Housing Tax Credit (LIHTC) Program shall be required to comply with the income, affordability, and other LIHTC requirements. Similarly, any eligible housing receiving assistance from SHIP and other federal programs shall be required to comply with any requirements specified by the federal program in addition to SHIP requirements.

Sec. 32-18. – Affordable Housing Advisory Committee.

- (a) The Crestview Affordable Housing Advisory Committee, hereinafter referred to as the committee, shall consist of 8 members, as stipulated in Section 420.9076, Florida Statutes.
- (b) The committee shall serve in an advisory capacity, perform the required functions, and operate as stipulated in Section 420.9076, Florida Statutes.
- (c) Appointment of individuals to the committee shall be by resolution of the city council.

- (d) Members shall initially serve for three-year terms and may be reappointed for subsequent terms.
- (e) A simple majority of the membership of the committee shall be required to conduct official business.
- (f) Committee meetings shall be publicly noticed in a newspaper of general circulation.
- (g) Meetings shall be held annually. Additional meetings may be called as needed to conduct necessary business.
- (h) Administrative support for the committee shall be provided by the Community Development Services Department and City Clerk's office, as applicable.



Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/17/2023
SUBJECT: Ordinance 1922 - Richburg Lane Annexation

BACKGROUND:

On September 13, 2021, staff received a Petition for Utility Services for a property located at 2810 Richbourg Lane, which is outside the city limits of Crestview. Staff has determined that, per the agreement, the property is contiguous and eligible for annexation.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed Use.

The Planning and Development Board recommended approval on April 3, 2023, and the first reading was approved by the City Council on April 10, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: GIP Crestview LLC
21805 W Field Pkwy Ste 150
Deer Park, IL 60010
Parcel ID: 09-3N-23-0000-0011-001C
Site Size: 2.45 acres
Current FLU: Okaloosa County Mixed Use
Current Zoning: Okaloosa County Mixed Use
Current Land Use: Commercial

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

Direction	FLU	Zoning	Existing Use
North	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Vacant
East	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Vacant
South	Okaloosa County Commercial	Okaloosa County General Commercial	Commercial
West	Okaloosa County Mixed Use and Commercial (C)	Okaloosa County Mixed Use and Commercial High-Intensity District (C-2)	Commercial

The subject property is currently developed for commercial use and a development application has not been submitted. Based on the proposed land-use and zoning designations, the property use will continue as commercial.

Staff has reviewed the application based on the criteria detailed in Florida statute 171.043 for annexations and finds the following:

- The property is contiguous to the city limits;
- The property is comprised of one (1) lot in unincorporated Okaloosa County, and is therefore considered compact;
- The annexation of the property would not create an enclave
- The subject property is not included in the boundary of another municipality; and,
- The subject property meets the definition of urban purposes.

A notice was sent to the property owner on March 3, 2023. Courtesy notices were mailed to property owners within 300 feet of the subject property on March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

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

There are no fees for this annexation. The cost of advertising was \$544.50.

The successful annexation of this property will have positive future impacts, including ad valorem revenue based on future taxable assessed value, development and building permit fees, and utility usage fees.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1922 on second reading.

Attachments

1. 2810 Richbourg Lane Out of City Water
2. Exhibit Packet

ORDINANCE: 1922

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 2.45 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, AND BEING DESCRIBED AS SET FORTH HEREIN; PROVIDING FOR AUTHORITY; PROVIDING FOR LAND DESCRIPTION; PROVIDING FOR BOUNDARY; PROVIDING FOR LAND USE AND ZONING DESIGNATION; PROVIDING FOR AMENDMENT TO THE BASE, LAND USE AND ZONING MAPS; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR FILING WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY AND THE FLORIDA DEPARTMENT OF STATE; 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 Chapter 171, Florida Statutes, and Section 2 of the City Charter.

SECTION 2 – LAND DESCRIPTION. The following described unincorporated area contiguous to the City of Crestview, Florida, is hereby annexed to the City:

PIN # 09-3N-23-0000-0011-001C (Deed recorded in Book 3567, page 1724, dated August 1, 2021)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, THENCE PROCEED S 2°12'07" W, A DISTANCE OF 62.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF RICHBURG LANE, THENCE PROCEED S 2°12'04" W, A DISTANCE OF 208.45 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED:

THENCE PROCEED S 2°12'04" W, A DISTANCE OF 461.51 FEET TO A POINT; THENCE PROCEED S 59°27'36" E, A DISTANCE OF 237.11 FEET TO A POINT; THENCE PROCEED N 2°12'04" E, A DISTANCE OF 218.58 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 136.00 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 54.55 FEET THROUGH A CENTRAL ANGLE OF 22°58'55" (CHORD: N 9°17'24" W, 54.19 FEET) TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.00 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 137.90 FEET THROUGH A CENTRAL ANGLE OF 42°42'32" (CHORD: N 0°34'24" E, 134.73 FEET) TO A POINT OF TANGENCY; THENCE PROCEED N 21°55'40" E, A DISTANCE OF 81.38 FEET TO A POINT; THENCE PROCEED N 2°07'48" E, A DISTANCE OF 91.03 FEET TO A POINT; THENCE PROCEED N 87°46'54" W, A DISTANCE OF 221.43 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL LYING WITHIN THE NORTHWEST QUARTER OF SECTION 9,
TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA.

SECTION 3 – BOUNDARY. The existing boundary line of the City of Crestview, Florida, is modified to include the herein referenced tract of land and the base, zoning and land use maps shall be updated to reflect these changes pursuant to law.

SECTION 4 – LAND USE AND ZONING. Pursuant to general law, the property hereby annexed was subject to Okaloosa County land development, land use plan, and zoning or subdivision regulations, which shall remain in full force and effect until rezoning and land use changes are finalized by the City in compliance with the Comprehensive Plan.

SECTION 5 – COMPREHENSIVE PLAN UPDATE. Pursuant to Chapter 163.011, et seq. petitioner for annexation shall apply through the City for a Comprehensive Plan change which will designate the future land use category for the parcel, with a zoning designation to be assigned and run concurrent with the approval and adoption of the Comprehensive Plan amendment by the proper authorities.

SECTION 6 – MAP UPDATE. The Base, Zoning and Future Land Use Maps shall be updated at the earliest possible date.

SECTION 7 – FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of Circuit Court of Okaloosa County and with the Florida Department of the State.

SECTION 8 – 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 9 – 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 10 – 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 11 – 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 12 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

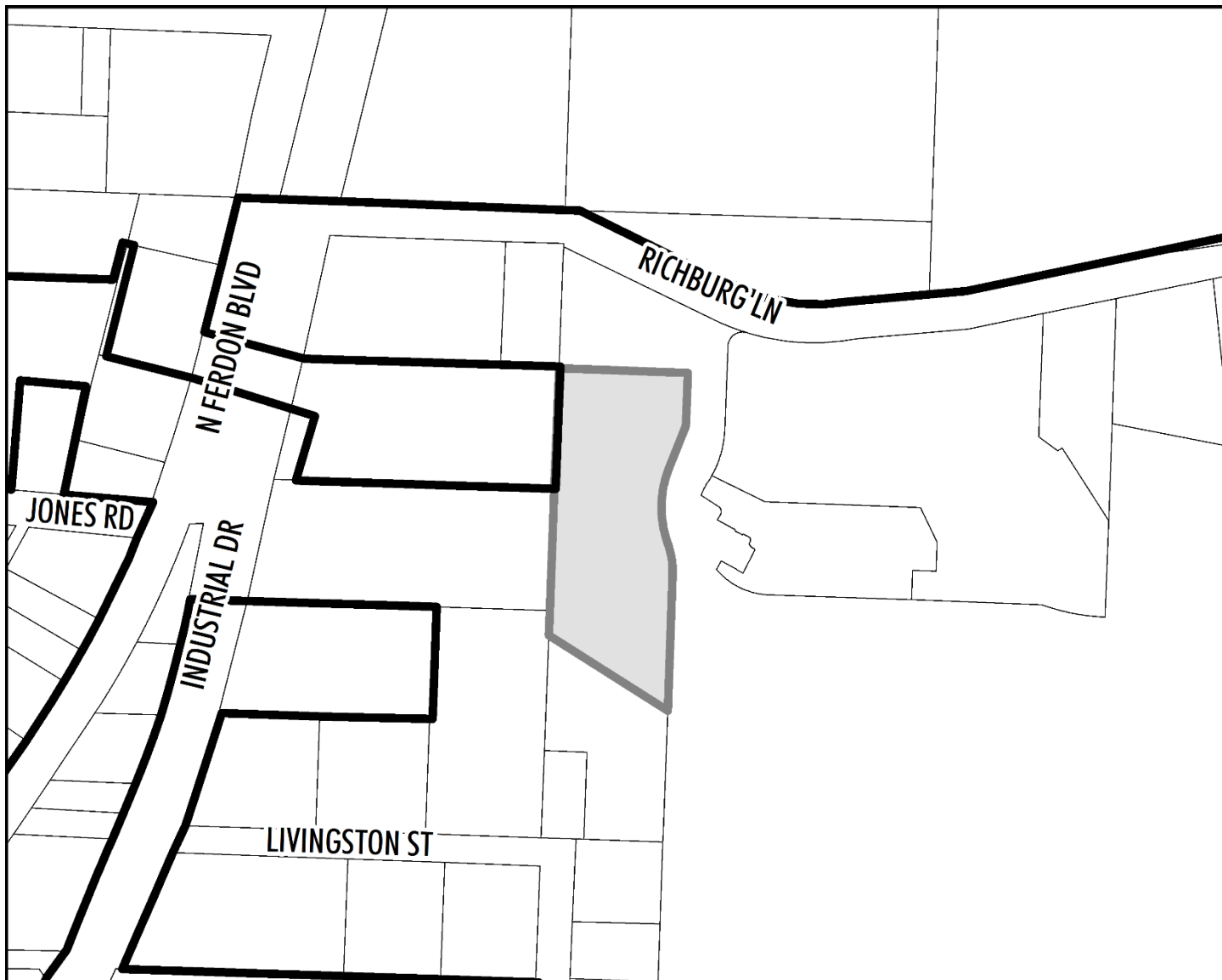
Passed and adopted on second reading by the City Council of Crestview, Florida on the 24th day of April, 2023.

ATTEST:

Maryanne Schrader
City Clerk

Approved by me this 24th day of April, 2023.

J. B. Whitten
Mayor





CITY OF CRESTVIEW PETITION FOR UTILITY SERVICE(S)

I (We), the undersigned citizen(s) or business entity, located within the confines of Okaloosa County and adjacent to but outside the corporate limits of Crestview, Florida do hereby petition and request the City of Crestview to provide residential or commercial potable water or sewer or both service(s) of the City.

By this petition, and if accepted, I (we) understand the provisions imposed by Articles II and IV, of Chapter 90 of the City Code apply, and that concurrency must be authorized and available pursuant to Chapter 163, F.S. and the Crestview Comprehensive Plan.

I (we) further understand that as a condition of the City agreeing to provide water and/or sewer services to such property, the Customer(s) agree to annex the property into the city if the property is contiguous to existing city boundaries or becomes contiguous in the future and meets the requirements of the Ch 171, Florida Statutes and City of Crestview Annexation Policy #90-1.

Address of Property: 2810 Richburg Lane, Crestview, Florida 32539

Location of Property: Crestview, Florida

Tax I.D. Number: 84-2671640

Type (s) of Service Requested: Water and Sewer

I (we) the undersigned citizen(s) or business entity further understand that upon Administrative approval, a Municipal Services Agreement shall be executed between the City and petitioners and all fees paid as a condition precedent to utility services.

Rachel Jerkins as agent for GIP Crestview, LLC

Printed Name of Property Owner

9/13/2021

Date

Printed Name of Property Owner

Date

Rachel Jerkins

Signature of Property Owner

850-418-6783

Telephone Number

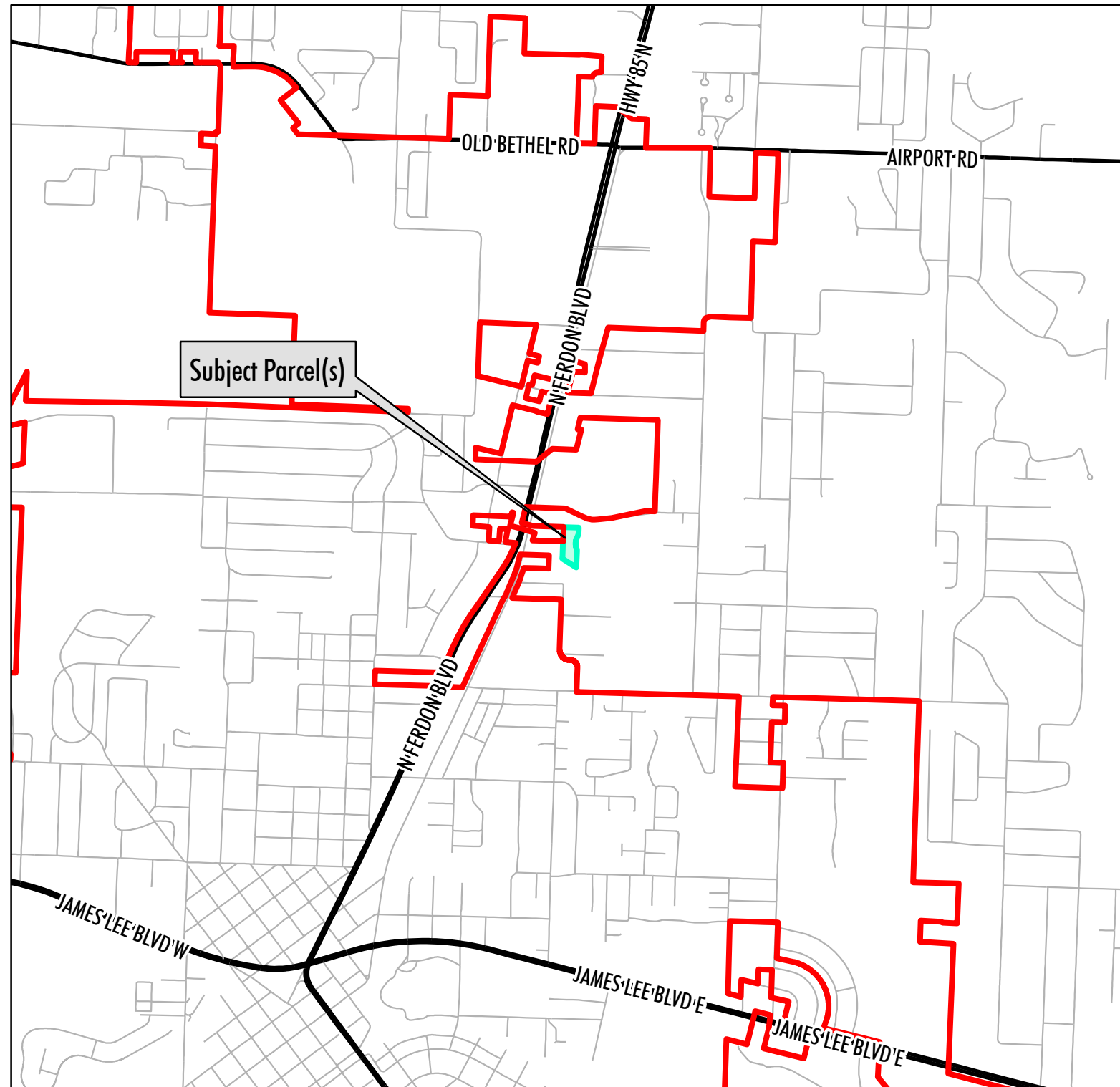
Signature of Property Owner

Telephone Number

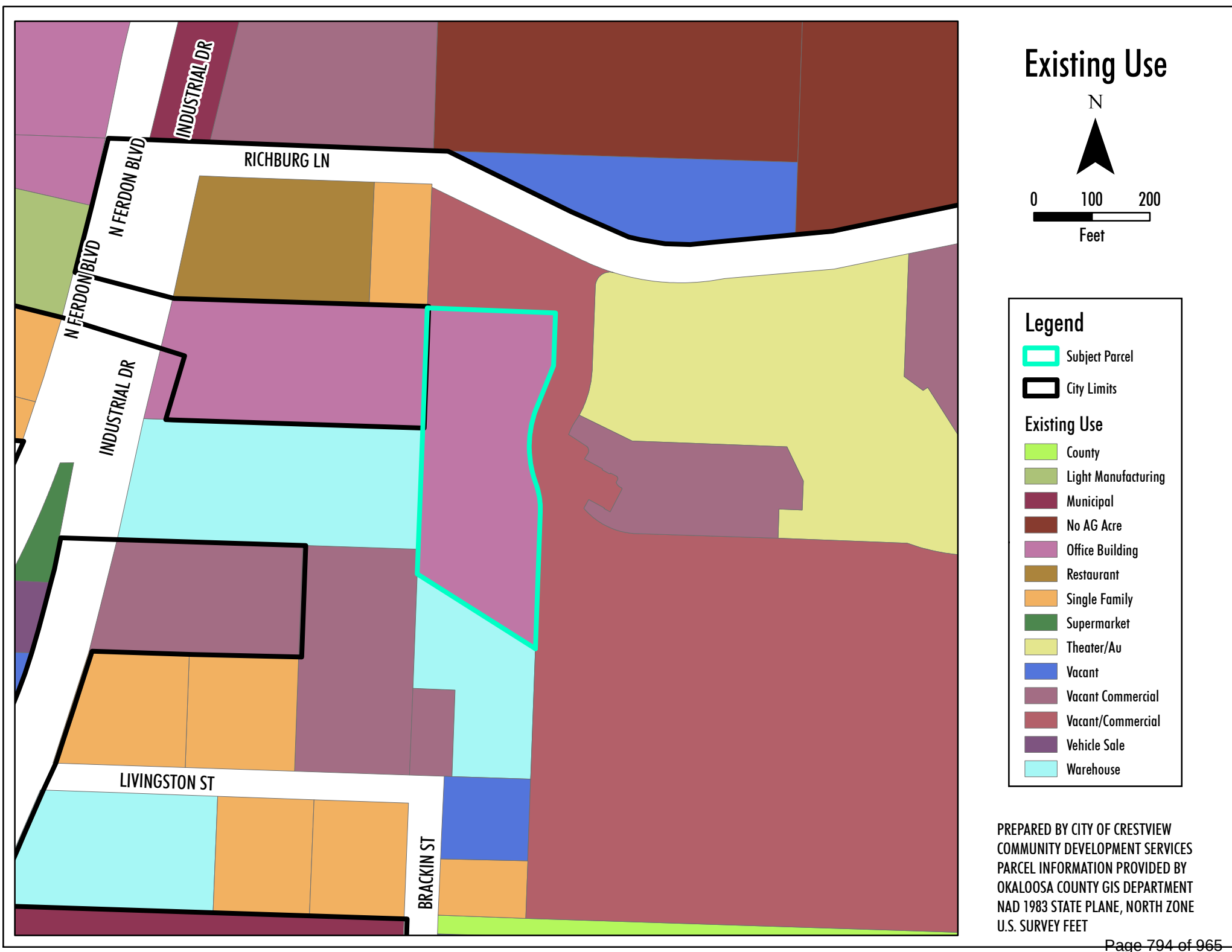
Vicinity Map



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

N



0 100 200
Feet

Legend

Subject Parcel

City Limits

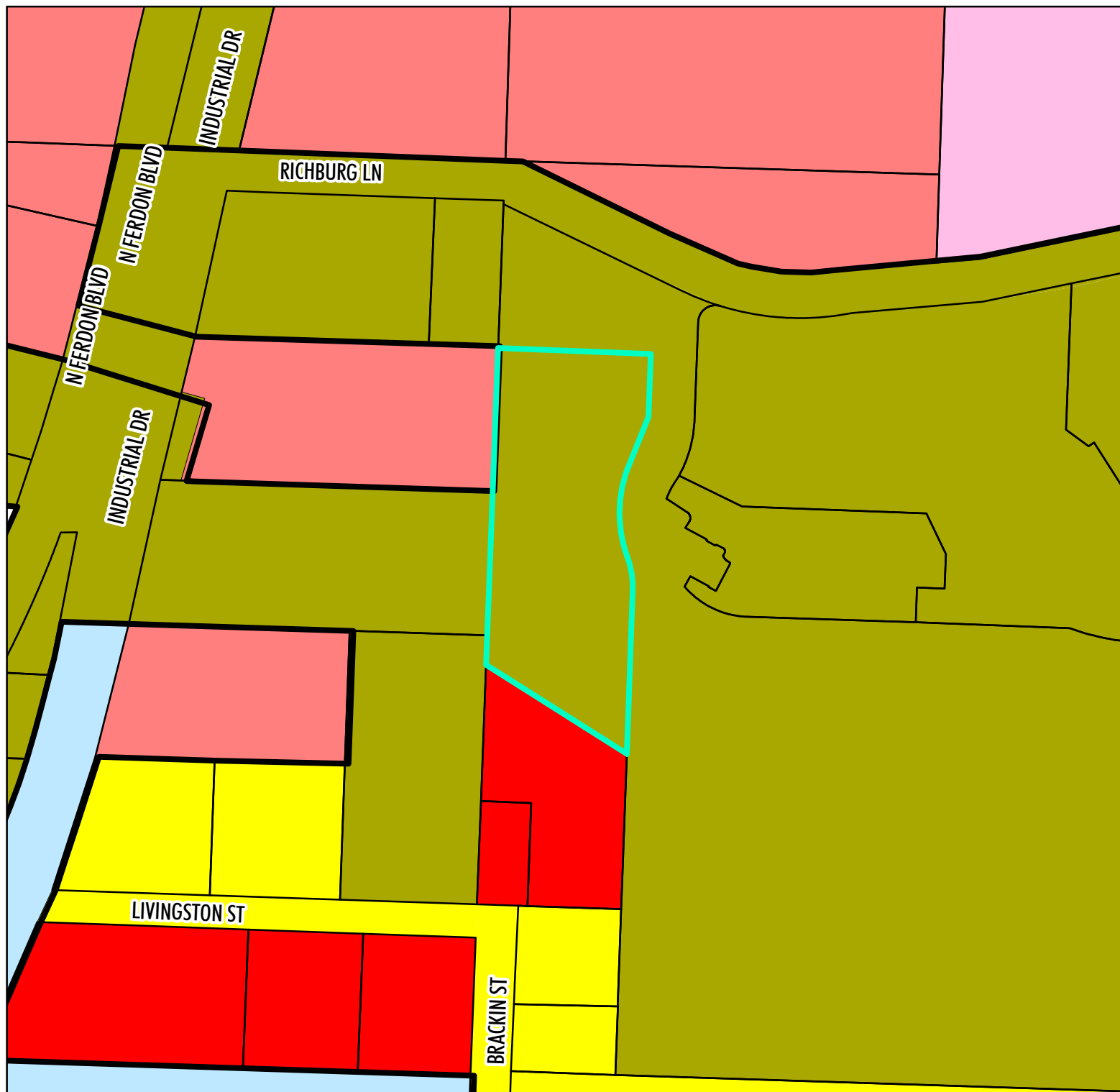
City Future Land Use

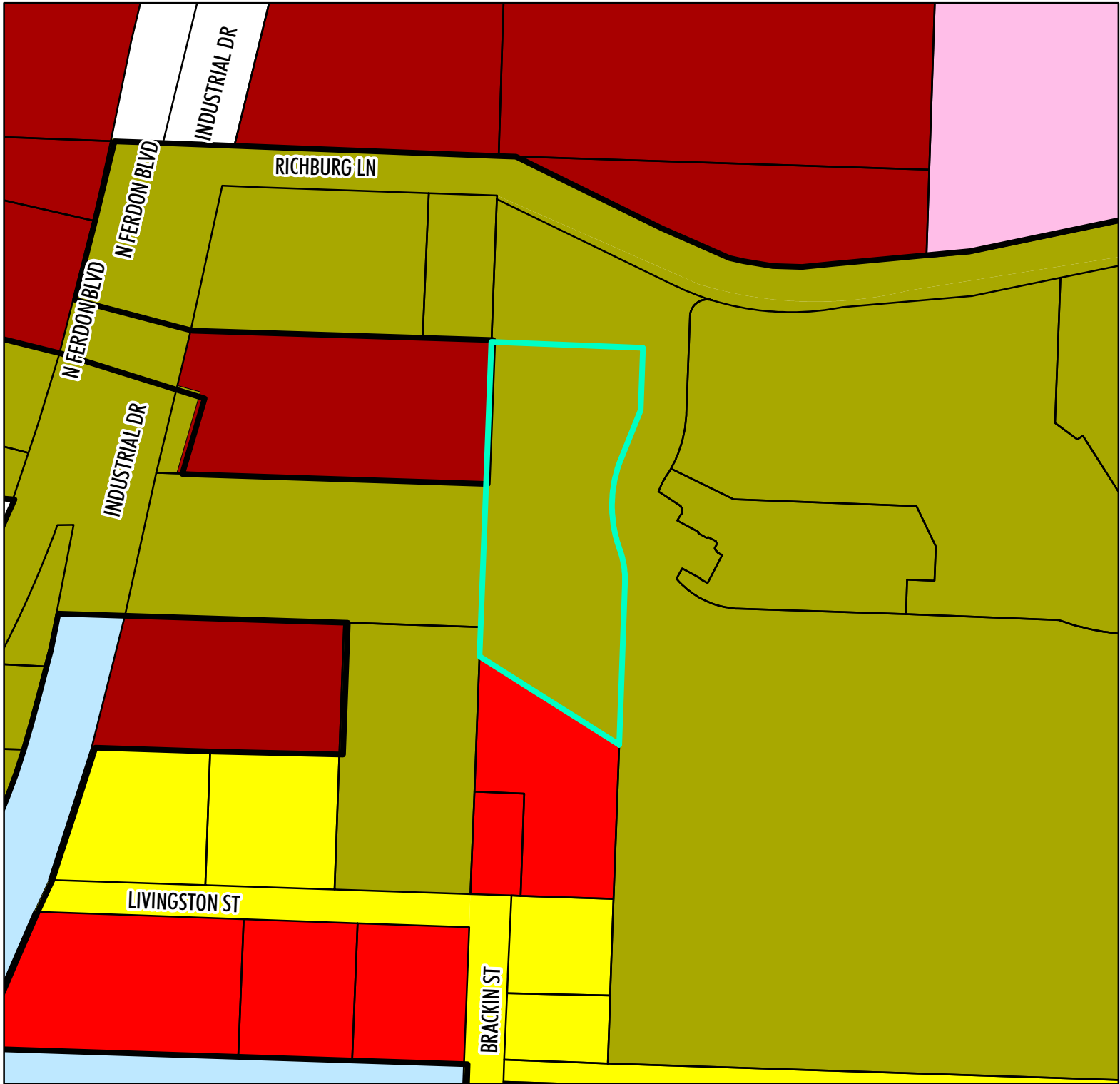
- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

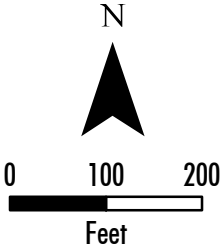
- Commercial (C)
- Low Density Residential (LDR)
- Mixed Use (MU)

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





Current 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

Proposed Future Land Use



0 100 200
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

 Public Lands (PL)

 Residential (R)

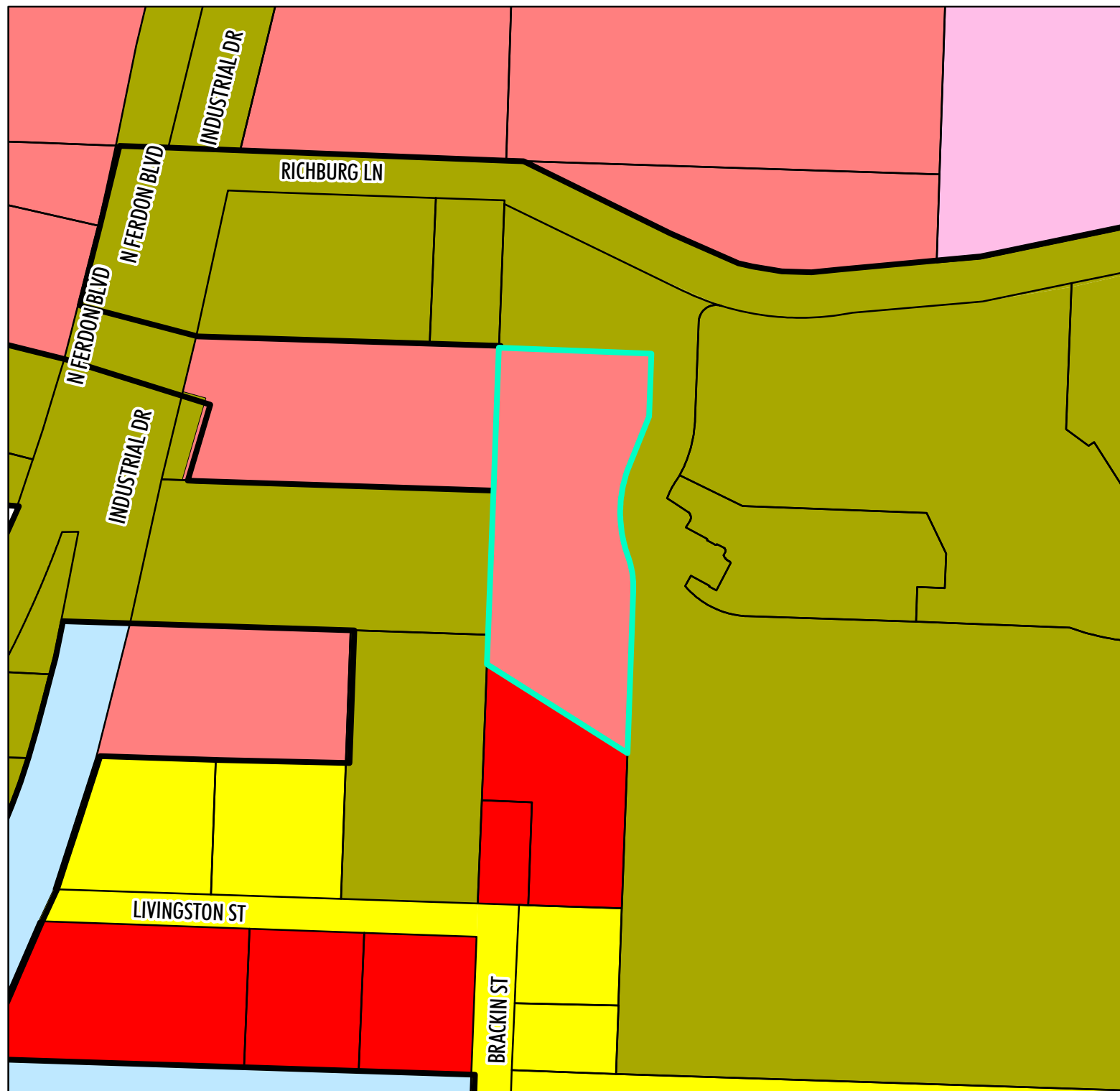
County Future Land Use

 Commercial (C)

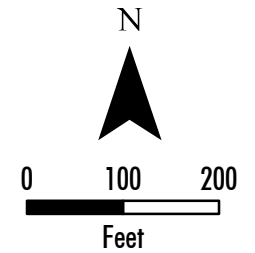
 Low Density Residential (LDR)

 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

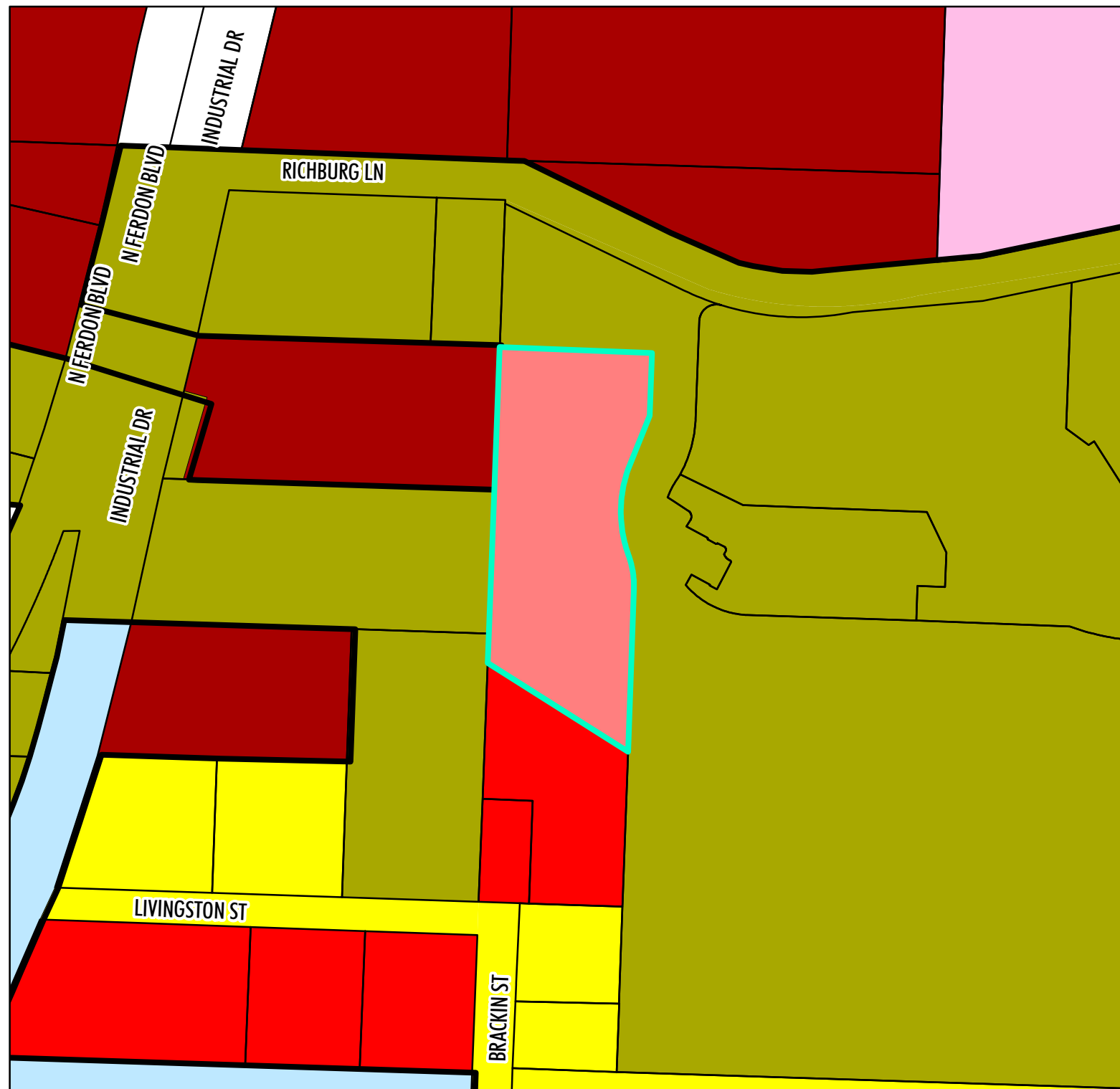
City Zoning

-  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





Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/17/2023
SUBJECT: Ordinance 1923 - Richburg Lane Comp Plan Amendment

BACKGROUND:

On September 13, 2021, staff received a Petition for Utility Services for a property located at 2810 Richbourg Lane, which is outside the city limits of Crestview. Staff has determined that, per the agreement, the property is contiguous and eligible for annexation.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed Use.

Staff proposes the Commercial (C) future land use designation for the property.

The Planning and Development Board recommended approval on April 3, 2023, and the first reading was approved by the City Council on April 10, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: GIP Crestview LLC
21805 W Field Pkwy Ste 150
Deer Park, IL 60010
Parcel ID: 09-3N-23-0000-0011-001C
Site Size: 2.45 acres
Current FLU: Okaloosa County Mixed Use
Current Zoning: Okaloosa County Mixed Use
Current Land Use: Commercial

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

Direction	FLU	Zoning	Existing Use
North	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Vacant
East	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Vacant
South	Okaloosa County Commercial	Okaloosa County General Commercial	Commercial
West	Okaloosa County Mixed Use and Commercial (C)	Okaloosa County Mixed Use and Commercial High-Intensity District (C-2)	Commercial

The subject property is currently developed for commercial use and a development application has not been submitted. Based on the proposed land-use and zoning designations, the property use will continue as commercial.

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.

A notice was sent to the property owner on March 3, 2023. Courtesy notices were mailed to property owners within 300 feet of the subject property on March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

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

There are no fees for this comprehensive plan amendment. There is no additional cost of advertising as the comprehensive plan amendment was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1923 on second reading.

Attachments

1. 2810 Richbourg Lane Out of City Water
2. Exhibit Packet

ORDINANCE: 1923

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 OKALOOSA COUNTY MIXED USE TO COMMERCIAL (C) ON APPROXIMATELY 2.45 ACRES, MORE OR LESS, IN SECTION 9, 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 Okaloosa County Mixed Use to Commercial (C) on a parcel of land containing 2.45 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 2.45 acres of land, more or less, from Okaloosa County Mixed Use to Commercial (C). For the purposes of this Ordinance and Comprehensive Plan Amendment, the 2.45 acres, more or less, is known as Parcel 09-3N-23-0000-0011-001C and commonly described as:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, THENCE PROCEED S 2°12'07" W, A DISTANCE OF 62.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF RICHBURG LANE, THENCE PROCEED S 2°12'04" W, A DISTANCE OF 208.45 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED:

THENCE PROCEED S 2°12'04" W, A DISTANCE OF 461.51 FEET TO A POINT; THENCE PROCEED S 59°27'36" E, A DISTANCE OF 237.11 FEET TO A POINT; THENCE PROCEED

N 2°12'04" E, A DISTANCE OF 218.58 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 136.00 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 54.55 FEET THROUGH A CENTRAL ANGLE OF 22°58'55" (CHORD: N 9°17'24" W, 54.19 FEET) TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.00 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 137.90 FEET THROUGH A CENTRAL ANGLE OF 42°42'32" (CHORD: N 0°34'24" E, 134.73 FEET) TO A POINT OF TANGENCY; THENCE PROCEED N 21°55'40" E, A DISTANCE OF 81.38 FEET TO A POINT; THENCE PROCEED N 2°07'48" E, A DISTANCE OF 91.03 FEET TO A POINT; THENCE PROCEED N 87°46'54" W, A DISTANCE OF 221.43 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL LYING WITHIN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA.

The Commercial (C) Future Land Use Category is hereby imposed on Parcel 09-3N-23-0000-0011-001C. 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 09-3N-23-0000-0011-001C 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 24th day of April, 2023.

Approved by me this 24th day of April, 2023.

J. B. Whitten
Mayor

ATTEST: _____

Maryanne Schrader
City Clerk

 Subject Parcel

 City Limits



RESIDUAL (N)

Mixed Use (MU)

LIVINGSTON ST



CITY OF CRESTVIEW PETITION FOR UTILITY SERVICE(S)

I (We), the undersigned citizen(s) or business entity, located within the confines of Okaloosa County and adjacent to but outside the corporate limits of Crestview, Florida do hereby petition and request the City of Crestview to provide residential or commercial potable water or sewer or both service(s) of the City.

By this petition, and if accepted, I (we) understand the provisions imposed by Articles II and IV, of Chapter 90 of the City Code apply, and that concurrency must be authorized and available pursuant to Chapter 163, F.S. and the Crestview Comprehensive Plan.

I (we) further understand that as a condition of the City agreeing to provide water and/or sewer services to such property, the Customer(s) agree to annex the property into the city if the property is contiguous to existing city boundaries or becomes contiguous in the future and meets the requirements of the Ch 171, Florida Statutes and City of Crestview Annexation Policy #90-1.

Address of Property: 2810 Richburg Lane, Crestview, Florida 32539

Location of Property: Crestview, Florida

Tax I.D. Number: 84-2671640

Type (s) of Service Requested: Water and Sewer

I (we) the undersigned citizen(s) or business entity further understand that upon Administrative approval, a Municipal Services Agreement shall be executed between the City and petitioners and all fees paid as a condition precedent to utility services.

Rachel Jerkins as agent for GIP Crestview, LLC
Printed Name of Property Owner

9/13/2021
Date

Printed Name of Property Owner

Date

Rachel Jerkins
Signature of Property Owner

850-418-6783
Telephone Number

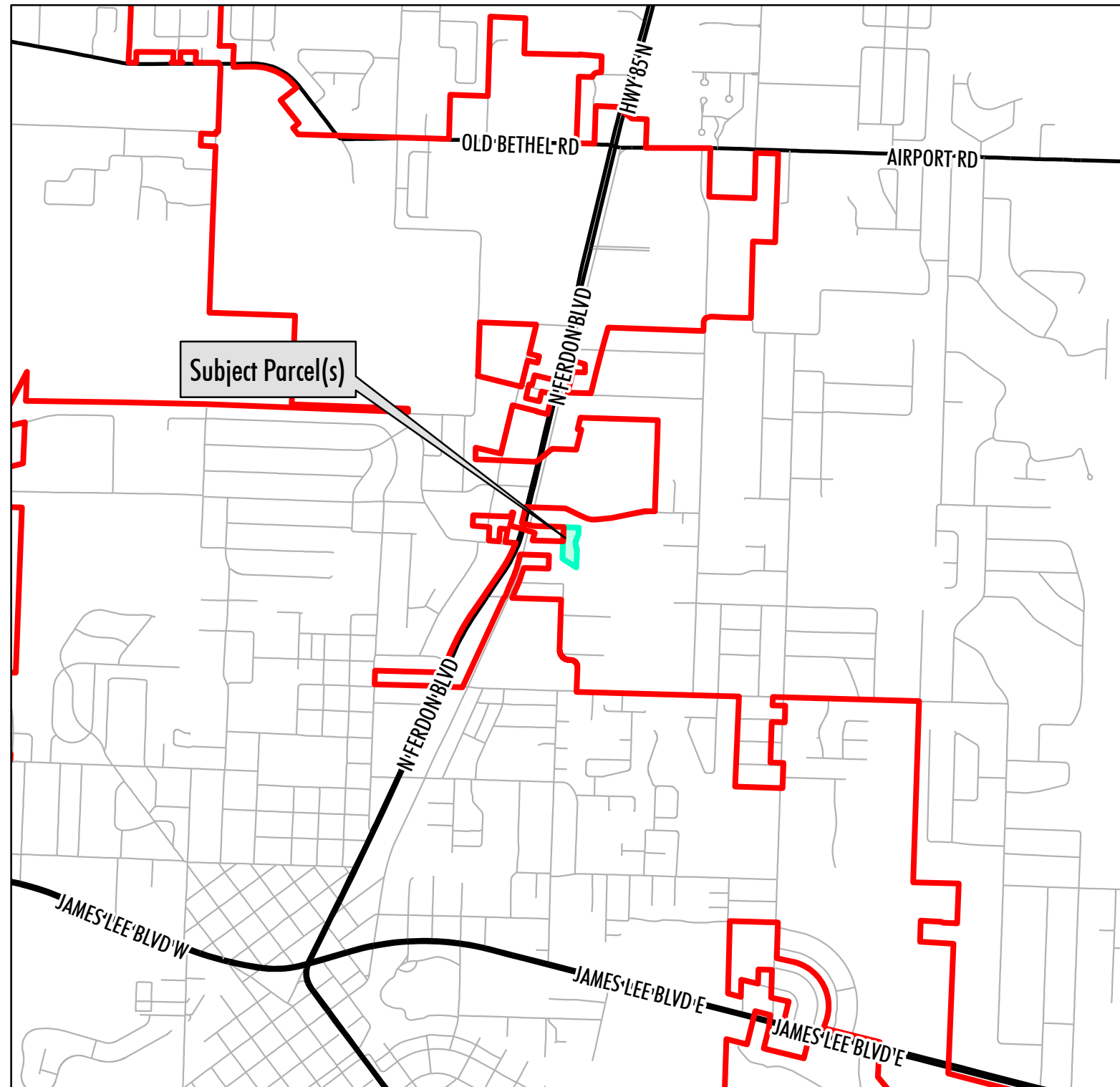
Signature of Property Owner

Telephone Number

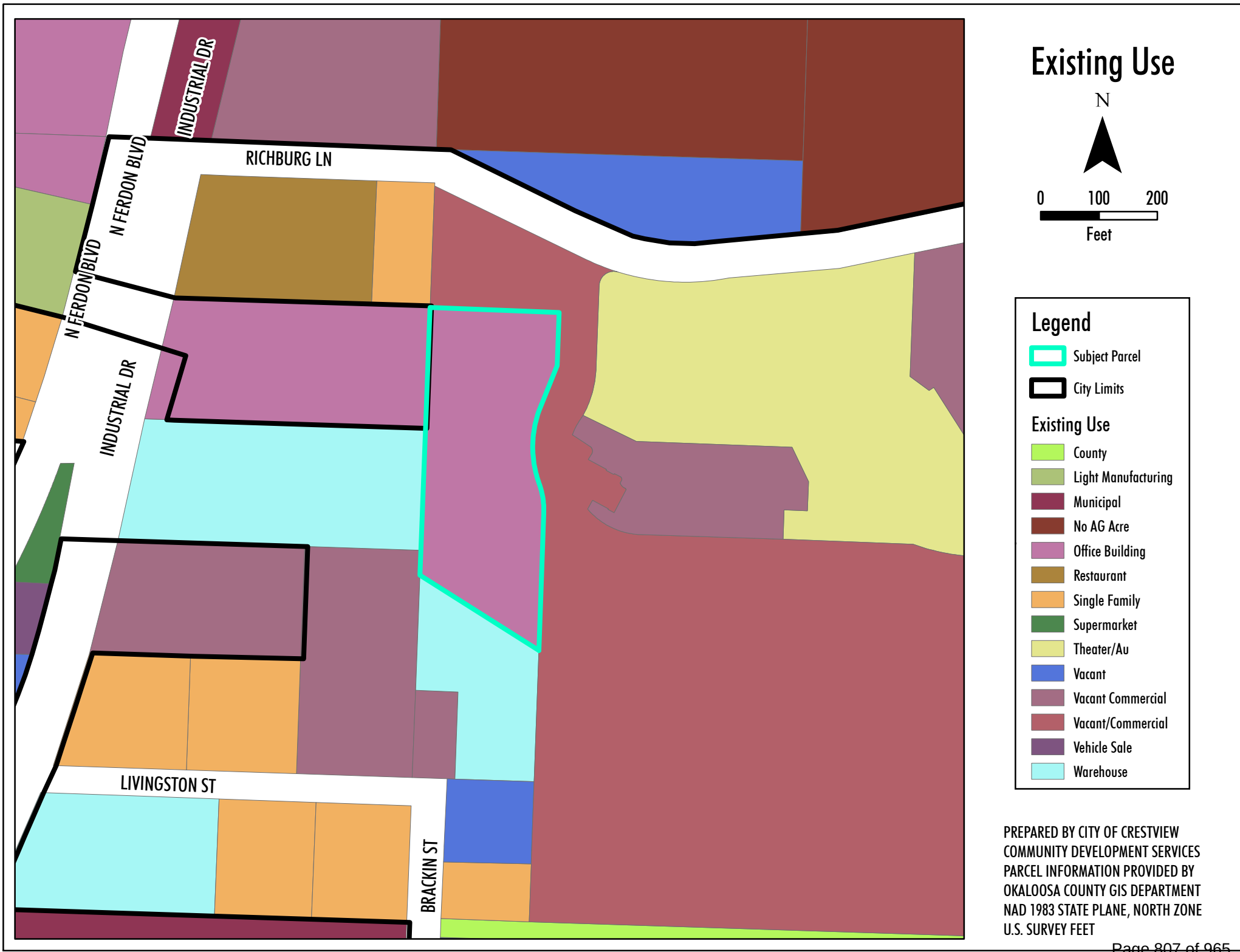
Vicinity Map



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



0 100 200
Feet

Legend

Subject Parcel

City Limits

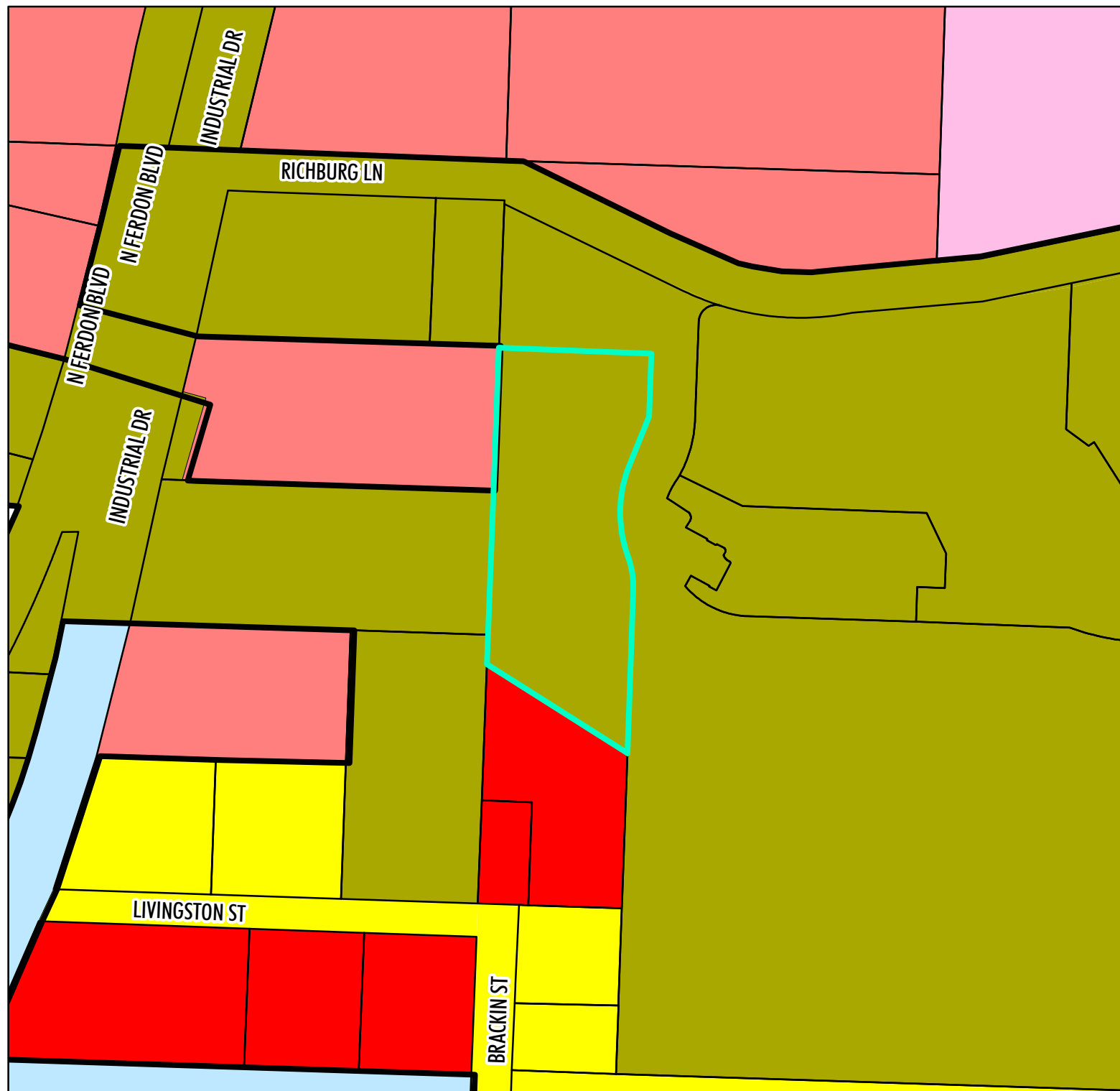
City Future Land Use

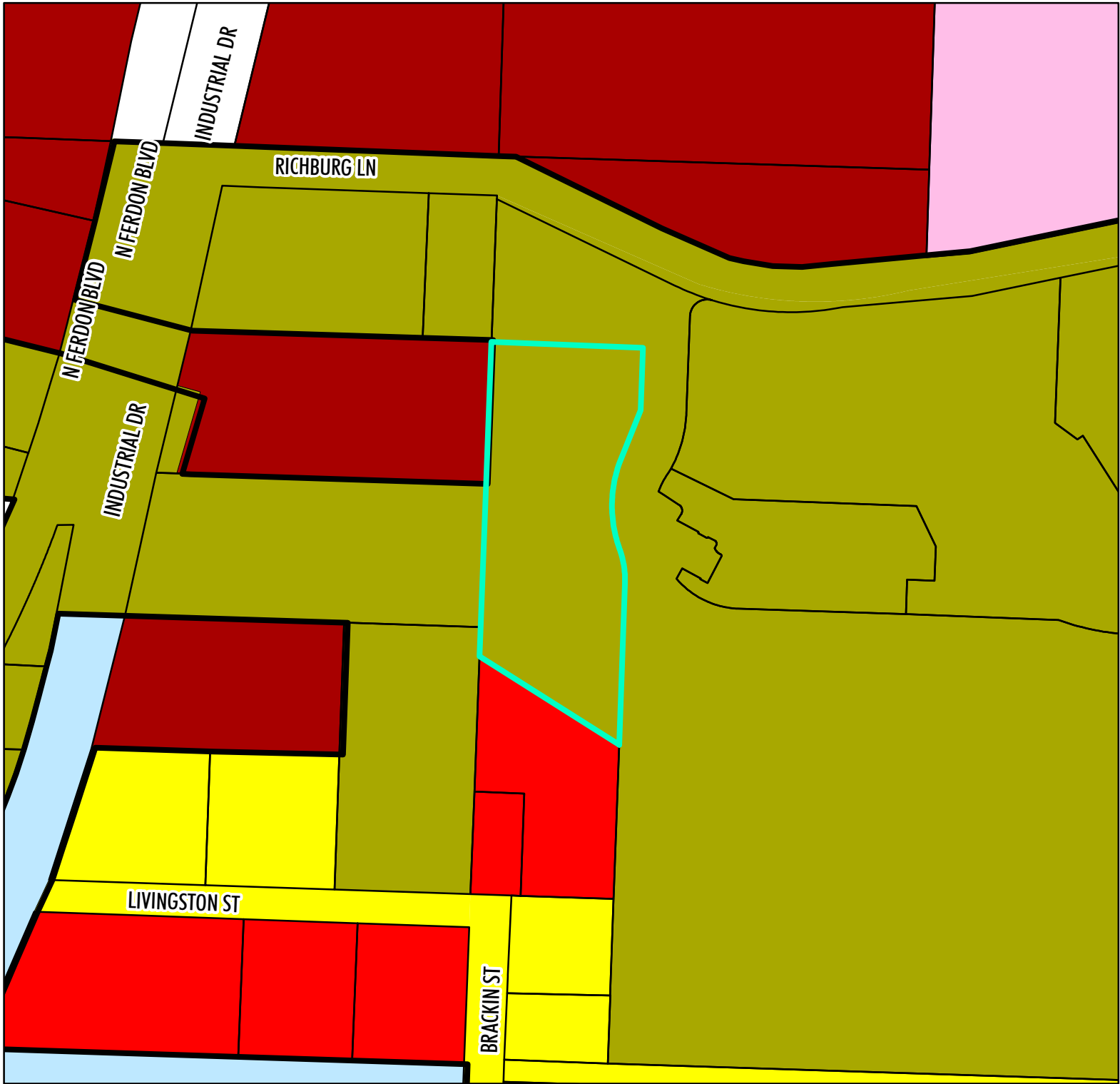
- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

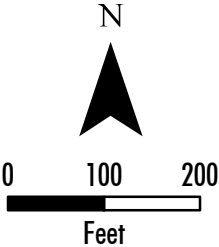
- Commercial (C)
- Low Density Residential (LDR)
- Mixed Use (MU)

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





Current 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

Proposed Future Land Use



0 100 200
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

 Public Lands (PL)

 Residential (R)

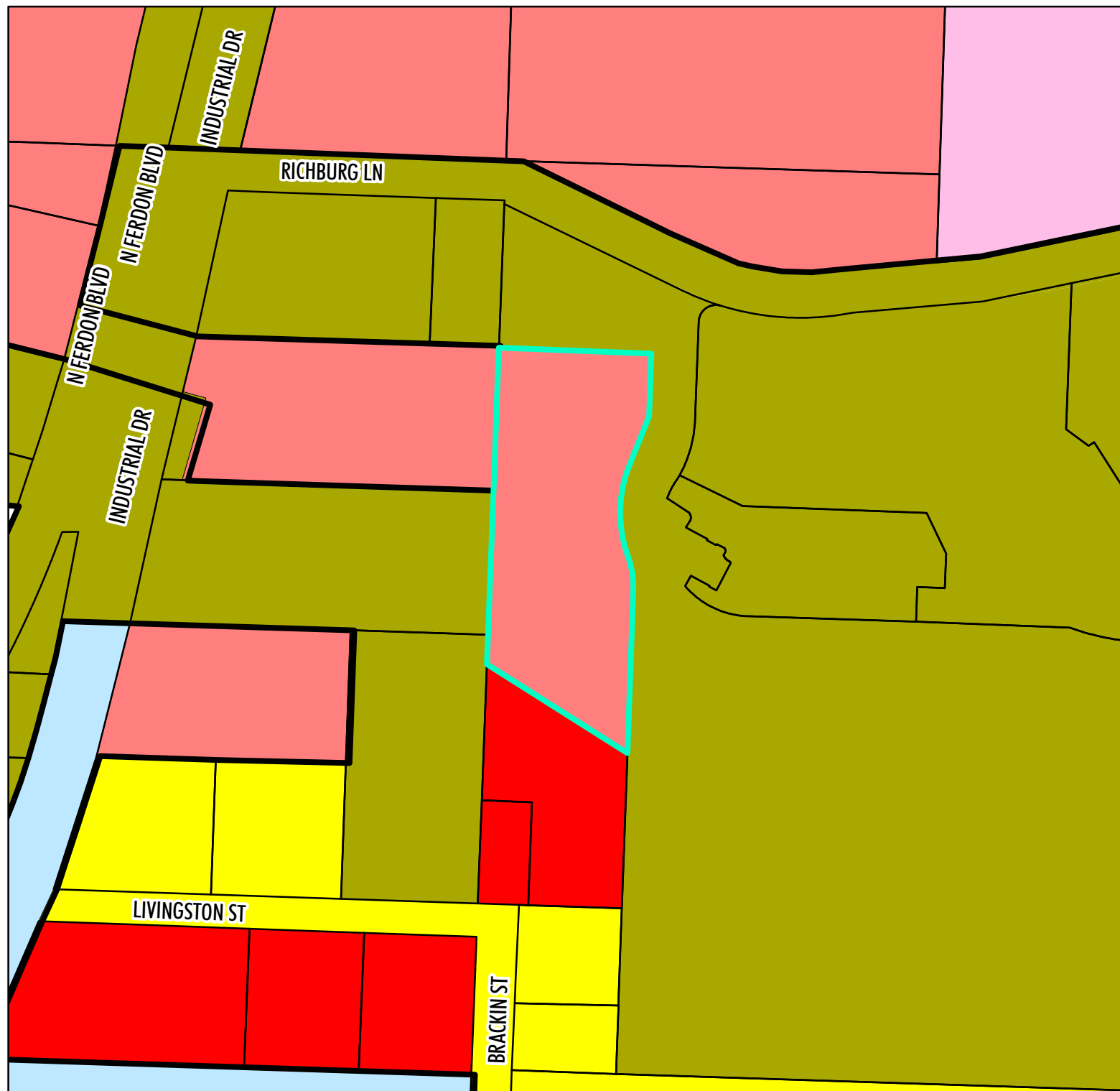
County Future Land Use

 Commercial (C)

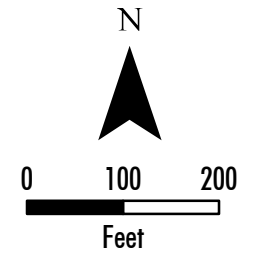
 Low Density Residential (LDR)

 Mixed Use (MU)

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COMMUNITY DEVELOPMENT SERVICES
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OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Proposed Zoning



Legend

 Subject Parcel

 City Limits

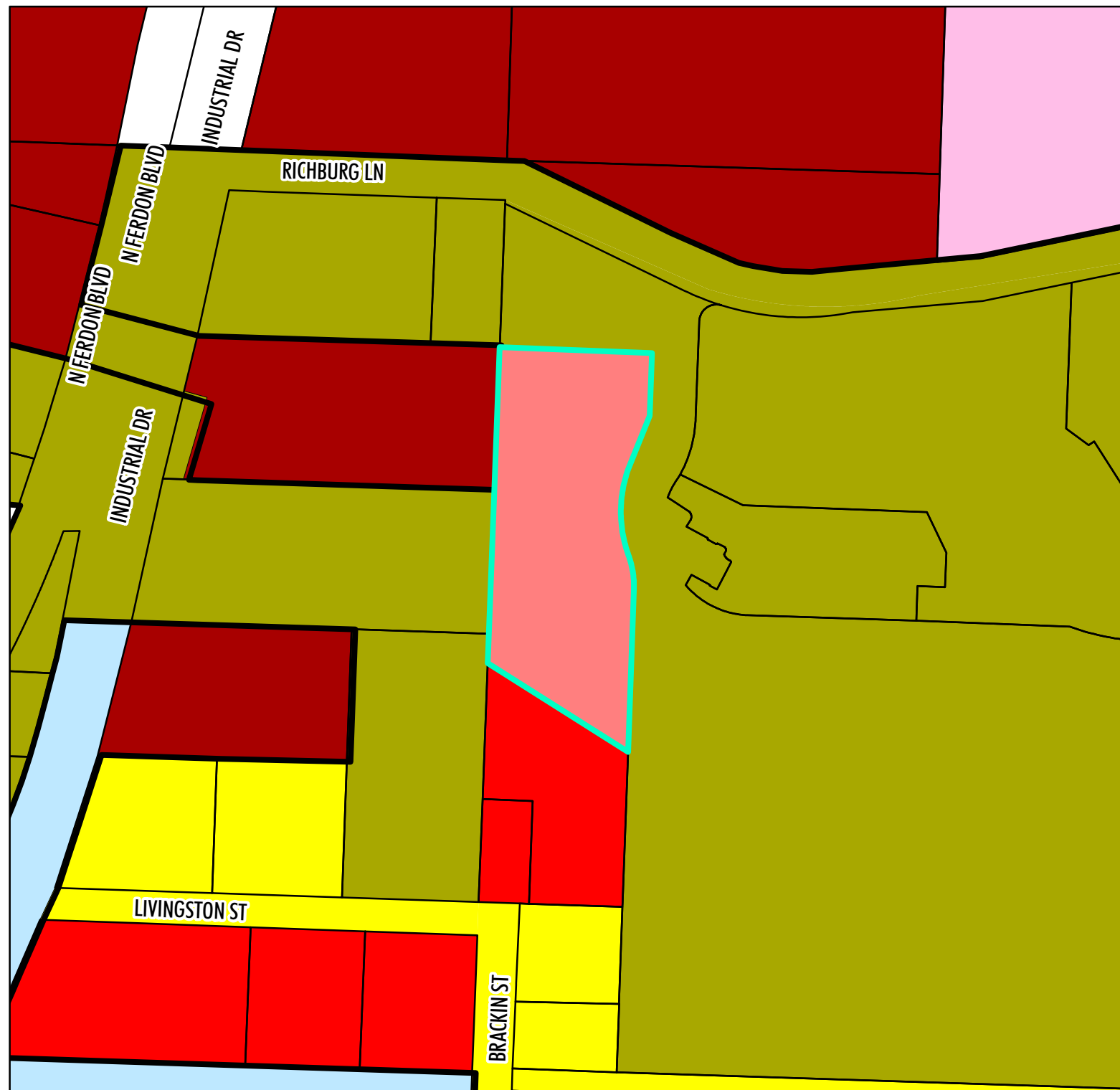
City Zoning

-  Single Family Estate Dwelling District (R-1E)
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-  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





Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/17/2023
SUBJECT: Ordinance 1924 - Richburg Lane Rezoning

BACKGROUND:

On September 13, 2021, staff received a Petition for Utility Services for a property located at 2810 Richbourg Lane, which is outside the city limits of Crestview. Staff has determined that, per the agreement, the property is contiguous and eligible for annexation.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Mixed Use.

Staff proposes the Commercial Low-Intensity District (C-1) zoning designation for the property.

The Planning and Development Board recommended approval on April 3, 2023, and the first reading was approved by the City Council on April 10, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: GIP Crestview LLC
21805 W Field Pkwy Ste 150
Deer Park, IL 60010
Parcel ID: 09-3N-23-0000-0011-001C
Site Size: 2.45 acres
Current FLU: Okaloosa County Mixed Use
Current Zoning: Okaloosa County Mixed Use
Current Land Use: Commercial

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

Direction	FLU	Zoning	Existing Use
North	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Vacant
East	Okaloosa County Mixed Use	Okaloosa County Mixed Use	Vacant
South	Okaloosa County Commercial	Okaloosa County General Commercial	Commercial
West	Okaloosa County Mixed Use and Commercial (C)	Okaloosa County Mixed Use and Commercial High-Intensity District (C-2)	Commercial

The subject property is currently developed for commercial use and a development application has not been submitted. Based on the proposed land-use and zoning designations, the property use will continue as commercial.

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.

A notice was sent to the property owner on March 3, 2023. Courtesy notices were mailed to property owners within 300 feet of the subject property on March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

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

There are no fees for this rezoning. There is no additional cost of advertising as the rezoning was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1924 on second reading.

Attachments

1. 2810 Richbourg Lane Out of City Water
2. Exhibit Packet

ORDINANCE: 1924

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 2.45 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY MIXED USE ZONING DISTRICT TO THE COMMERCIAL LOW-INTENSITY DISTRICT (C-1) 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 2.45 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 2.45 acres, more or less, being formerly zoned Okaloosa County Mixed Use with the Commercial (C) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1923, is hereby rezoned to Commercial Low-Intensity District (C-1) to wit:

PIN # 09-3N-23-0000-0011-001C

COMMENCE AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, THENCE PROCEED S 2°12'07" W, A DISTANCE OF 62.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF RICHBURG LANE, THENCE PROCEED S 2°12'04" W, A DISTANCE OF 208.45 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED:

THENCE PROCEED S 2°12'04" W, A DISTANCE OF 461.51 FEET TO A POINT; THENCE PROCEED S 59°27'36" E, A DISTANCE OF 237.11 FEET TO A POINT; THENCE PROCEED N 2°12'04" E, A DISTANCE OF 218.58 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 136.00 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 54.55 FEET THROUGH A CENTRAL ANGLE OF 22°58'55" (CHORD: N 9°17'24" W, 54.19 FEET) TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.00 FEET; THENCE PROCEED ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 137.90 FEET THROUGH A CENTRAL ANGLE OF 42°42'32" (CHORD: N 0°34'24" E, 134.73 FEET) TO A POINT OF TANGENCY; THENCE PROCEED N 21°55'40" E, A DISTANCE OF 81.38 FEET TO A POINT; THENCE PROCEED N 2°07'48" E, A DISTANCE OF 91.03 FEET TO A POINT; THENCE PROCEED N 87°46'54" W, A DISTANCE OF 221.43 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL LYING WITHIN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA.

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 # 1923 and becomes legally effective.

Passed and adopted on second reading by the City Council of Crestview, Florida on the 24th day of April, 2023.

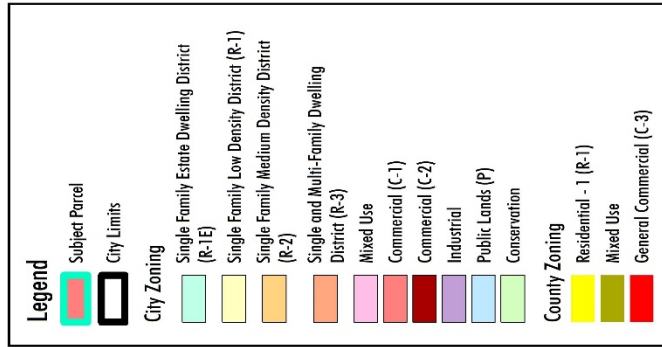
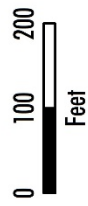
ATTEST:

Maryanne Schrader
City Clerk

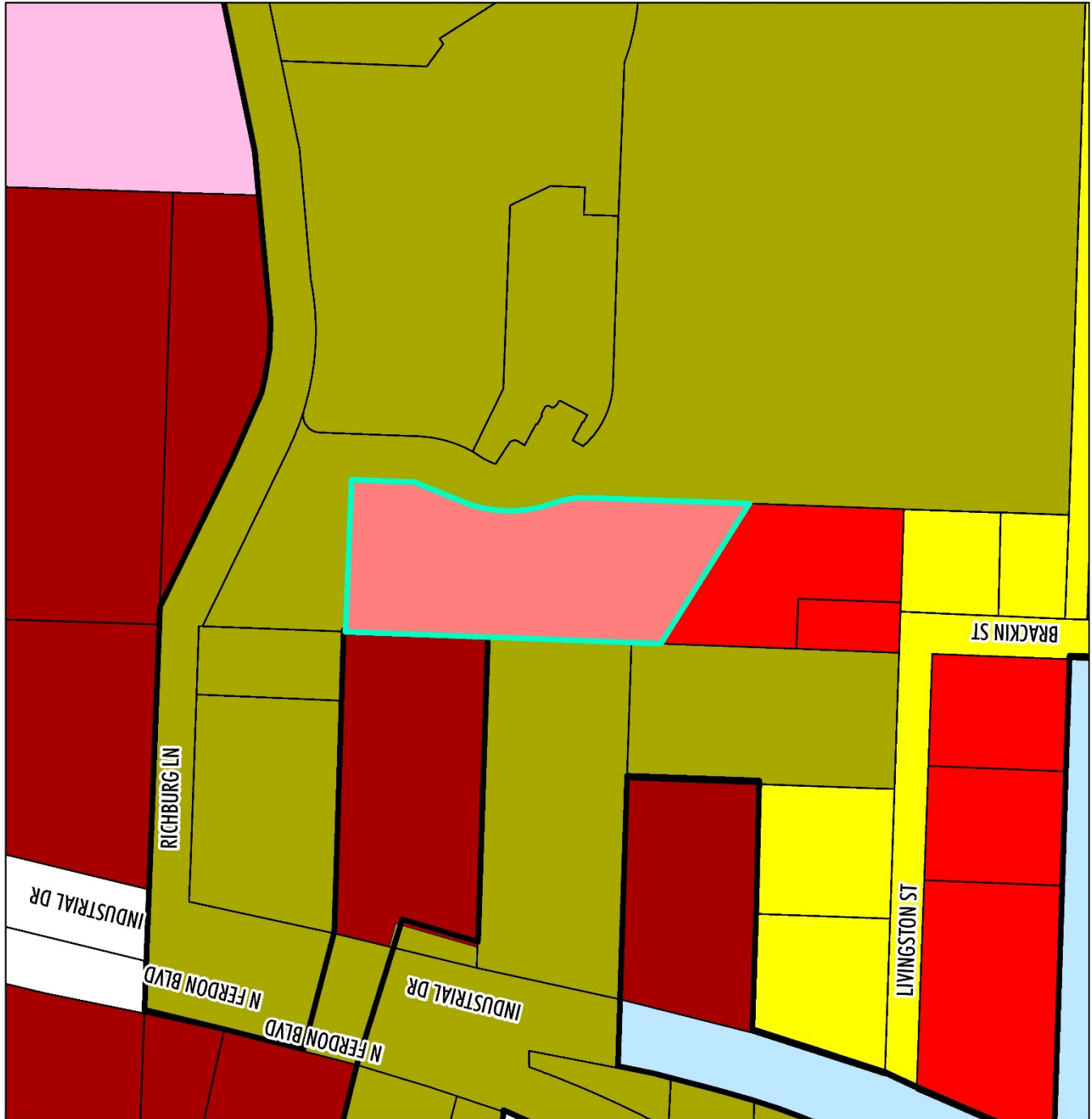
Approved by me this 24th day of April, 2023.

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





CITY OF CRESTVIEW PETITION FOR UTILITY SERVICE(S)

I (We), the undersigned citizen(s) or business entity, located within the confines of Okaloosa County and adjacent to but outside the corporate limits of Crestview, Florida do hereby petition and request the City of Crestview to provide residential or commercial potable water or sewer or both service(s) of the City.

By this petition, and if accepted, I (we) understand the provisions imposed by Articles II and IV, of Chapter 90 of the City Code apply, and that concurrency must be authorized and available pursuant to Chapter 163, F.S. and the Crestview Comprehensive Plan.

I (we) further understand that as a condition of the City agreeing to provide water and/or sewer services to such property, the Customer(s) agree to annex the property into the city if the property is contiguous to existing city boundaries or becomes contiguous in the future and meets the requirements of the Ch 171, Florida Statutes and City of Crestview Annexation Policy #90-1.

Address of Property: 2810 Richburg Lane, Crestview, Florida 32539

Location of Property: Crestview, Florida

Tax I.D. Number: 84-2671640

Type (s) of Service Requested: Water and Sewer

I (we) the undersigned citizen(s) or business entity further understand that upon Administrative approval, a Municipal Services Agreement shall be executed between the City and petitioners and all fees paid as a condition precedent to utility services.

Rachel Jerkins as agent for GIP Crestview, LLC
Printed Name of Property Owner

9/13/2021
Date

Printed Name of Property Owner

Date

Rachel Jerkins
Signature of Property Owner

850-418-6783
Telephone Number

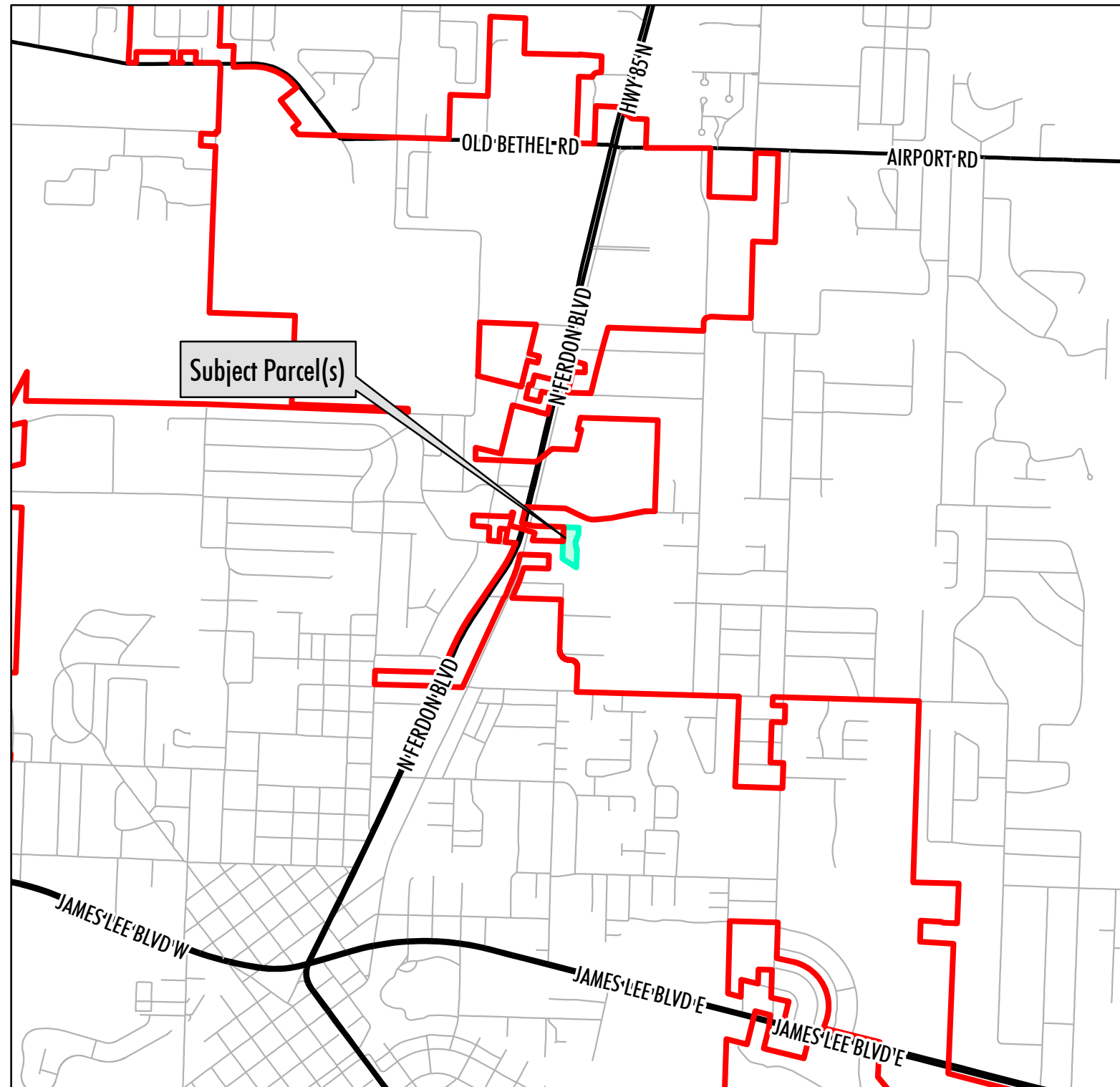
Signature of Property Owner

Telephone Number

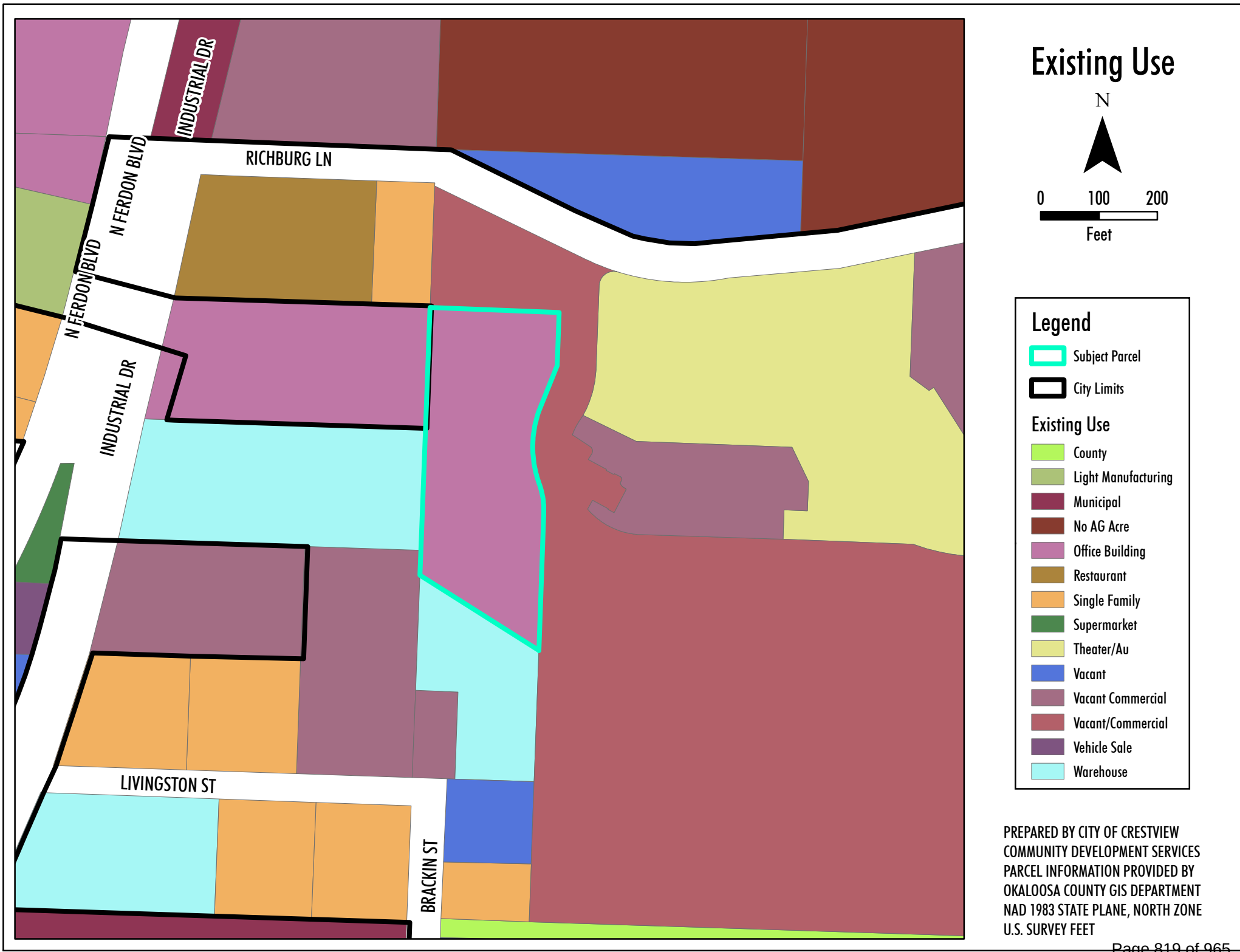
Vicinity Map



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

N



0 100 200
Feet

Legend

Subject Parcel

City Limits

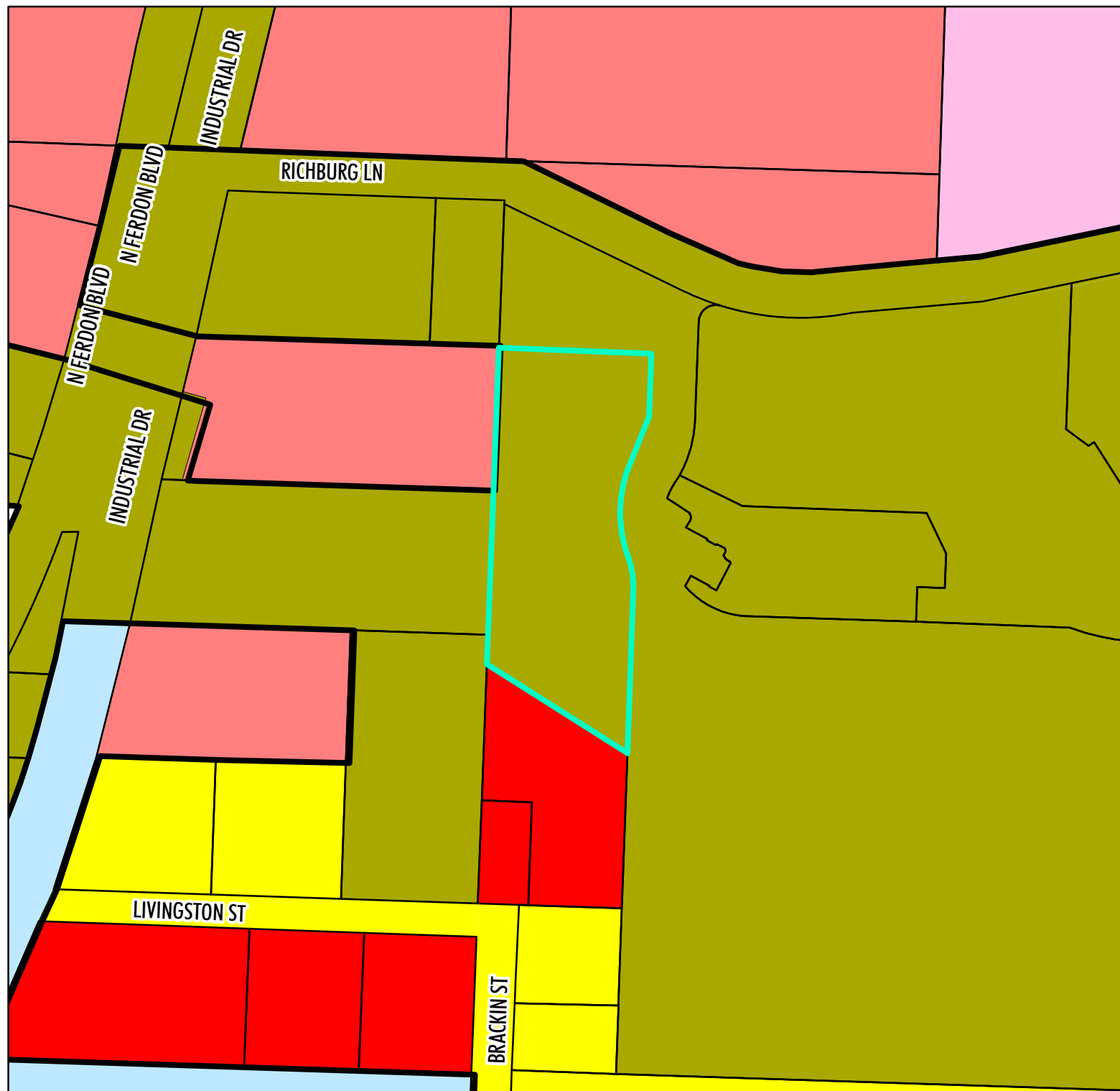
City Future Land Use

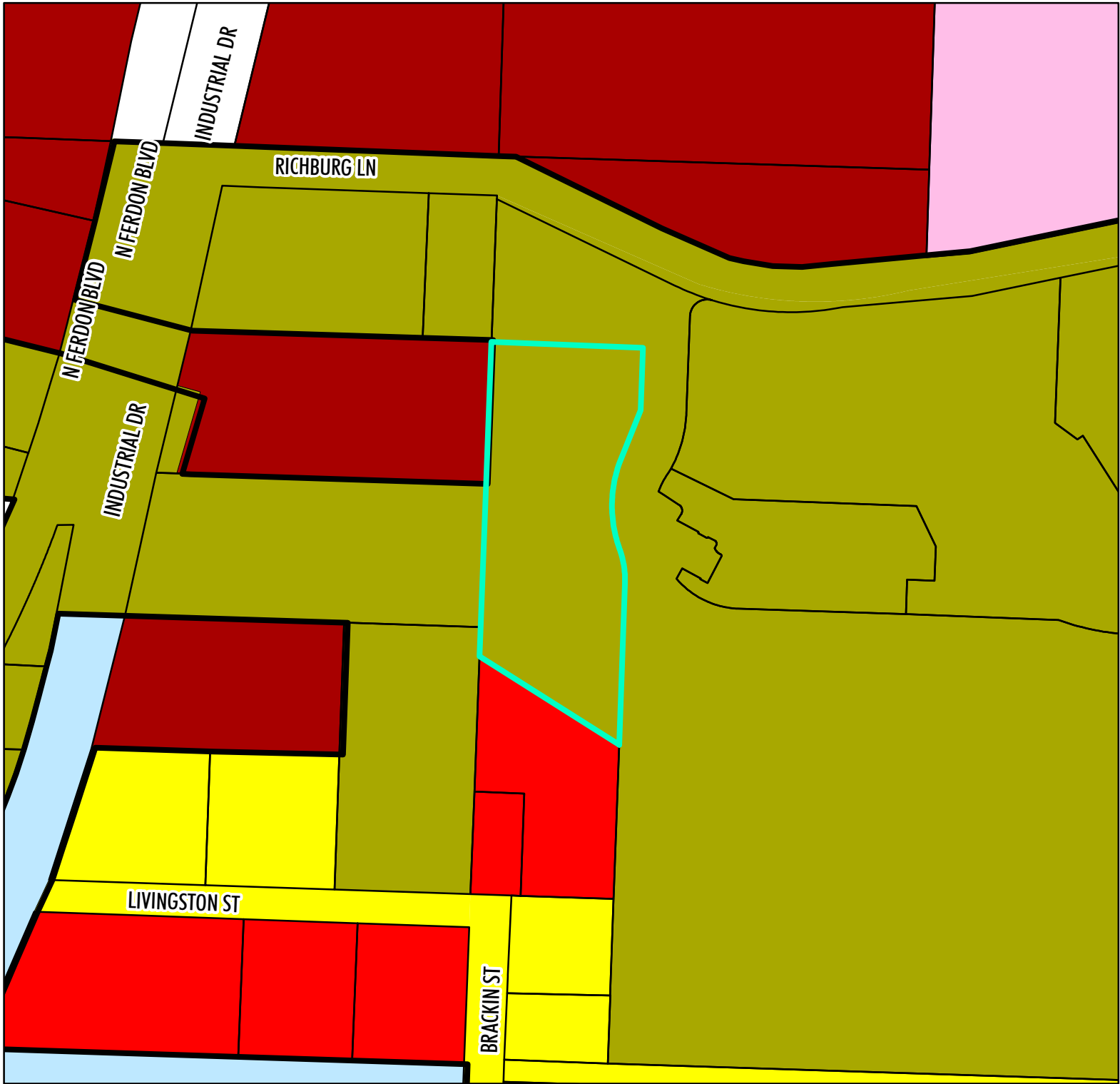
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- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

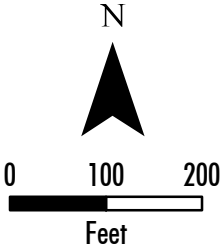
- Commercial (C)
- Low Density Residential (LDR)
- Mixed Use (MU)

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





Current 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

Proposed Future Land Use



0 100 200
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

 Public Lands (PL)

 Residential (R)

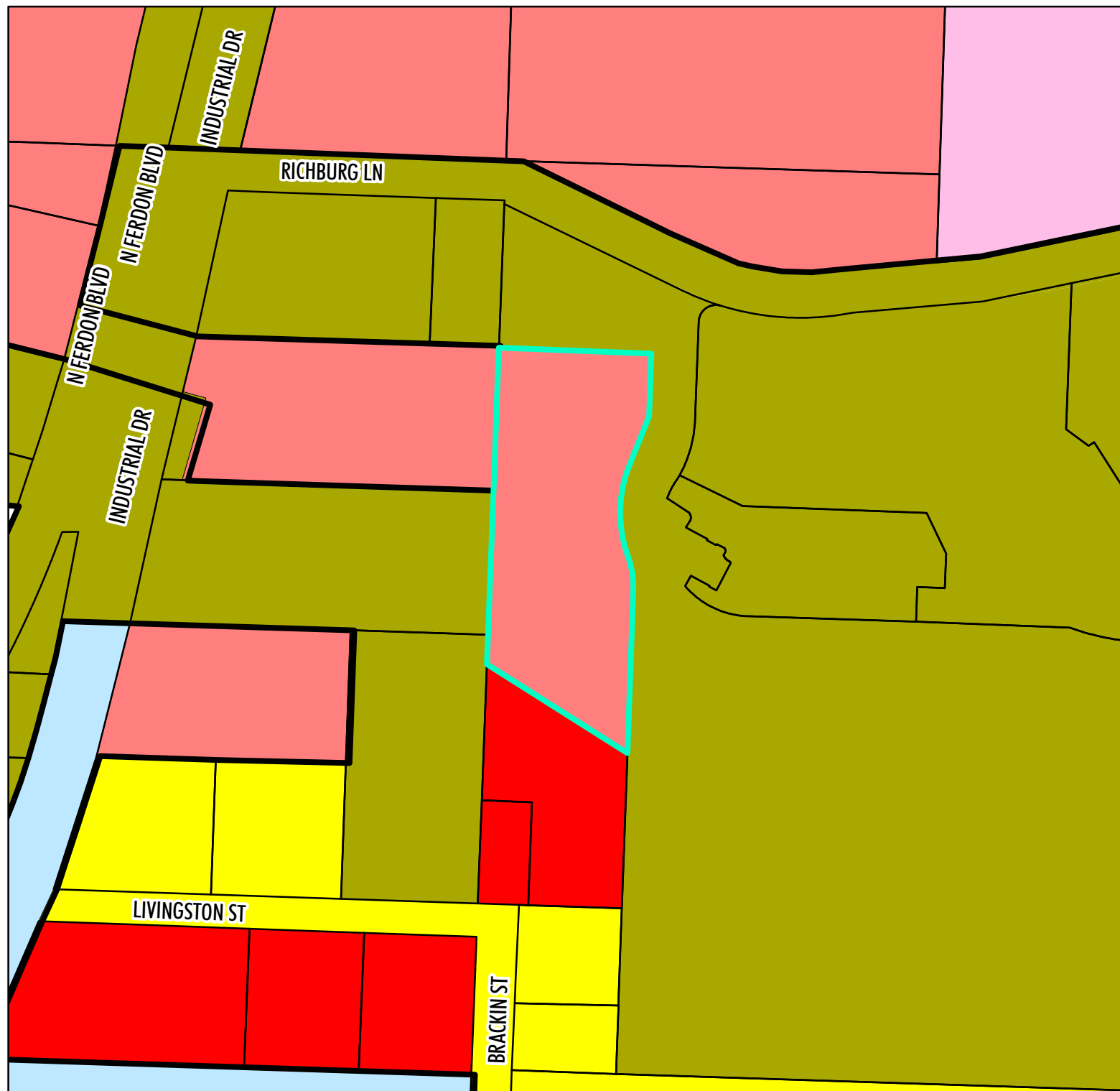
County Future Land Use

 Commercial (C)

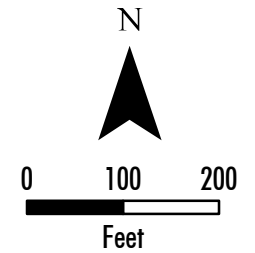
 Low Density Residential (LDR)

 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

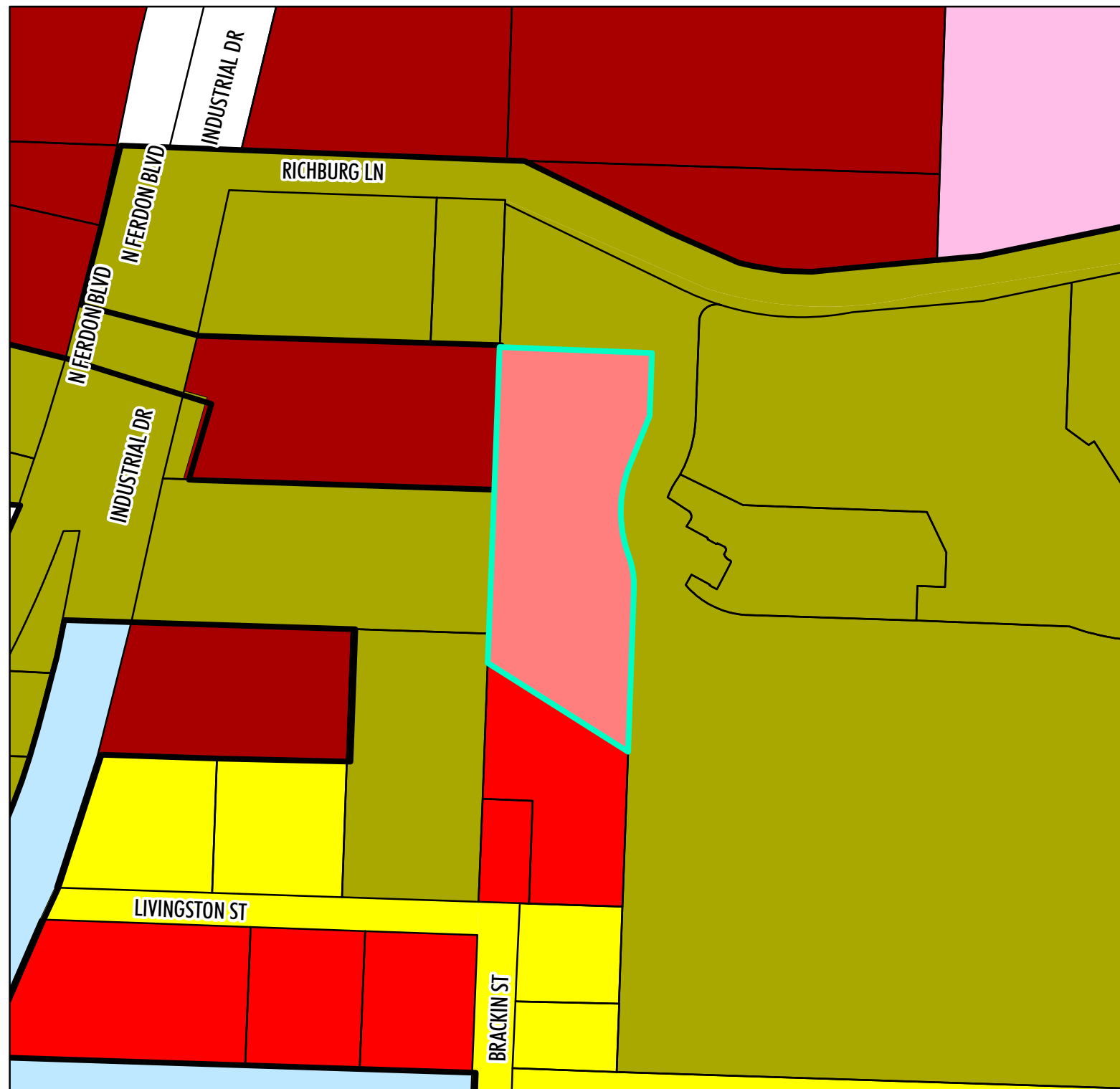
City Zoning

-  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





Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/17/2023
SUBJECT: Ordinance 1925 - Richburg Lane and Third Avenue Annexation

BACKGROUND:

On February 27, 2023 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located on Third Avenue and at 2828 Richburg Lane.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential & Mixed Use and Residential-1 & Mixed Use, respectively.

On April 3, 2023, the Planning and Development Board recommended Ordinance 1925 not be approved. The first reading was approved by the City Council on April 10, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: MH Crestview Land LLC
17005 Emerald Coast Pkwy
Destin, FL 32541
Parcel ID: 04-3N-23-1840-0012-0080
09-3N-23-0000-0011-001A
Site Size: 23.28 acres
Current FLU: Okaloosa County Low Density Residential & Mixed Use
Current Zoning: Okaloosa County Residential-1 & Mixed Use
Current Land Use: Vacant

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

Third Avenue Parcel

Direction	FLU	Zoning	Existing Use
North	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
East	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
South	Mixed Use (MU)	Mixed Use (MU)	Vacant
West	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential

Richburg Parcel

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

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

Staff has reviewed the application based on the criteria detailed in Florida statute 171.043 for annexations and finds the following:

- The property is contiguous to the city limits;
- The property is comprised of two (2) lots in unincorporated Okaloosa County, and is therefore considered compact;
- The annexation of the property would not create an enclave
- The subject property is not included in the boundary of another municipality; and,
- The subject property meets the definition of urban purposes.

Courtesy notices were mailed to property owners within 300 feet of the subject property on March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

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 annexation have been waived for this application as it was received during the moratorium on annexation fees. The cost of advertising was \$544.50.

The successful annexation of this property will have positive future impacts, including ad valorem revenue based on future taxable assessed value, development and building permit fees, and utility usage fees.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1925 on second reading.

Attachments

1. Attachment 4 MH annex land rezone
2. Exhibit Packet

ORDINANCE: 1925

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 23.28 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 4, TOWNSHIP 3 NORTH, RANGE 23 WEST, AND IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST AND BEING DESCRIBED AS SET FORTH HEREIN; PROVIDING FOR AUTHORITY; PROVIDING FOR LAND DESCRIPTION; PROVIDING FOR BOUNDARY; PROVIDING FOR LAND USE AND ZONING DESIGNATION; PROVIDING FOR AMENDMENT TO THE BASE, LAND USE AND ZONING MAPS; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR FILING WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY AND THE FLORIDA DEPARTMENT OF STATE; 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 Chapter 171, Florida Statutes, and Section 2 of the City Charter.

SECTION 2 – LAND DESCRIPTION. The following described unincorporated area contiguous to the City of Crestview, Florida, is hereby annexed to the City:

PIN # 04-3N-23-1840-0012-0080 (Deed recorded in Book 3654, page 4694, dated December 12, 2022)

LOT 8, BLOCK 12, OAKDALE MINIATURE FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 129, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

PIN # 09-3N-23-0000-0011-001A (Deed recorded in Book 3657, page 1128, dated December 5, 2022)

A PARCEL OF LAND LOCATED IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4"X4" CONCRETE MONUMENT (NO IDENTIFICATION), MARKING THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED SOUTH 02°08'22" WEST, A DISTANCE OF 62.99 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF RICHBOURG LANE AND THE POINT OF BEGINNING; THENCE, ALONG SAID RIGHT OF WAY LINE, SOUTH 64°11'04" EAST, A DISTANCE OF 232.86 FEET; THENCE SOUTH 66°25'43" EAST, A DISTANCE OF 114.49 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE, DEPARTING SAID SOUTH RIGHT OF WAY LINE, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 105°02'50", A DISTANCE OF 45.84 FEET

(CHORD=BEARING SOUTH 54°35'35" WEST, CHORD=39.68 FEET); THENCE SOUTH 02°04'10" WEST, A DISTANCE OF 141.69 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 183.00 FEET ; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°26'46", A DISTANCE OF 97.24 FEET (CHORD BEARING=SOUTH 17°17'33" WEST, CHORD LENGTH=96.10 FEET), TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 125.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°40'41" A DISTANCE OF 25.48 FEET (CHORD BEARING=SOUTH 26°40'35" WEST, CHORD=25.43 FEET); THENCE SOUTH 56°55'44" EAST, A DISTANCE OF 25.85 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 10.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°47'25", A DISTANCE OF 15.50 FEET (CHORD BEARING=SOUTH 12°32'01" EAST, CHORD=13.99 FEET); THENCE SOUTH 31°51'41" WEST, A DISTANCE OF 10.61 FEET; THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 35.10 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 3.14 FEET (CHORD BEARING=SOUTH 16°42'35" EAST, CHORD=2.83 FEET); THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 12.00 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 3.14 FEET (CHORD BEARING=NORTH 73°17'25" EAST, CHORD=2.83 FEET); THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 11.14 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 82°58'29", A DISTANCE OF 7.24 FEET (CHORD BEARING=SOUTH 20°13'21" EAST, CHORD=6.62 FEET); THENCE SOUTH 27°53'02" WEST, A DISTANCE OF 5.29 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.81 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°20'26", A DISTANCE OF 13.62 FEET (CHORD BEARING=SOUTH 45°05'48" EAST, CHORD=13.20 FEET), TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 22.98 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°41'12", A DISTANCE OF 2.28 FEET (CHORD BEARING=SOUTH 23°16'09" EAST, CHORD=2.28 FEET); THENCE SOUTH 27°34'34" WEST, A DISTANCE OF 44.53 FEET; THENCE NORTH 61°42'35" WEST, A DISTANCE OF 11.99 FEET; THENCE NORTH 28°17'25" EAST, A DISTANCE OF 1.00 FEET; THENCE NORTH 61°42'35" WEST, A DISTANCE OF 30.68 FEET; THENCE SOUTH 28°17'25" WEST, A DISTANCE OF 16.56 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 125.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°47'27", A DISTANCE OF 108.63 FEET (CHORD BEARING=SOUTH 62°57'51" EAST, CHORD=105.24 FEET) THENCE SOUTH 87°51'34" EAST, A DISTANCE OF 472.22 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 360.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°41'43", A DISTANCE OF 111.18 FEET (CHORD BEARING=SOUTH 79°00'42" EAST, CHORD=110.74 FEET); THENCE NORTH 02°04'10" EAST, A DISTANCE OF 333.44 FEET; THENCE SOUTH 77°01'33" EAST, A DISTANCE OF 219.60 FEET; THENCE NORTH 03°57'38" WEST, A DISTANCE OF 282.20 FEET; THENCE NORTH 81°44'56" EAST, A DISTANCE OF 176.86 FEET; THENCE SOUTH 02°04'06" WEST, A DISTANCE OF 1251.48 FEET; THENCE NORTH 88°17'57" WEST, A DISTANCE OF 1105.06 FEET; THENCE NORTH 02°08'22" EAST, A DISTANCE OF 690.59 FEET, TO THE POINT OF CURVATURE OF A CURVE

CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 136.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°58'44", A DISTANCE OF 54.54 FEET (CHORD BEARING=NORTH 09°21'00" WEST, CHORD=54.18 FEET), TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 185.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°42'20", A DISTANCE OF 137.89 FEET (CHORD BEARING=NORTH 00°30'48" EAST, CHORD=134.72 FEET); THENCE NORTH 21°51'58" EAST, A DISTANCE OF 81.38 FEET; THENCE NORTH 02°04'06" EAST, A DISTANCE OF 91.03 FEET; THENCE NORTH 87°50'33" WEST, A DISTANCE OF 221.43 FEET; THENCE NORTH 02°08'22" EAST, A DISTANCE OF 208.45 FEET TO THE POINT OF BEGINNING.

SECTION 3 – BOUNDARY. The existing boundary line of the City of Crestview, Florida, is modified to include the herein referenced tract of land and the base, zoning and land use maps shall be updated to reflect these changes pursuant to law.

SECTION 4 – LAND USE AND ZONING. Pursuant to general law, the property hereby annexed was subject to Okaloosa County land development, land use plan, and zoning or subdivision regulations, which shall remain in full force and effect until rezoning and land use changes are finalized by the City in compliance with the Comprehensive Plan.

SECTION 5 – COMPREHENSIVE PLAN UPDATE. Pursuant to Chapter 163.011, et seq. petitioner for annexation shall apply through the City for a Comprehensive Plan change which will designate the future land use category for the parcel, with a zoning designation to be assigned and run concurrent with the approval and adoption of the Comprehensive Plan amendment by the proper authorities.

SECTION 6 – MAP UPDATE. The Base, Zoning and Future Land Use Maps shall be updated at the earliest possible date.

SECTION 7 – FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of Circuit Court of Okaloosa County and with the Florida Department of the State.

SECTION 8 – 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 9 – 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 10 – 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 11 – 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.

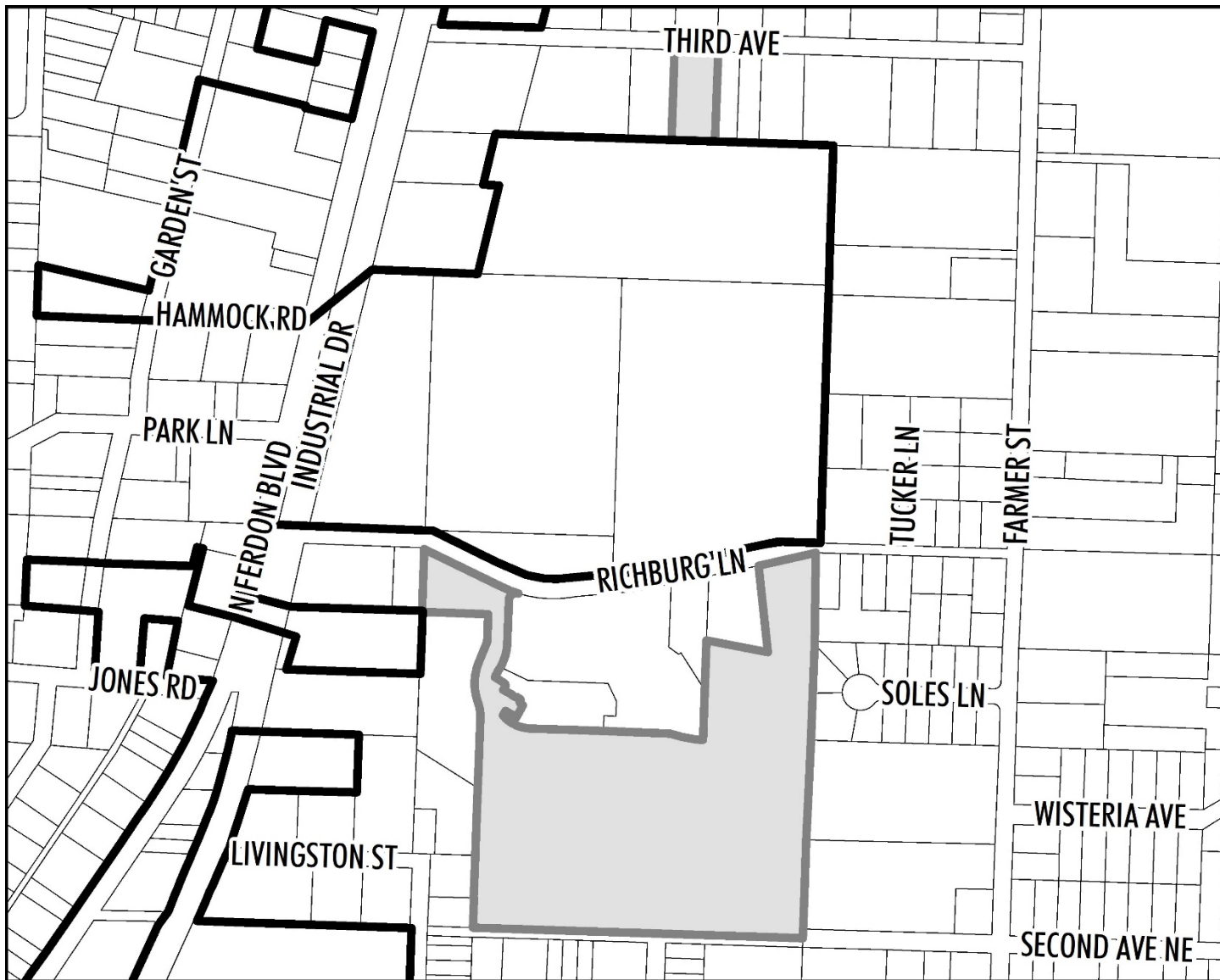
SECTION 12 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

Passed and adopted on second reading by the City Council of Crestview, Florida on the 24th day of April, 2023.

Approved by me this 24th day of April, 2023.

J. B. Whitten
Mayor

ATTEST: _____
Maryanne Schrader
City Clerk



Attachment 4

Prepared for an Annexation, Comprehensive Plan Future Land Use Map Amendment and Rezoning Request

For two properties, referenced as Parcel ID Numbers 04-3N-23-1840-0012-0080 and
09-3N-23-0000-0011-001A.

Conducted for:

MH Crestview Land LLC
17005 Emerald Coast Pkwy
Destin, FL 32541
Ph: 850.803.2000

Prepared for:

City of Crestview Community Development Services
Ph: 850.682.1560
198 Wilson St. North
Crestview, FL 32536

Prepared by:

the planning collaborative



the planning collaborative

February 20, 2023

TABLE OF CONTENTS

Purpose and Introduction.....	3
Description of Existing Conditions.....	3
Figure 1. Existing Parcel Boundaries.....	4
Figure 2. Reference Map for Adjacent Uses.....	5
Table 1. Descriptions of Adjacent Uses.....	5
Description of Request.....	7
Analysis of Applicable Policies and Regulations.....	8
Urban Sprawl Analysis.....	8
Findings and Conclusion.....	12
EXHIBIT 1A – Crestview Future Land Use Map	
EXHIBIT 1B – Okaloosa Future Land Use Map	
EXHIBIT 2A – Crestview Zoning Map	
EXHIBIT 2B – Okaloosa Zoning Map	
EXHIBIT 3 – National Wetlands Inventory Map	
EXHIBIT 4 – FEMA Flood Insurance Rate Map	

PURPOSE AND INTRODUCTION

This report supports a request to annex two (2) lots into the City of Crestview and amend the Crestview Future Land Use Map and Zoning Map to allow for the construction of residential uses. This request is respectfully submitted to amend the parcels to the Mixed-Use Future Land Use category and zoning district.

The existing land use of the one (1) acre parcel to the north (Parcel A) is “Vacant”, and the 22.28 acre parcel to the south (Parcel B) is “Vacant/Com” according to the Okaloosa County Property Appraiser.¹ The requests are supported herein. The analysis supplied with this application looks at the maximum residential development potential of these parcels as the request is being made to support the development of a multi-family residential complex.

The consultant, the planning collaborative, reviewed, and analyzed the following documents and websites in preparation of this report and application.

- The Okaloosa County Property Appraiser website data and maps
- The Crestview Comprehensive Plan, as published online
- The Crestview Land Development Code, as published online
- Okaloosa’s GIS Mapping webpage
- Crestview’s GIS Mapping webpage
- The Federal Emergency Management Agency’s flood maps
- The National Wetland Inventory Online Map
- FDOT Okaloosa County Functional Classifications, dated April 29, 2014
- Correspondence with various City departments, Okaloosa County School Board, and Auburn Water

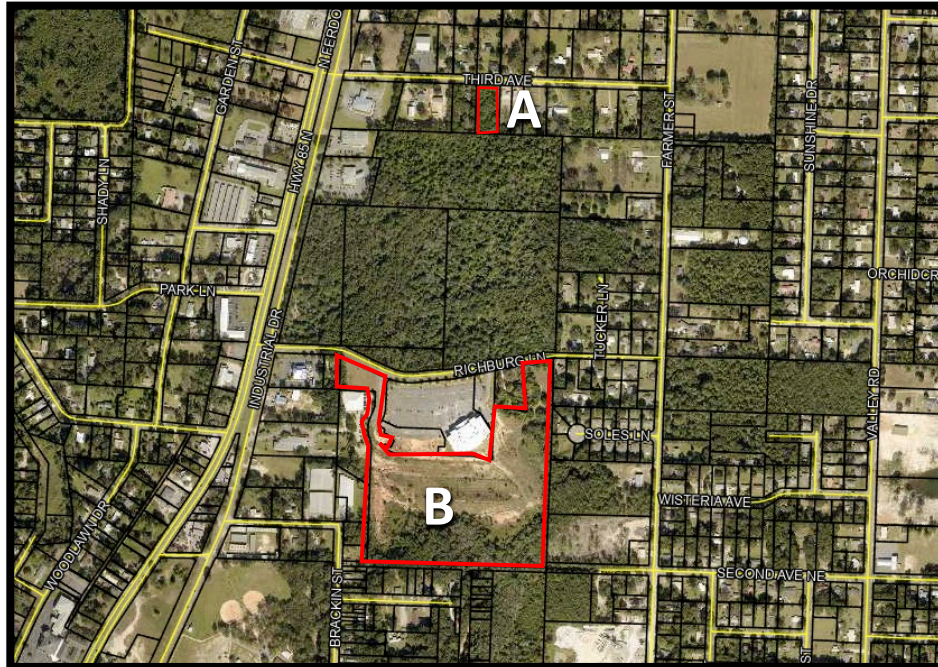
DESCRIPTION OF EXISTING CONDITIONS

This request is being made for two (2) parcels. As labeled in Figure 1, the first (Parcel A) is located to the south of Third Ave and the second (Parcel B) is located to the south of Richburg Lane. The parcel numbers are as follows, respectively: 04-3N-23-1840-0012-0080 and 09-3N-23-0000-0011-001A. Both combined include +/- 23.28 acres total. Parcel A is designated by the Okaloosa County Future Land Use Map as Low Density Residential (LDR) and the Okaloosa County Zoning Map as Residential 1 (R-1). Parcel B is designated by the Okaloosa County Future Land Use Map as Mixed Use (MU) and the

¹ Okaloosa County Property Appraiser, Department of Revenue Code, as referenced February 7, 2023

Okaloosa County Zoning Map as Mixed Use (MU). Exhibits 1 and 2 include the Future Land Use Maps and Zoning Maps for Crestview and Okaloosa County.

Figure 1. Existing Parcel Boundaries

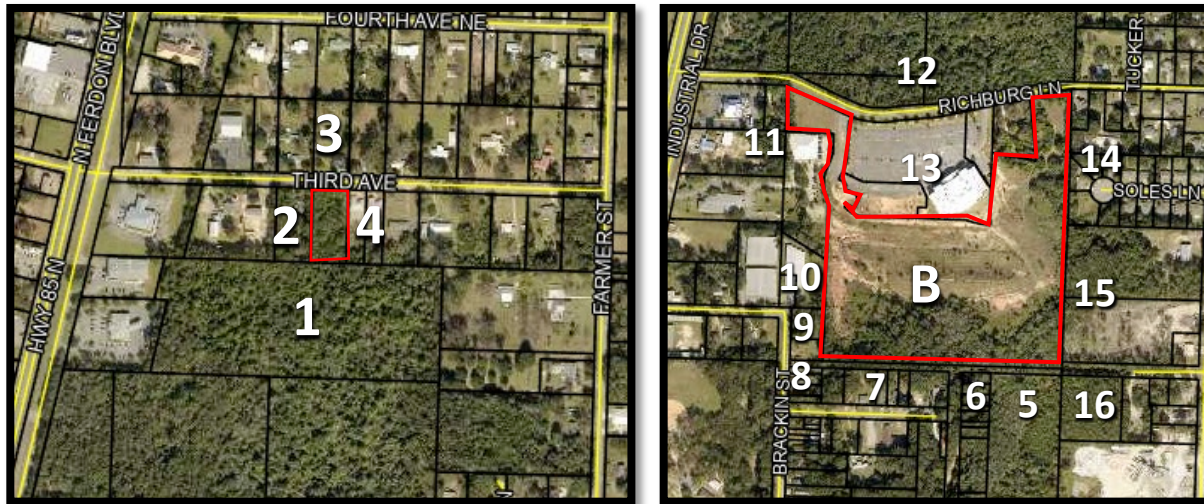


Source: Okaloosa County Property Appraiser, February 2023

 Approximate Boundary of Parcels

Figure 2 following depicts the location of the two parcels in relation to adjacent parcels. This graphic is considered with Table 1 to show consistency with adjacent residential uses.

Figure 2. Reference Maps for Adjacent Uses



Source: Okaloosa County Property Appraiser, February 2023

Approximate Boundary of Parcels

Table 1 below, describes the existing uses, the Future Land Use, and Zoning assigned to the parcels within the vicinity of these properties. The map annotation refers to the numbers on Figure 2 above.

Table 1. Adjacent Uses

Map Annotation	Property Appraiser Tax Code	Future Land Use	Zoning District
1	No Ag Acre	Mixed-Use (City)	Mixed-Use (City)
2	Single Family	Low Density Residential (County)	R-1 (County)
3 (3 parcels)	Single Family	Low Density Residential (County)	R-1 (County)
4 (2 parcels)	Single Family	Low Density Residential (County)	R-1 (County)
5	Vacant	Low Density Residential (County)	R-1 (County)
6 (5 parcels)	Vacant	Low Density Residential (County)	R-1 (County)
7 (6 parcels)	Mobile Home x2 Vacant Institutional Single Family x2 Vacant	Low Density Residential (County)	R-1 (County)
8 (5 parcels)	Vacant x3 Single Family	Low Density Residential (County)	R-1 (County)

Map Annotation	Property Appraiser Tax Code	Future Land Use	Zoning District
9 (2 parcels)	Single Family Vacant	Low Density Residential (County)	R-1 (County)
10 (2 parcels)	Vacant Commercial Warehouse	Commercial (County)	C-3 (County)
11 (3 parcels)	Office Building x2 Single Family	Mixed Use (County) x2 Commercial (City)	Mixed Use (County) x2 C-2 (City)
12 (3 parcels)	Vacant No Ag Acre x2	Commercial (City) x2 Mixed Use (City)	C-2 (City) x2 Mixed Use (City)
13 (3 parcels)	Theater/AU Vacant Commercial x2	Mixed Use (County)	Mixed Use (County)
14 (8 parcels)	Single Family x6 & Vacant	Low Density Residential (County)	R-1 (County)
15 (2 parcels)	Warehouse Vacant Commercial	Mixed Use (County)	Mixed Use (County)
16	Vacant	Low Density Residential (County)	R-1 (County)

Source: Okaloosa County Property Appraiser, Okaloosa County GIS webpage, and City of Crestview GIS webpage

The current zoning of the nearby properties to Parcel A are residential to the north, east, and west with mixed use to the south. Parcel B is nearby to properties zoned mixed use residential, and commercial.

The existing land uses surrounding the parcels are varied and include a mixture of uses including residential, warehousing, office buildings, a theatre, county property, and vacant commercial, residential, and institutional properties. These surrounding uses are similar in nature to the intended uses of the property: residential and commercial.²

According to the National Wetland Inventory and Crestview data, Parcel A contains no wetlands while Parcel B contains a portion of wetlands towards the southern boundary (Exhibit 3).³ There are no plans for development at this time, however, the applicant, in compliance with Crestview's Comprehensive Plan and Land Development Code, reserves the right to apply for appropriate permits in regard to the forthcoming site plan development.

The properties are both located in a Flood Zone X, or the area outside of the Special Flood Hazard Area (Exhibit 4).⁴

² Okaloosa County Property Appraiser, Department of Revenue Code, as referenced July 18, 2022

³ U.S. Fish & Wildlife Service National Wetlands Inventory, Online Wetlands Mapper, as referenced July 19, 2022

⁴ Federal Emergency Management Agency, Flood Insurance Rate Map Panel No. 12091C0170J

Both parcels are currently vacant, based on the Department of Revenue Codes assigned to the parcels as indicated by the Okaloosa County Property Appraiser.⁵

DESCRIPTION OF REQUEST

This application is submitted to request that both parcels be amended to the Mixed Use Future Land Use category and the Mixed Use zoning district. Description of the proposed Future Land Use category and requested zoning district for the site area provided below:

Future Land Use Category: Mixed Use (MU)⁶

“The Mixed-Use land use category is limited to areas that exhibit an existing or planned development pattern reflecting a variety of uses, densities, and non-residential uses.”

MU Allowable Uses: The Comprehensive Plan describes the allowable residential uses and non-residential uses in policy. The “specific residential uses allowed in this category include single-family residential, multi-family residential, mobile home parks and mobile home subdivisions.” The “specific non-residential uses include recreation uses, neighborhood and general commercial and business uses, offices, restaurants, motels, hotels and other temporary lodging facilities, clinics and medical facilities, churches and places of worship, light industrial uses when such uses do not create any adverse off-site impacts to other properties or to protected environmental resources.” It is also included that “other similar uses may be allowed based on compatibility with existing nearby uses.”

Zoning District: Mixed Use District (MU)⁷

“The Mixed-Use District is established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments, including retail sales, professional offices, service industries, bed-and-breakfasts, other similar uses and accompanying accessory uses.”

“Uses may be limited by location due to impacts and compatibility issues.”

⁵ Okaloosa County Property Appraiser, Department of Revenue Code, as referenced July 18, 2022

⁶ Crestview Comprehensive Plan, Future Land Use Element Policy 7.A.3.4(2)

⁷ Crestview Land Development Regulations, Section 4.03.00

The proposed use of the property **is consistent** with the above land use and zoning descriptions, as amended.

Also, because the proposed development includes residential and commercial uses, and as described of the same usages as existing development within the vicinity (see Table 1), a consistent development pattern is continued with this amendment.

ANALYSIS OF APPLICABLE POLICIES AND REGULATIONS

Crestview Comprehensive Plan

Policy 7.A.2.3 (5) states that “New mixed-use developments shall be located on or connected to collector or arterial roadways.”

RESPONSE: These two parcels, as an addition to a previously submitted and approved mixed use land use amendment and rezoning approval, are accessible to an arterial roadway. Parcel A of this application will connect to North Ferdon Boulevard, a “Principal Arterial – Other URBAN”, by ways of Third Avenue. Parcel B will also connect to North Ferdon Boulevard, a “Principal Arterial – Other URBAN”, by ways of Richburg Lane, a roadway designated as “Local URBAN”. Therefore, this development is consistent with the location criteria for the assignment of the category.

Urban Sprawl Analysis

Policy 7.A.6.5 states that “No zoning change or plan amendment shall be approved unless a finding is made that such zoning change and plan amendment will promote compact urban development and not encourage urban sprawl”.

RESPONSE: Because this site is located in an infill area, where City services such as transportation networks and water services exist, this change will not create an urban sprawl occurrence. Florida Statutes defines urban sprawl as:

“a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.”⁸

⁸ 163.3164(52), Florida Statutes (2022)

The following 163.3177(6), F.S. analysis determines that this request does not meet that definition.

1. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or single-use development or uses.

RESPONSE: These parcels are a part of a larger mixed-use development that will not be low-intensity or low-density. The proposed development will include multi-family residential and commercial uses.

2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

RESPONSE: The subject parcels are not in an area considered to be rural. Both parcels are undeveloped and will be used for housing, which supports this criterion.

3. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

RESPONSE: As previously mentioned, these two parcels are additions to a mixed use development. Both parcels are surrounded by existing uses. No radial, strip, isolated, or ribbon patterns of development will occur as a result of this amendment.

4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

RESPONSE: As shown in Exhibits 3, Parcel A contains no wetlands. Twin Creek runs into the southern portion of Parcel B, creating a wetland. No wetland impacts are projected at this time. The existing wetlands conditions are not expected to change at the time, but the applicant reserves the right to apply for the appropriate permits in regard to the forthcoming site plan development. Both properties are located in a Flood Zone C, or the area outside of the Special Flood Hazard Area (Exhibit 4).

5. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

RESPONSE: No agriculturally used or designated areas are within the vicinity of these parcels.

6. Fails to maximize use of existing public facilities and services.

RESPONSE: Existing public facilities and services, such as the existing transportation network, solid waste collection, and water services will be sought to serve this development as they are available.

7. Fails to maximize use of future public facilities and services.

RESPONSE: Any future public facilities and services will be used, as practical to the development.

8. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

RESPONSE: Services exist in the area. The approval of this request will not disproportionately increase the cost of providing service to this development.

9. Fails to provide a clear separation between rural and urban uses.

RESPONSE: The subject parcels are not in an area considered to be rural. No rural areas are adjacent to the subject parcels.

10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

RESPONSE: This development is considered infill development.

11. Fails to encourage a functional mix of uses.

RESPONSE: As components of a larger mixed use development, the residential units in close proximity to other uses will encourage a functional mix of uses, especially as this development will provide a transition between existing commercial uses along SR 85 and Richburg Lane and those residential uses to the east and the south.

12. Results in poor accessibility among linked or related land uses.

RESPONSE: Other uses within the vicinity are easily accessible via Richburg Lane and SR 85 North.

13. Results in the loss of significant amounts of functional open space.

RESPONSE: There is no functional open space currently associated with these parcels.

Crestview Land Development Code

Section 3.06.07 states that “An application for a rezoning shall be reviewed in accordance with the following criteria.” These criteria include:

1. Whether the proposed zoning district is consistent with the City Comprehensive Plan;

RESPONSE: With the approval of the requested amendment of the Future Land Use Map to the Mixed-use category, the land use and zoning will be consistent. This criterion **will be met** with the approval of both amendment requests.

2. Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;

RESPONSE: Although a final plan for development is not yet finalized, it is anticipated that the development will include a range of housing types, which include detached single family and attached multi-family, which will be compatible with the existing residential uses to the east and north and non-residential uses to the west and south. This criterion **is met**.

3. Whether the range of uses allowed in the proposed zoning district will be compatible with existing and potential uses in the area under consideration;

RESPONSE: As indicated by Section 4.03.00(B), the Mixed-use District is (in part) “established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments... Each parcel, lot, tract or other division of land may contain multiple single- and multi-family dwellings according to the density allowed by the size of each piece of land.” Therefore, this criterion **is met** since a multi-family use is considered allowable.

4. Whether the proposed zoning district will serve a community need or broader public purpose;

RESPONSE: The development of multi-family housing will serve the need for additional housing within the community, which also serves the need for Eglin Air Force Base. This criterion **is met**.

5. To ensure there are not multiple zoning districts assigned to one parcel. Except if secondary zoning is Conservation (E), designated on a plat or development plans as a parcel or easement of conservation or jurisdictional wetlands;

RESPONSE: With the approval of proposed Future Land Use Map amendment and rezoning, each parcel will be designated with only one zoning district. This criterion **is met**.

6. The characteristics of the proposed rezoning area are suitable for the uses permitted in the proposed zoning district; and

RESPONSE: As indicated above, the rezoning allows for multi-family uses, which is a portion of the anticipated development of these parcels. Additional housing types are planned as part of the development. This criterion **is met**. Additionally, the location for this use is ideal, as a transitional use between more intense commercial and less intense single-family uses.

7. Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.

RESPONSE: The requested zoning district is actually less intense than the existing Okaloosa County Mixed Use zoning assigned for Parcel B. Therefore, the reduction of adverse impacts to the adjacent residential uses surrounding this parcel will be beneficial with the assignment of the requested category. The redesignation of Parcel A will be consistent with the larger parcel which was recently annexed and amended to the City's Mixed Use Future Land Use category.

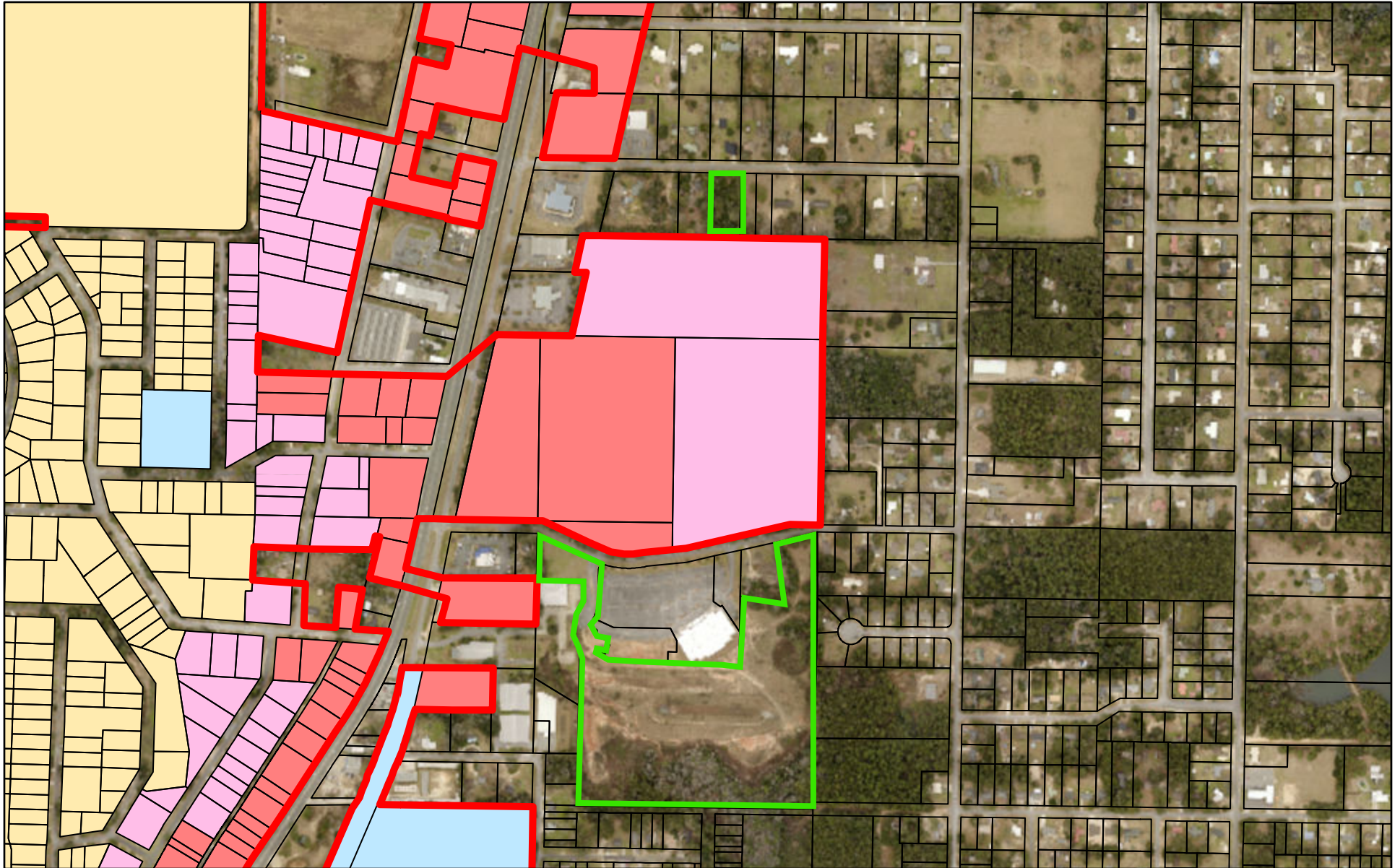
FINDINGS AND CONCLUSIONS

The amendment of the Comprehensive Plan and zoning designations for these properties will be compatible with the existing surrounding development. The proposed amendment will not result in any land use conflicts with the existing uses. No adverse impacts will be generated such as unordinary noise, smoke, exhaust, emissions, dust, adverse lighting,

vibrations, or odors that would be detrimental to the existing surrounding uses or would otherwise disturb the quiet enjoyment of nearby residents.

Additionally, the proposed amendment is consistent with and furthers the Goals, Objectives, and Policies of the Crestview Comprehensive Plan, and complies with the adopted requirements of the City's Land Development Regulations. The designation of these properties as Mixed-use will not create a condition that will negatively impact the nearby residential uses over time and will provide a transitional tier form intense uses to less intense uses within the vicinity.

Exhibit 1A - Crestview Future Land Use Map



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Future Land Use

Residential (R)

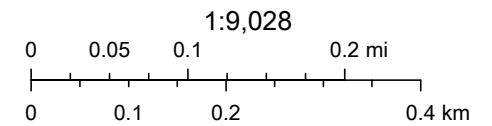
Mixed Use (MU)

Commercial (C)

Public Lands (PL)

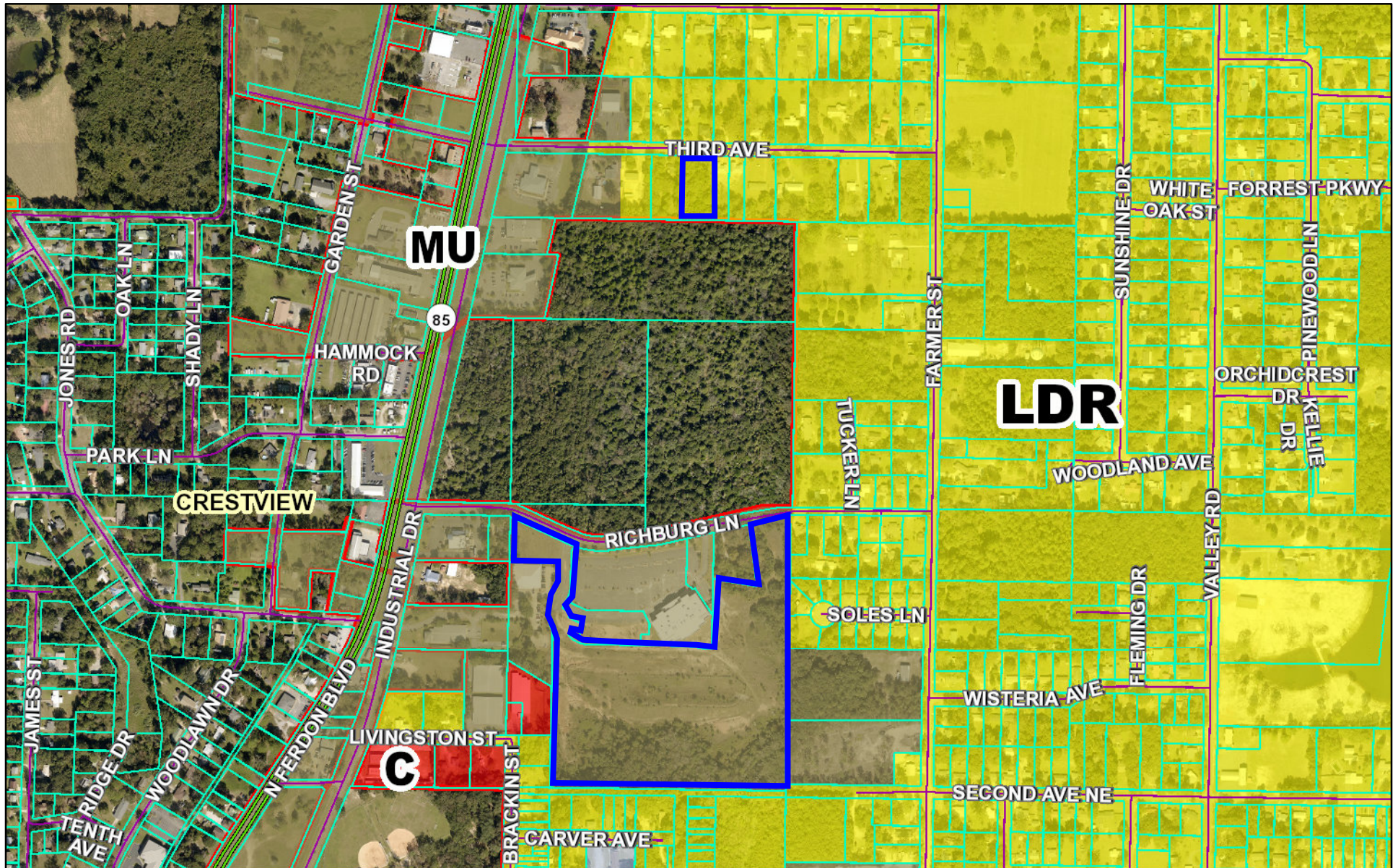
Crestview City Limits

Approximate Project Boundaries



Maxar

Exhibit 1B - Okaloosa Future Land Use Map



February 17, 2023

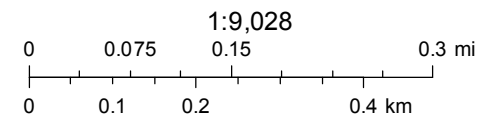
Mixed Use (MU)

Commercial (C)

Low Density Residential (LDR)

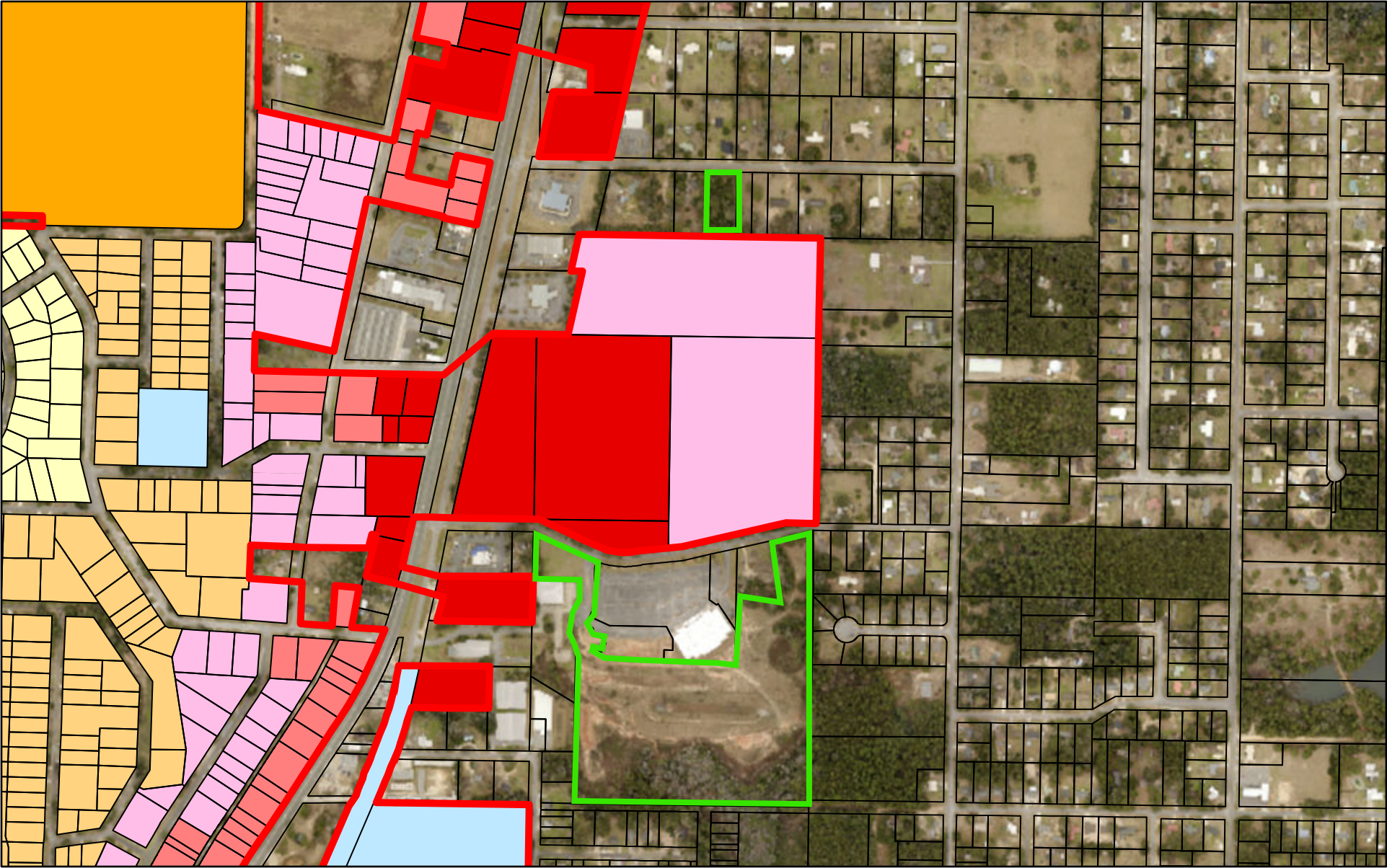
Crestview City Limits

Approximate Project Boundaries



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Exhibit 2A - Crestview Zoning Map



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

- | |
|--------------------------------|
| Crestview City Limits |
| Approximate Project Boundaries |

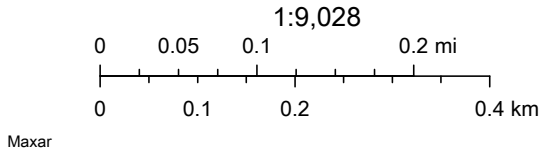
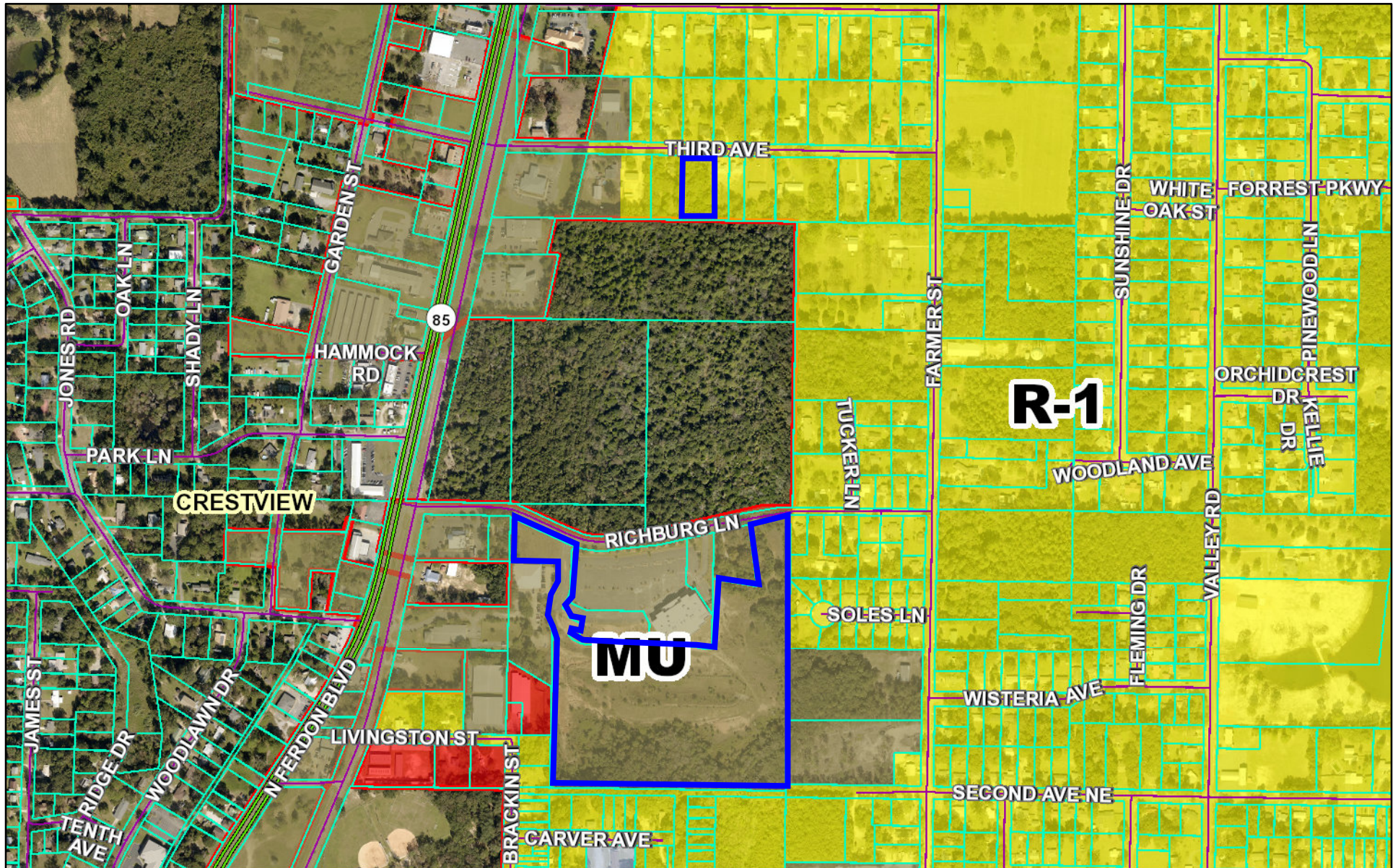


Exhibit 2B - Okaloosa Zoning Map



February 17, 2023

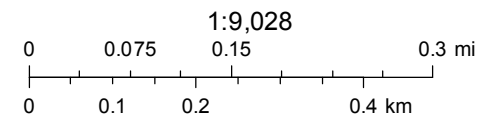
Mixed Use (MU)

Commercial (C)

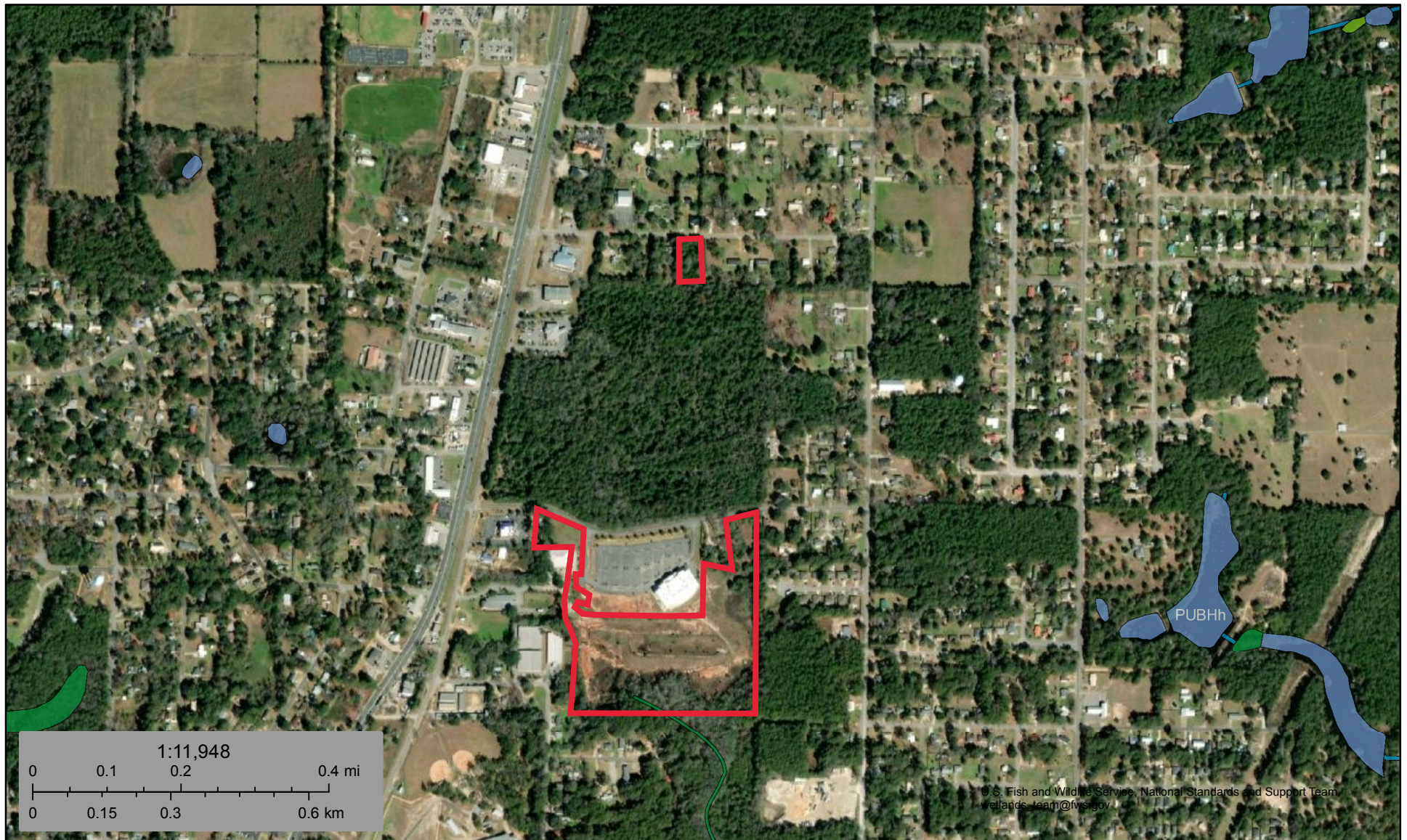
Low Density Residential (LDR)

Crestview City Limits

Approximate Project Boundaries



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),



February 17, 2023

Wetlands

- | | | |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |
| | |  Approximate Project Boundaries |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Flood Hazard Layer FIRMette



86°33'44"W 30°47'7"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

86°33'7"W 30°46'36"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature



Approximate Project Boundaries



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

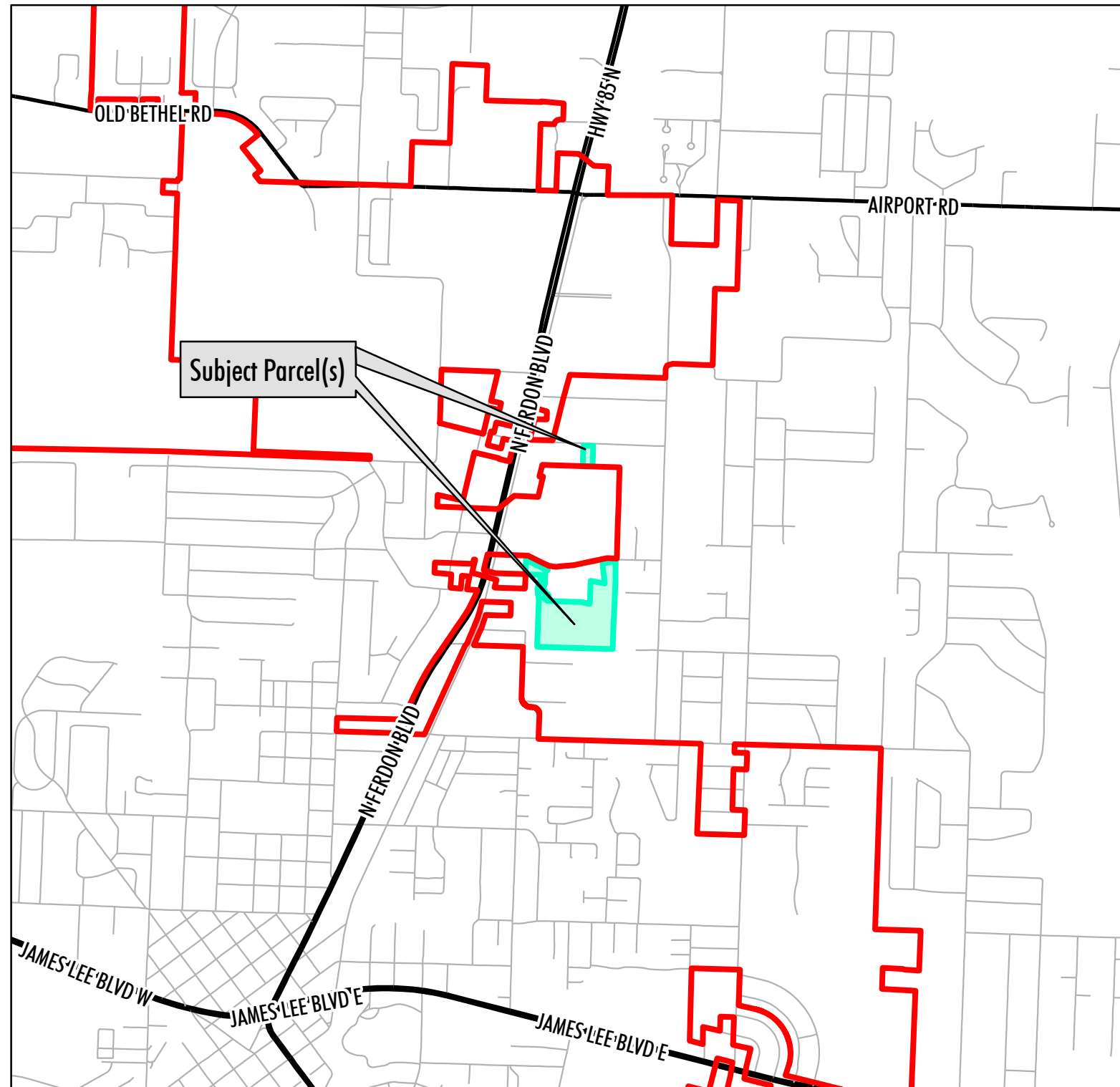
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/20/2023 at 1:15 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

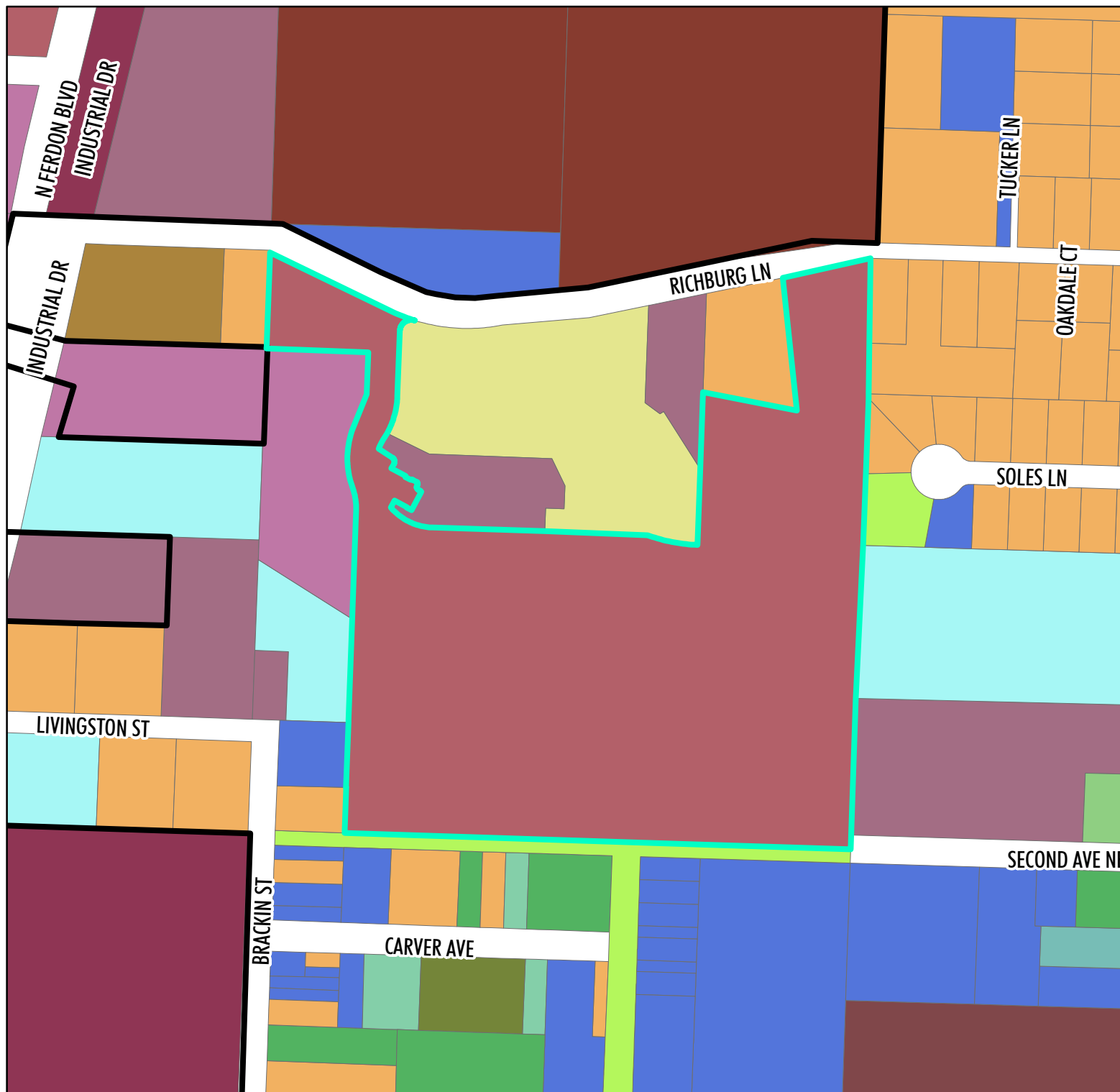
Vicinity Map



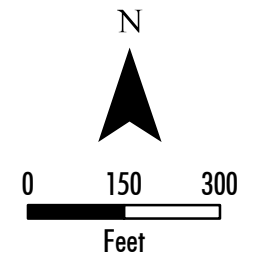
Not to Scale



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



Existing Use Richburg Parcel



Legend

- Subject Parcel
- City Limits

Existing Use

- Churches
- County
- Manufactured Home
- Minderal Pr
- Mobile Home
- Multi-Family
- Municipal
- No AG Acre
- Office Building
- Restaurant
- Single Family
- Theater/Au
- Vacant Institutional
- Vacant
- Vacant Commercial
- Vacant/Commercial
- Warehouse

Current FLU Richburg Parcel



0 150 300
Feet

Legend

Subject Parcel

City Limits

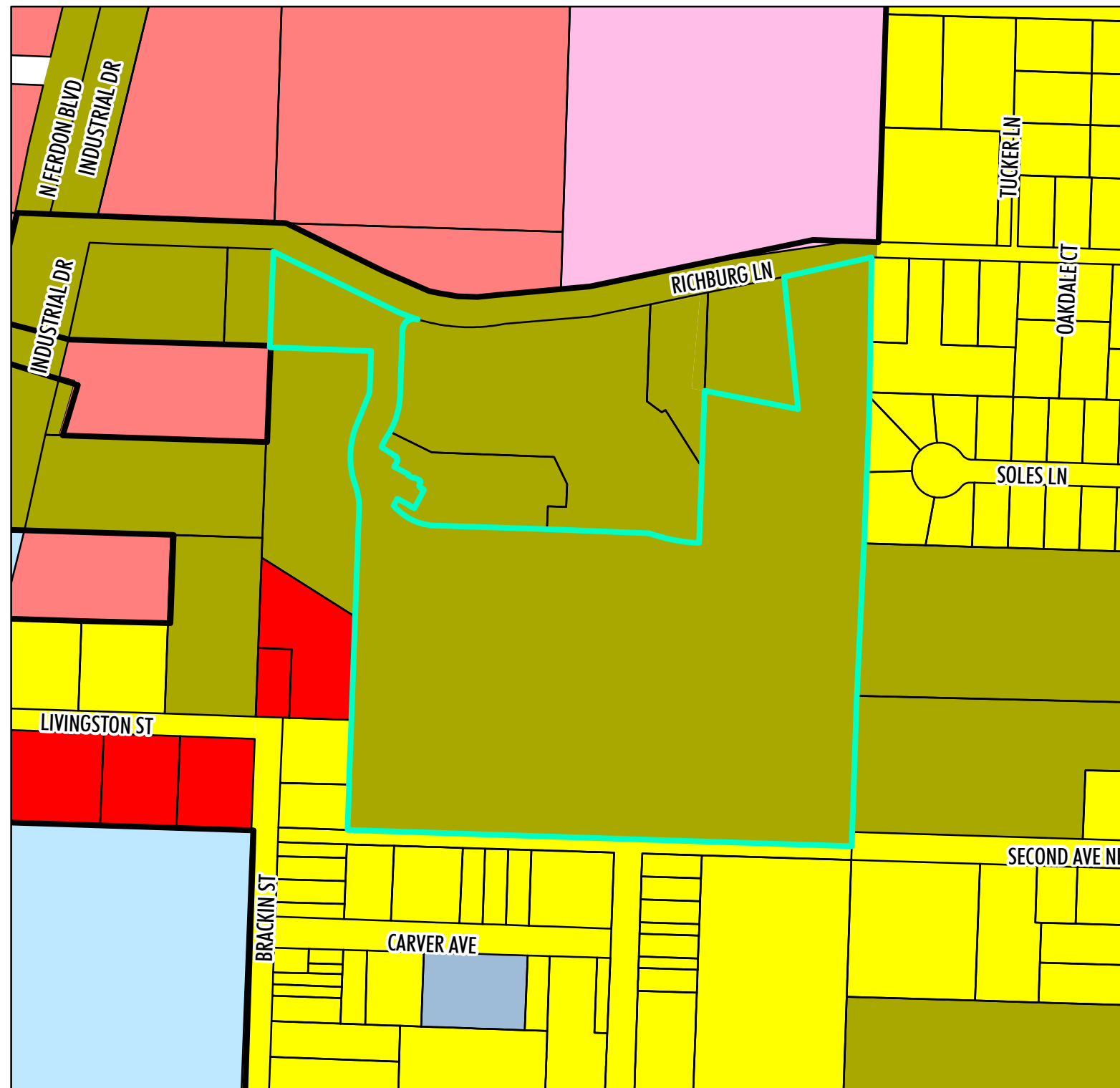
City Future Land Use

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

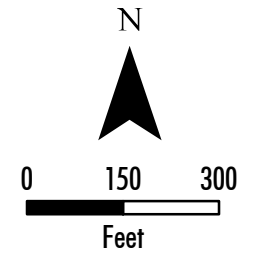
County Future Land Use

Commercial (C)
 Institutional (INST)
 Low Density Residential (LDR)
 Mixed Use (MU)

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 U.S. SURVEY FEET



Current Zoning Richburg Parcel



Legend

Subject Parcel

City Limits

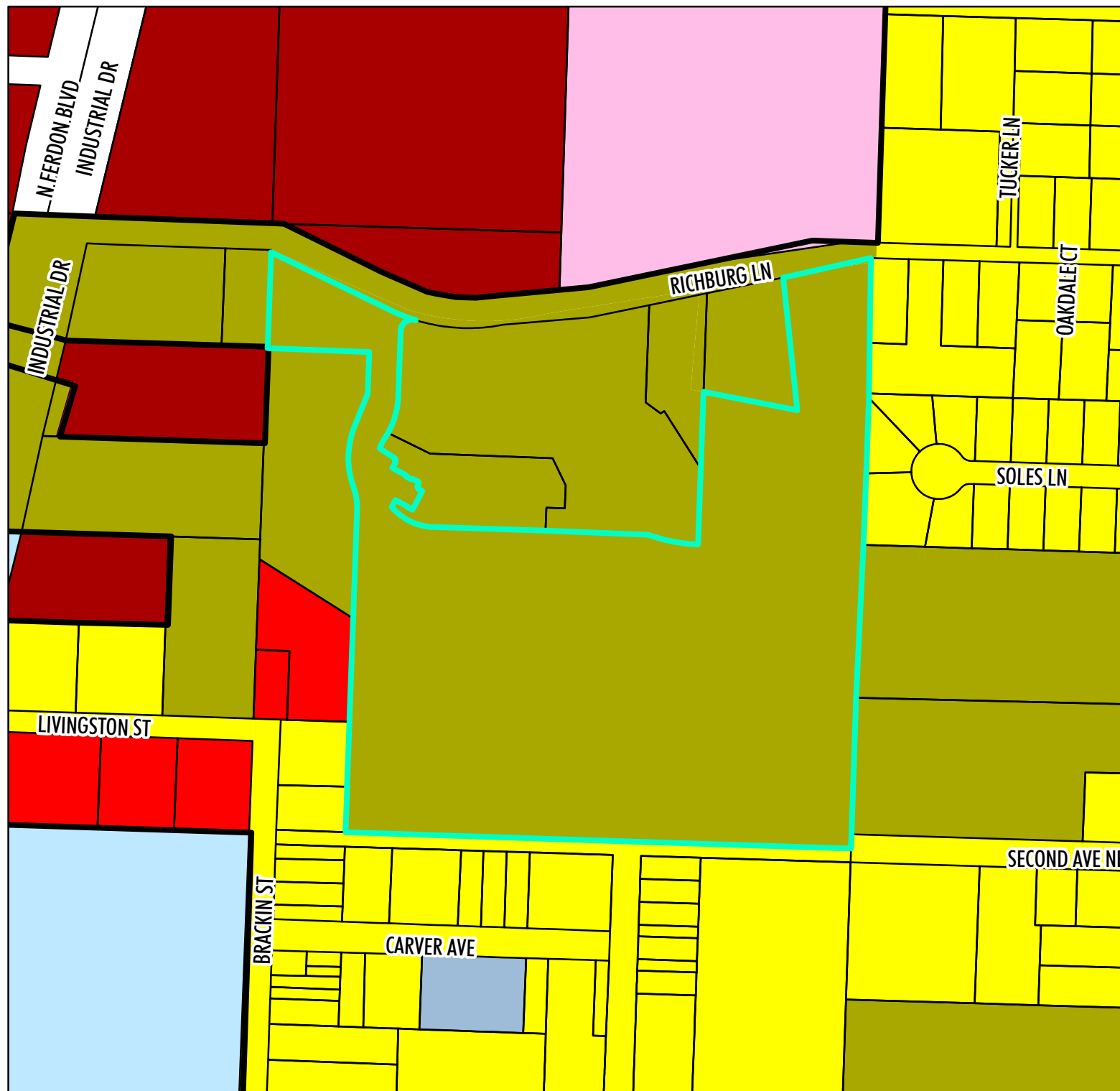
City Zoning

- 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)

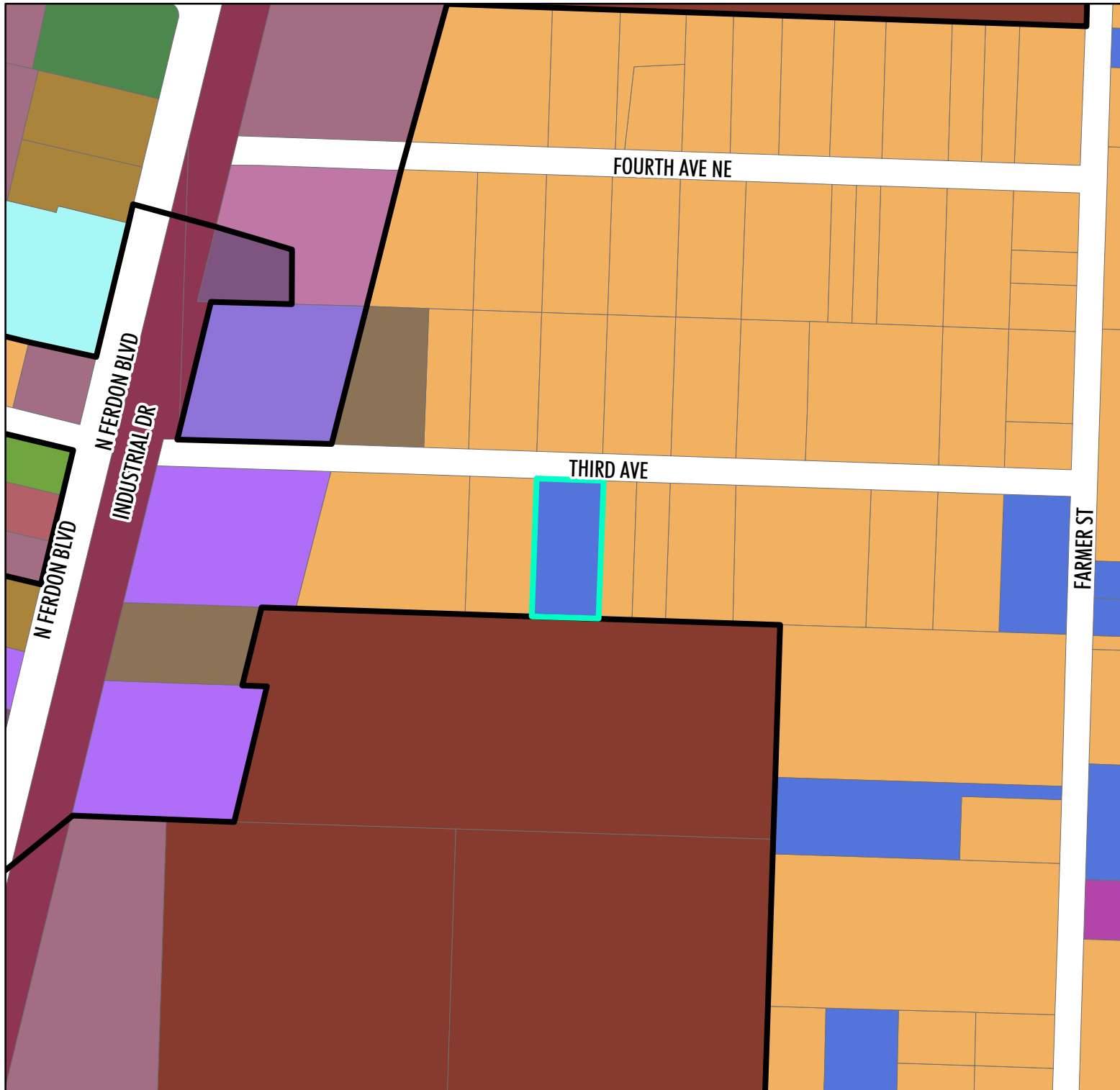
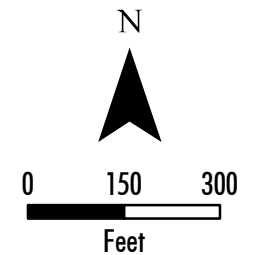
County Zoning

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

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



Existing Use Third Ave. Parcel



Legend

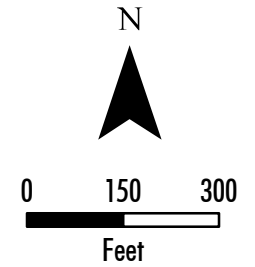
Subject Parcel

City Limits

Existing Use

- Financial
- Gym/Fitness
- Municipal
- No AG Acre
- Office Building
- Restaurant
- Service Shop
- Single Family
- Stores
- Supermarket
- Utilities
- Vacant
- Vacant Commercial
- Vacant/Commercial
- Vehicle Sale
- Warehouse

Current FLU Third Ave. Parcel



Legend

Subject Parcel

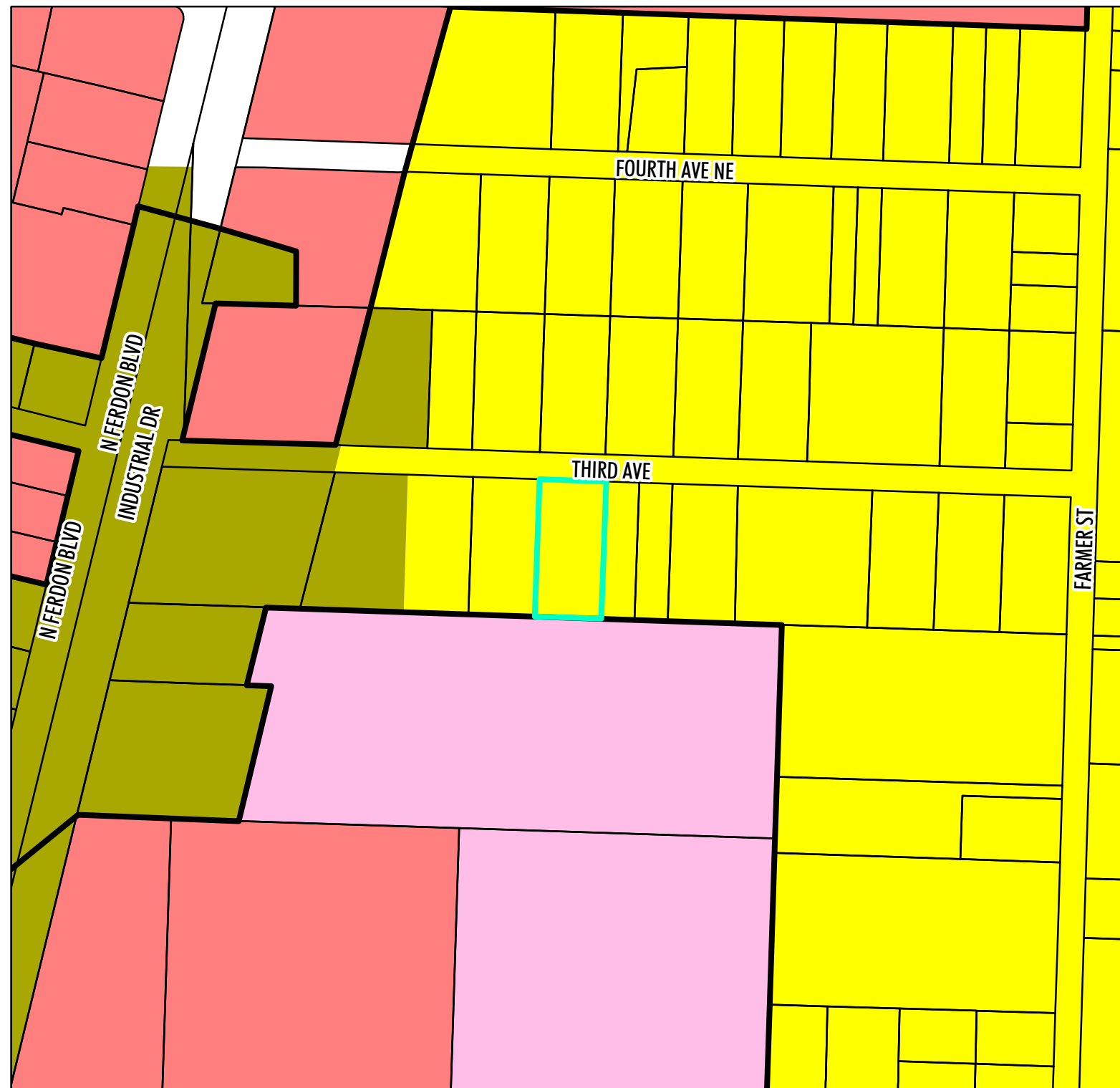
City Limits

City Future Land Use

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

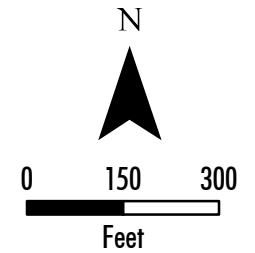
County Future Land Use

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



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

Current Zoning Third Ave. Parcel



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)

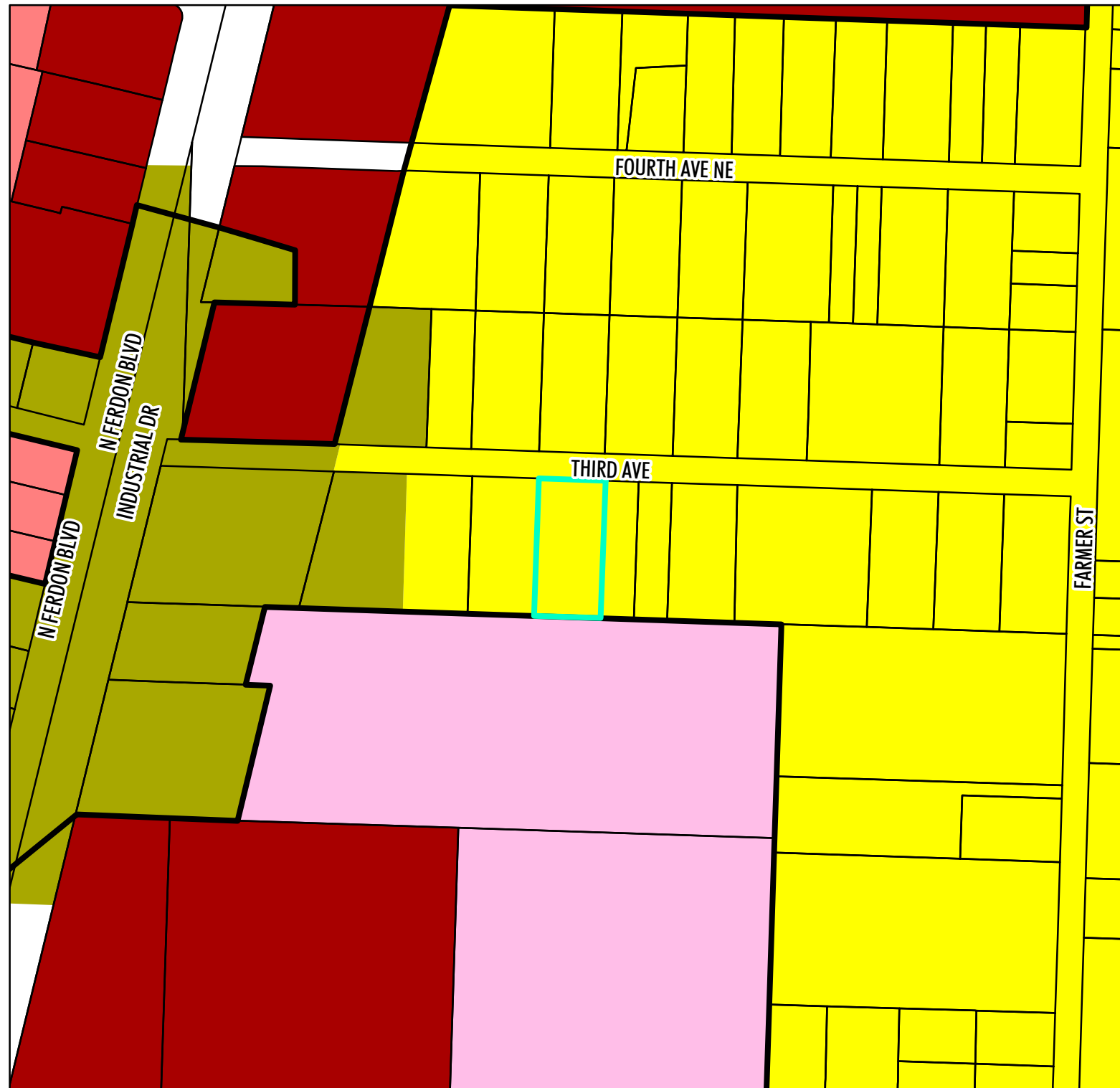
Public Lands (P)

Conservation (E)

County Zoning

Residential - 1 (R-1)

Mixed Use (MU)



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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



0 225 450
Feet

Legend

Subject Parcel

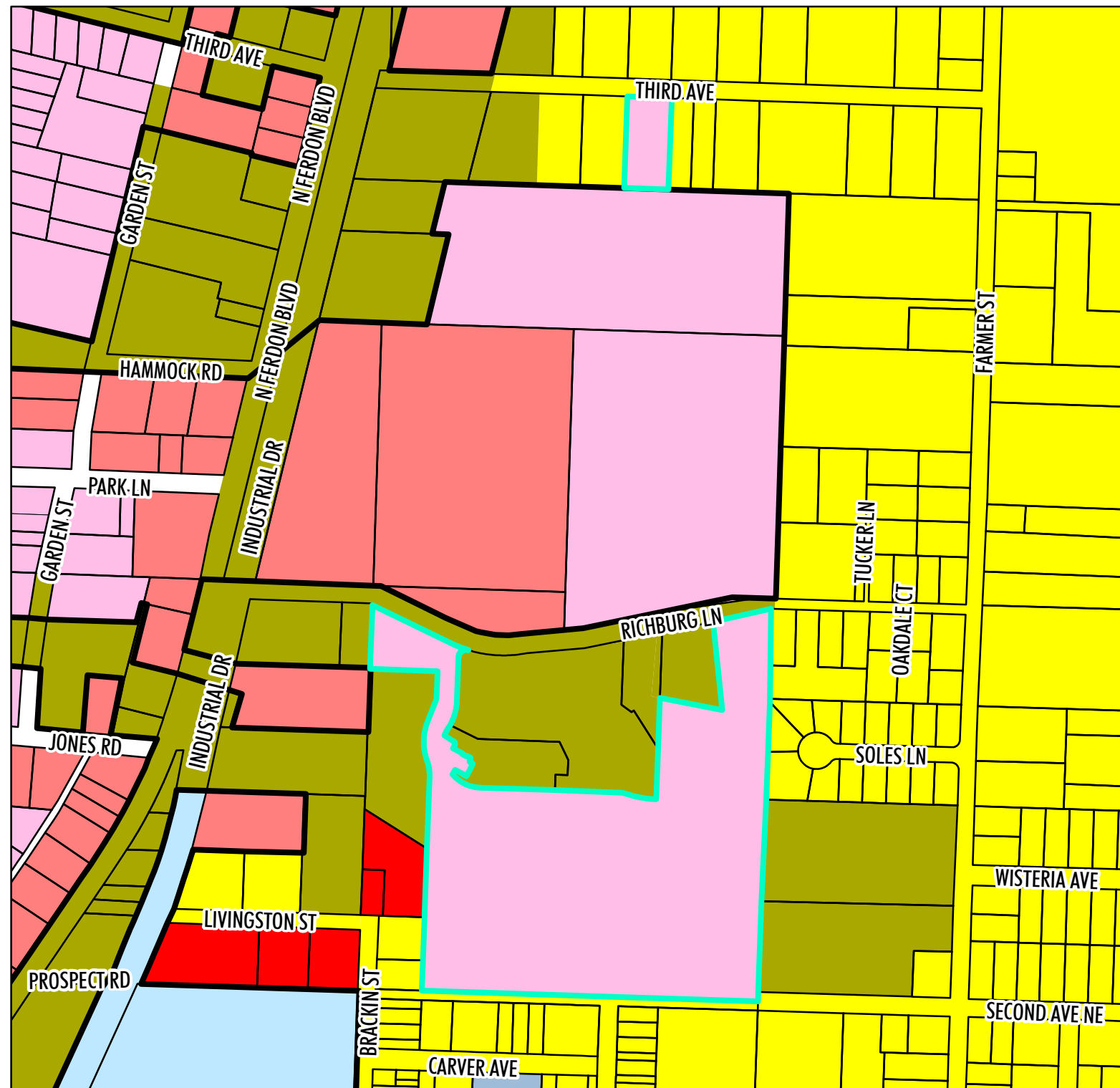
City Limits

City Future Land Use

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

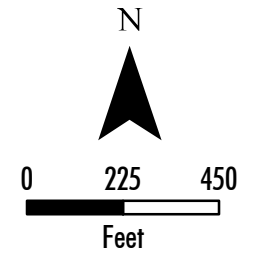
County Future Land Use

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



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U.S. SURVEY FEET

Proposed Zoning



Legend

Subject Parcel

City Limits

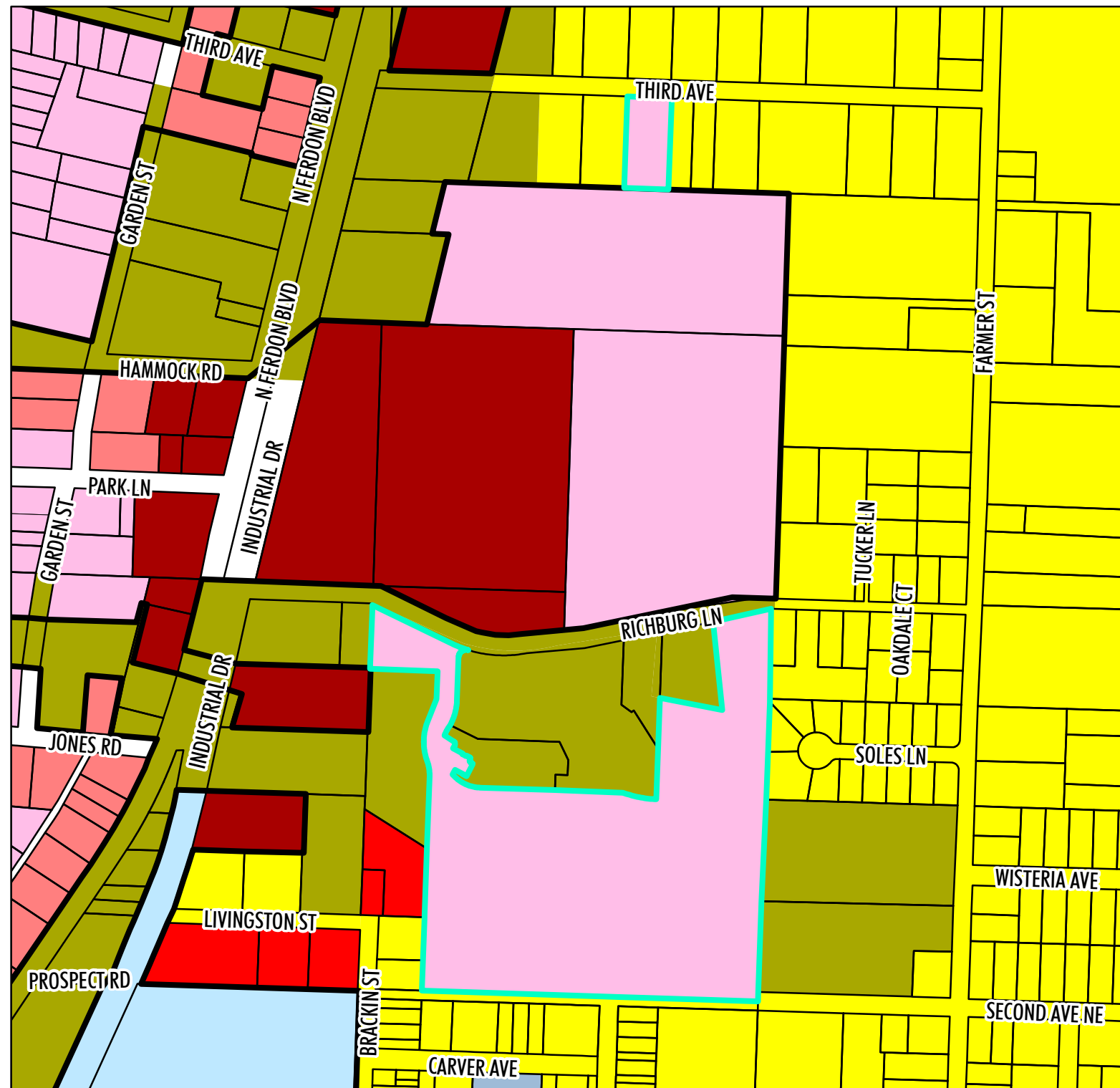
City Zoning

- 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)
- Institutional (INST)

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Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/17/2023
SUBJECT: Ordinance 1926 - Richburg Lane and Third Avenue Comp Plan Amendment

BACKGROUND:

On February 27, 2023 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located on Third Avenue and at 2828 Richburg Lane.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential & Mixed Use and Residential-1 & Mixed Use, respectively.

The application requests the Mixed Use (MU) future land use designation for the property.

On April 3, 2023, the Planning and Development Board recommended Ordinance 1926 not be approved. The first reading was approved by the City Council on April 10, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: MH Crestview Land LLC
17005 Emerald Coast Pkwy
Destin, FL 32541
Parcel ID: 04-3N-23-1840-0012-0080
09-3N-23-0000-0011-001A
Site Size: 23.28 acres
Current FLU: Okaloosa County Low Density Residential & Mixed Use
Current Zoning: Okaloosa County Residential-1 & Mixed Use
Current Land Use: Vacant

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

Third Avenue Parcel

Direction	FLU	Zoning	Existing Use
North	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
East	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
South	Mixed Use (MU)	Mixed Use (MU)	Vacant

West	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
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Richburg Parcel

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

The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property could be developed for residential or low-intensity commercial 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 March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

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 have been waived for this application as it was received during the moratorium on annexation fees. There is no additional cost of advertising as the comprehensive plan amendment request was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1926 on second reading.

Attachments

1. Attachment 4 MH annex land rezone
2. Exhibit Packet

ORDINANCE: 1926

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 OKALOOSA COUNTY LOW DENSITY RESIDENTIAL AND MIXED USE TO MIXED USE (MU) ON APPROXIMATELY 23.28 ACRES, MORE OR LESS, IN SECTION 4, TOWNSHIP 3 NORTH, RANGE 23 WEST, AND IN SECTION 9, 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 Okaloosa County Low Density Residential and Mixed Use to Mixed Use (MU) on a parcel of land containing 23.28 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 23.28 acres of land, more or less, from Okaloosa County Low Density Residential and Mixed Use to Mixed Use (MU). For the purposes of this Ordinance and Comprehensive Plan Amendment, the 23.28 acres, more or less, is known as Parcel 04-3N-23-1840-0012-0080 and Parcel 09-3N-23-0000-0011-001A and commonly described as:

PIN # 04-3N-23-1840-0012-0080

LOT 8, BLOCK 12, OAKDALE MINIATURE FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 129, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

PIN # 09-3N-23-0000-0011-001A

A PARCEL OF LAND LOCATED IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4"X4" CONCRETE MONUMENT (NO IDENTIFICATION), MARKING THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED SOUTH 02°08'22" WEST, A DISTANCE OF 62.99 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF RICHBOURG LANE AND THE POINT OF BEGINNING; THENCE, ALONG SAID RIGHT OF WAY LINE, SOUTH 64°11'04" EAST, A DISTANCE OF 232.86 FEET; THENCE SOUTH 66°25'43" EAST, A DISTANCE OF 114.49 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE, DEPARTING SAID SOUTH RIGHT OF WAY LINE, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 105°02'50", A DISTANCE OF 45.84 FEET (CHORD=BEARING SOUTH 54°35'35" WEST, CHORD=39.68 FEET); THENCE SOUTH 02°04'10" WEST, A DISTANCE OF 141.69 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 183.00 FEET ; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°26'46", A DISTANCE OF 97.24 FEET (CHORD BEARING=SOUTH 17°17'33" WEST, CHORD LENGTH=96.10 FEET), TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 125.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°40'41" A DISTANCE OF 25.48 FEET (CHORD BEARING=SOUTH 26°40'35" WEST, CHORD=25.43 FEET); THENCE SOUTH 56°55'44" EAST, A DISTANCE OF 25.85 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 10.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°47'25", A DISTANCE OF 15.50 FEET (CHORD BEARING=SOUTH 12°32'01" EAST, CHORD=13.99 FEET); THENCE SOUTH 31°51'41" WEST, A DISTANCE OF 10.61 FEET; THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 35.10 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 3.14 FEET (CHORD BEARING=SOUTH 16°42'35" EAST, CHORD=2.83 FEET); THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 12.00 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 3.14 FEET (CHORD BEARING=NORTH 73°17'25" EAST, CHORD=2.83 FEET); THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 11.14 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 82°58'29", A DISTANCE OF 7.24 FEET (CHORD BEARING=SOUTH 20°13'21" EAST, CHORD=6.62 FEET); THENCE SOUTH 27°53'02" WEST, A DISTANCE OF 5.29 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.81 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°20'26", A DISTANCE OF 13.62 FEET (CHORD BEARING=SOUTH 45°05'48" EAST, CHORD=13.20 FEET), TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 22.98 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°41'12", A DISTANCE OF 2.28 FEET (CHORD BEARING=SOUTH 23°16'09" EAST, CHORD=2.28 FEET); THENCE SOUTH 27°34'34" WEST, A DISTANCE OF 44.53 FEET; THENCE NORTH 61°42'35" WEST, A DISTANCE OF 11.99 FEET; THENCE NORTH 28°17'25" EAST, A DISTANCE OF 1.00 FEET; THENCE NORTH 61°42'35" WEST, A DISTANCE OF 30.68 FEET; THENCE SOUTH 28°17'25" WEST, A DISTANCE OF 16.56

FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 125.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°47'27", A DISTANCE OF 108.63 FEET (CHORD BEARING=SOUTH 62°57'51" EAST, CHORD=105.24 FEET) THENCE SOUTH 87°51'34" EAST, A DISTANCE OF 472.22 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 360.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°41'43", A DISTANCE OF 111.18 FEET (CHORD BEARING=SOUTH 79°00'42" EAST, CHORD=110.74 FEET); THENCE NORTH 02°04'10" EAST, A DISTANCE OF 333.44 FEET; THENCE SOUTH 77°01'33" EAST, A DISTANCE OF 219.60 FEET; THENCE NORTH 03°57'38" WEST, A DISTANCE OF 282.20 FEET; THENCE NORTH 81°44'56" EAST, A DISTANCE OF 176.86 FEET; THENCE SOUTH 02°04'06" WEST, A DISTANCE OF 1251.48 FEET; THENCE NORTH 88°17'57" WEST, A DISTANCE OF 1105.06 FEET; THENCE NORTH 02°08'22" EAST, A DISTANCE OF 690.59 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 136.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°58'44", A DISTANCE OF 54.54 FEET (CHORD BEARING=NORTH 09°21'00" WEST, CHORD=54.18 FEET), TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 185.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°42'20", A DISTANCE OF 137.89 FEET (CHORD BEARING=NORTH 00°30'48" EAST, CHORD=134.72 FEET); THENCE NORTH 21°51'58" EAST, A DISTANCE OF 81.38 FEET; THENCE NORTH 02°04'06" EAST, A DISTANCE OF 91.03 FEET; THENCE NORTH 87°50'33" WEST, A DISTANCE OF 221.43 FEET; THENCE NORTH 02°08'22" EAST, A DISTANCE OF 208.45 FEET TO THE POINT OF BEGINNING.

The Mixed Use (MU) Future Land Use Category is hereby imposed on Parcel 04-3N-23-1840-0012-0080 and Parcel 09-3N-23-0000-0011-001A. 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 04-3N-23-1840-0012-0080 and Parcel 09-3N-23-0000-0011-001A 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 24th day of April, 2023.

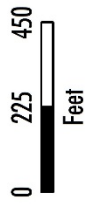
Approved by me this 24th day of April, 2023.

J. B. Whitten
Mayor

ATTEST:

Maryanne Schrader
City Clerk

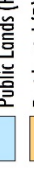
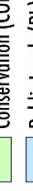
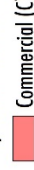
Adopted Future Land Use



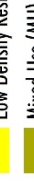
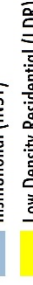
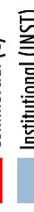
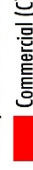
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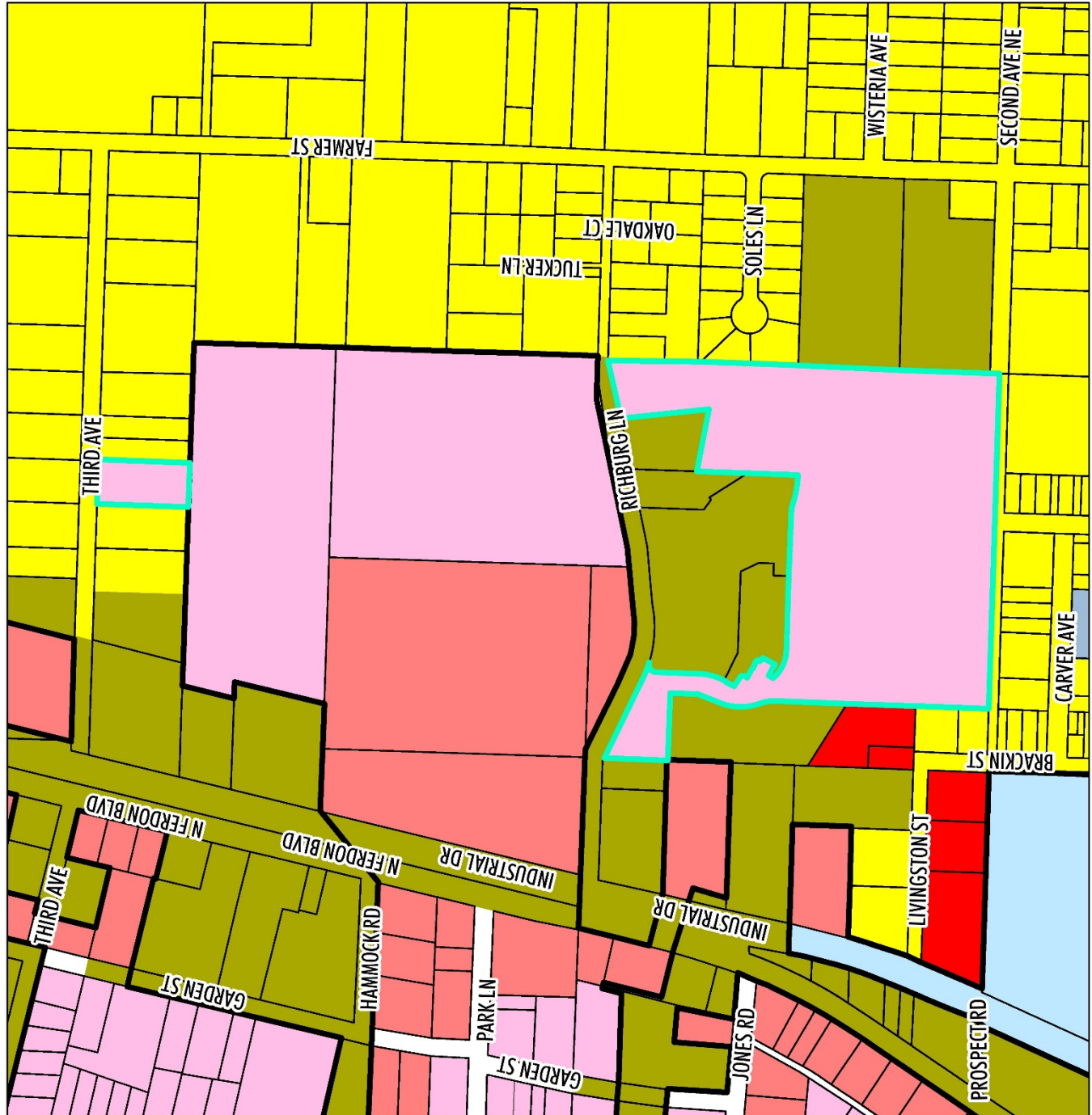
City Future Land Use



County Future Land Use



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



Attachment 4

Prepared for an Annexation, Comprehensive Plan Future Land Use Map Amendment and Rezoning Request

For two properties, referenced as Parcel ID Numbers 04-3N-23-1840-0012-0080 and
09-3N-23-0000-0011-001A.

Conducted for:

MH Crestview Land LLC
17005 Emerald Coast Pkwy
Destin, FL 32541
Ph: 850.803.2000

Prepared for:

City of Crestview Community Development Services
Ph: 850.682.1560
198 Wilson St. North
Crestview, FL 32536

Prepared by:

the planning collaborative



the planning collaborative

February 20, 2023

TABLE OF CONTENTS

Purpose and Introduction.....	3
Description of Existing Conditions.....	3
Figure 1. Existing Parcel Boundaries.....	4
Figure 2. Reference Map for Adjacent Uses.....	5
Table 1. Descriptions of Adjacent Uses.....	5
Description of Request.....	7
Analysis of Applicable Policies and Regulations.....	8
Urban Sprawl Analysis.....	8
Findings and Conclusion.....	12
EXHIBIT 1A – Crestview Future Land Use Map	
EXHIBIT 1B – Okaloosa Future Land Use Map	
EXHIBIT 2A – Crestview Zoning Map	
EXHIBIT 2B – Okaloosa Zoning Map	
EXHIBIT 3 – National Wetlands Inventory Map	
EXHIBIT 4 – FEMA Flood Insurance Rate Map	

PURPOSE AND INTRODUCTION

This report supports a request to annex two (2) lots into the City of Crestview and amend the Crestview Future Land Use Map and Zoning Map to allow for the construction of residential uses. This request is respectfully submitted to amend the parcels to the Mixed-Use Future Land Use category and zoning district.

The existing land use of the one (1) acre parcel to the north (Parcel A) is “Vacant”, and the 22.28 acre parcel to the south (Parcel B) is “Vacant/Com” according to the Okaloosa County Property Appraiser.¹ The requests are supported herein. The analysis supplied with this application looks at the maximum residential development potential of these parcels as the request is being made to support the development of a multi-family residential complex.

The consultant, the planning collaborative, reviewed, and analyzed the following documents and websites in preparation of this report and application.

- The Okaloosa County Property Appraiser website data and maps
- The Crestview Comprehensive Plan, as published online
- The Crestview Land Development Code, as published online
- Okaloosa’s GIS Mapping webpage
- Crestview’s GIS Mapping webpage
- The Federal Emergency Management Agency’s flood maps
- The National Wetland Inventory Online Map
- FDOT Okaloosa County Functional Classifications, dated April 29, 2014
- Correspondence with various City departments, Okaloosa County School Board, and Auburn Water

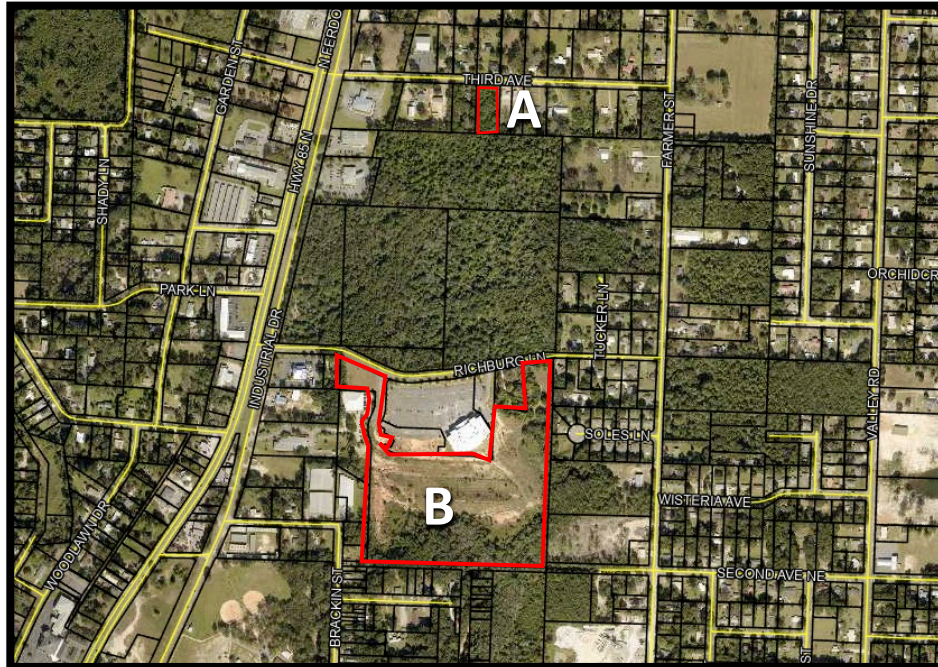
DESCRIPTION OF EXISTING CONDITIONS

This request is being made for two (2) parcels. As labeled in Figure 1, the first (Parcel A) is located to the south of Third Ave and the second (Parcel B) is located to the south of Richburg Lane. The parcel numbers are as follows, respectively: 04-3N-23-1840-0012-0080 and 09-3N-23-0000-0011-001A. Both combined include +/- 23.28 acres total. Parcel A is designated by the Okaloosa County Future Land Use Map as Low Density Residential (LDR) and the Okaloosa County Zoning Map as Residential 1 (R-1). Parcel B is designated by the Okaloosa County Future Land Use Map as Mixed Use (MU) and the

¹ Okaloosa County Property Appraiser, Department of Revenue Code, as referenced February 7, 2023

Okaloosa County Zoning Map as Mixed Use (MU). Exhibits 1 and 2 include the Future Land Use Maps and Zoning Maps for Crestview and Okaloosa County.

Figure 1. Existing Parcel Boundaries

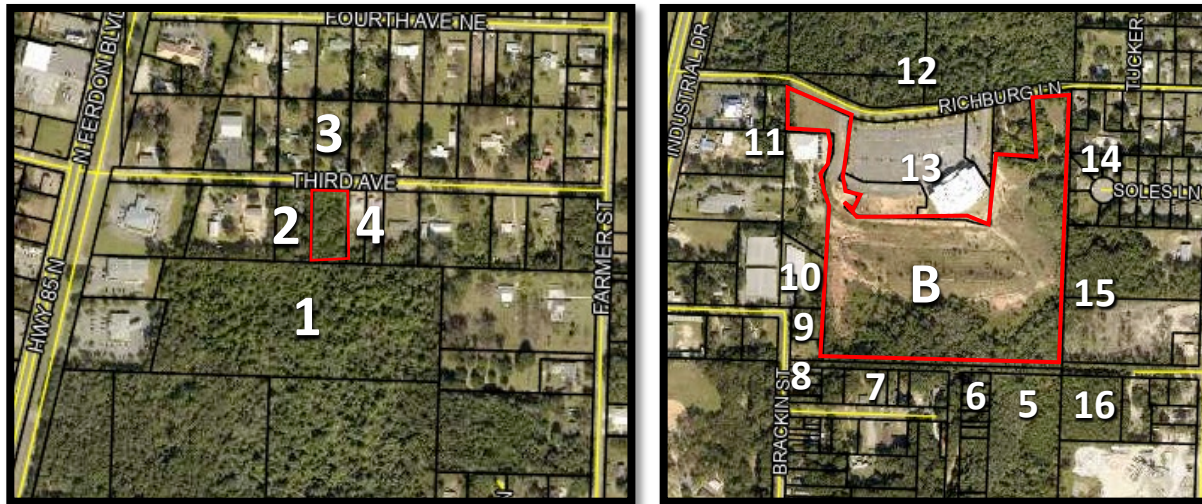


Source: Okaloosa County Property Appraiser, February 2023

 Approximate Boundary of Parcels

Figure 2 following depicts the location of the two parcels in relation to adjacent parcels. This graphic is considered with Table 1 to show consistency with adjacent residential uses.

Figure 2. Reference Maps for Adjacent Uses



Source: Okaloosa County Property Appraiser, February 2023

Approximate Boundary of Parcels

Table 1 below, describes the existing uses, the Future Land Use, and Zoning assigned to the parcels within the vicinity of these properties. The map annotation refers to the numbers on Figure 2 above.

Table 1. Adjacent Uses

Map Annotation	Property Appraiser Tax Code	Future Land Use	Zoning District
1	No Ag Acre	Mixed-Use (City)	Mixed-Use (City)
2	Single Family	Low Density Residential (County)	R-1 (County)
3 (3 parcels)	Single Family	Low Density Residential (County)	R-1 (County)
4 (2 parcels)	Single Family	Low Density Residential (County)	R-1 (County)
5	Vacant	Low Density Residential (County)	R-1 (County)
6 (5 parcels)	Vacant	Low Density Residential (County)	R-1 (County)
7 (6 parcels)	Mobile Home x2 Vacant Institutional Single Family x2 Vacant	Low Density Residential (County)	R-1 (County)
8 (5 parcels)	Vacant x3 Single Family	Low Density Residential (County)	R-1 (County)

Map Annotation	Property Appraiser Tax Code	Future Land Use	Zoning District
9 (2 parcels)	Single Family Vacant	Low Density Residential (County)	R-1 (County)
10 (2 parcels)	Vacant Commercial Warehouse	Commercial (County)	C-3 (County)
11 (3 parcels)	Office Building x2 Single Family	Mixed Use (County) x2 Commercial (City)	Mixed Use (County) x2 C-2 (City)
12 (3 parcels)	Vacant No Ag Acre x2	Commercial (City) x2 Mixed Use (City)	C-2 (City) x2 Mixed Use (City)
13 (3 parcels)	Theater/AU Vacant Commercial x2	Mixed Use (County)	Mixed Use (County)
14 (8 parcels)	Single Family x6 & Vacant	Low Density Residential (County)	R-1 (County)
15 (2 parcels)	Warehouse Vacant Commercial	Mixed Use (County)	Mixed Use (County)
16	Vacant	Low Density Residential (County)	R-1 (County)

Source: Okaloosa County Property Appraiser, Okaloosa County GIS webpage, and City of Crestview GIS webpage

The current zoning of the nearby properties to Parcel A are residential to the north, east, and west with mixed use to the south. Parcel B is nearby to properties zoned mixed use residential, and commercial.

The existing land uses surrounding the parcels are varied and include a mixture of uses including residential, warehousing, office buildings, a theatre, county property, and vacant commercial, residential, and institutional properties. These surrounding uses are similar in nature to the intended uses of the property: residential and commercial.²

According to the National Wetland Inventory and Crestview data, Parcel A contains no wetlands while Parcel B contains a portion of wetlands towards the southern boundary (Exhibit 3).³ There are no plans for development at this time, however, the applicant, in compliance with Crestview's Comprehensive Plan and Land Development Code, reserves the right to apply for appropriate permits in regard to the forthcoming site plan development.

The properties are both located in a Flood Zone X, or the area outside of the Special Flood Hazard Area (Exhibit 4).⁴

² Okaloosa County Property Appraiser, Department of Revenue Code, as referenced July 18, 2022

³ U.S. Fish & Wildlife Service National Wetlands Inventory, Online Wetlands Mapper, as referenced July 19, 2022

⁴ Federal Emergency Management Agency, Flood Insurance Rate Map Panel No. 12091C0170J

Both parcels are currently vacant, based on the Department of Revenue Codes assigned to the parcels as indicated by the Okaloosa County Property Appraiser.⁵

DESCRIPTION OF REQUEST

This application is submitted to request that both parcels be amended to the Mixed Use Future Land Use category and the Mixed Use zoning district. Description of the proposed Future Land Use category and requested zoning district for the site area provided below:

Future Land Use Category: Mixed Use (MU)⁶

“The Mixed-Use land use category is limited to areas that exhibit an existing or planned development pattern reflecting a variety of uses, densities, and non-residential uses.”

MU Allowable Uses: The Comprehensive Plan describes the allowable residential uses and non-residential uses in policy. The “specific residential uses allowed in this category include single-family residential, multi-family residential, mobile home parks and mobile home subdivisions.” The “specific non-residential uses include recreation uses, neighborhood and general commercial and business uses, offices, restaurants, motels, hotels and other temporary lodging facilities, clinics and medical facilities, churches and places of worship, light industrial uses when such uses do not create any adverse off-site impacts to other properties or to protected environmental resources.” It is also included that “other similar uses may be allowed based on compatibility with existing nearby uses.”

Zoning District: Mixed Use District (MU)⁷

“The Mixed-Use District is established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments, including retail sales, professional offices, service industries, bed-and-breakfasts, other similar uses and accompanying accessory uses.”

“Uses may be limited by location due to impacts and compatibility issues.”

⁵ Okaloosa County Property Appraiser, Department of Revenue Code, as referenced July 18, 2022

⁶ Crestview Comprehensive Plan, Future Land Use Element Policy 7.A.3.4(2)

⁷ Crestview Land Development Regulations, Section 4.03.00

The proposed use of the property **is consistent** with the above land use and zoning descriptions, as amended.

Also, because the proposed development includes residential and commercial uses, and as described of the same usages as existing development within the vicinity (see Table 1), a consistent development pattern is continued with this amendment.

ANALYSIS OF APPLICABLE POLICIES AND REGULATIONS

Crestview Comprehensive Plan

Policy 7.A.2.3 (5) states that “New mixed-use developments shall be located on or connected to collector or arterial roadways.”

RESPONSE: These two parcels, as an addition to a previously submitted and approved mixed use land use amendment and rezoning approval, are accessible to an arterial roadway. Parcel A of this application will connect to North Ferdon Boulevard, a “Principal Arterial – Other URBAN”, by ways of Third Avenue. Parcel B will also connect to North Ferdon Boulevard, a “Principal Arterial – Other URBAN”, by ways of Richburg Lane, a roadway designated as “Local URBAN”. Therefore, this development is consistent with the location criteria for the assignment of the category.

Urban Sprawl Analysis

Policy 7.A.6.5 states that “No zoning change or plan amendment shall be approved unless a finding is made that such zoning change and plan amendment will promote compact urban development and not encourage urban sprawl”.

RESPONSE: Because this site is located in an infill area, where City services such as transportation networks and water services exist, this change will not create an urban sprawl occurrence. Florida Statutes defines urban sprawl as:

“a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.”⁸

⁸ 163.3164(52), Florida Statutes (2022)

The following 163.3177(6), F.S. analysis determines that this request does not meet that definition.

1. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or single-use development or uses.

RESPONSE: These parcels are a part of a larger mixed-use development that will not be low-intensity or low-density. The proposed development will include multi-family residential and commercial uses.

2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

RESPONSE: The subject parcels are not in an area considered to be rural. Both parcels are undeveloped and will be used for housing, which supports this criterion.

3. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

RESPONSE: As previously mentioned, these two parcels are additions to a mixed use development. Both parcels are surrounded by existing uses. No radial, strip, isolated, or ribbon patterns of development will occur as a result of this amendment.

4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

RESPONSE: As shown in Exhibits 3, Parcel A contains no wetlands. Twin Creek runs into the southern portion of Parcel B, creating a wetland. No wetland impacts are projected at this time. The existing wetlands conditions are not expected to change at the time, but the applicant reserves the right to apply for the appropriate permits in regard to the forthcoming site plan development. Both properties are located in a Flood Zone C, or the area outside of the Special Flood Hazard Area (Exhibit 4).

5. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

RESPONSE: No agriculturally used or designated areas are within the vicinity of these parcels.

6. Fails to maximize use of existing public facilities and services.

RESPONSE: Existing public facilities and services, such as the existing transportation network, solid waste collection, and water services will be sought to serve this development as they are available.

7. Fails to maximize use of future public facilities and services.

RESPONSE: Any future public facilities and services will be used, as practical to the development.

8. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

RESPONSE: Services exist in the area. The approval of this request will not disproportionately increase the cost of providing service to this development.

9. Fails to provide a clear separation between rural and urban uses.

RESPONSE: The subject parcels are not in an area considered to be rural. No rural areas are adjacent to the subject parcels.

10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

RESPONSE: This development is considered infill development.

11. Fails to encourage a functional mix of uses.

RESPONSE: As components of a larger mixed use development, the residential units in close proximity to other uses will encourage a functional mix of uses, especially as this development will provide a transition between existing commercial uses along SR 85 and Richburg Lane and those residential uses to the east and the south.

12. Results in poor accessibility among linked or related land uses.

RESPONSE: Other uses within the vicinity are easily accessible via Richburg Lane and SR 85 North.

13. Results in the loss of significant amounts of functional open space.

RESPONSE: There is no functional open space currently associated with these parcels.

Crestview Land Development Code

Section 3.06.07 states that “An application for a rezoning shall be reviewed in accordance with the following criteria.” These criteria include:

1. Whether the proposed zoning district is consistent with the City Comprehensive Plan;

RESPONSE: With the approval of the requested amendment of the Future Land Use Map to the Mixed-use category, the land use and zoning will be consistent. This criterion **will be met** with the approval of both amendment requests.

2. Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;

RESPONSE: Although a final plan for development is not yet finalized, it is anticipated that the development will include a range of housing types, which include detached single family and attached multi-family, which will be compatible with the existing residential uses to the east and north and non-residential uses to the west and south. This criterion **is met**.

3. Whether the range of uses allowed in the proposed zoning district will be compatible with existing and potential uses in the area under consideration;

RESPONSE: As indicated by Section 4.03.00(B), the Mixed-use District is (in part) “established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments... Each parcel, lot, tract or other division of land may contain multiple single- and multi-family dwellings according to the density allowed by the size of each piece of land.” Therefore, this criterion **is met** since a multi-family use is considered allowable.

4. Whether the proposed zoning district will serve a community need or broader public purpose;

RESPONSE: The development of multi-family housing will serve the need for additional housing within the community, which also serves the need for Eglin Air Force Base. This criterion **is met**.

5. To ensure there are not multiple zoning districts assigned to one parcel. Except if secondary zoning is Conservation (E), designated on a plat or development plans as a parcel or easement of conservation or jurisdictional wetlands;

RESPONSE: With the approval of proposed Future Land Use Map amendment and rezoning, each parcel will be designated with only one zoning district. This criterion **is met**.

6. The characteristics of the proposed rezoning area are suitable for the uses permitted in the proposed zoning district; and

RESPONSE: As indicated above, the rezoning allows for multi-family uses, which is a portion of the anticipated development of these parcels. Additional housing types are planned as part of the development. This criterion **is met**. Additionally, the location for this use is ideal, as a transitional use between more intense commercial and less intense single-family uses.

7. Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.

RESPONSE: The requested zoning district is actually less intense than the existing Okaloosa County Mixed Use zoning assigned for Parcel B. Therefore, the reduction of adverse impacts to the adjacent residential uses surrounding this parcel will be beneficial with the assignment of the requested category. The redesignation of Parcel A will be consistent with the larger parcel which was recently annexed and amended to the City's Mixed Use Future Land Use category.

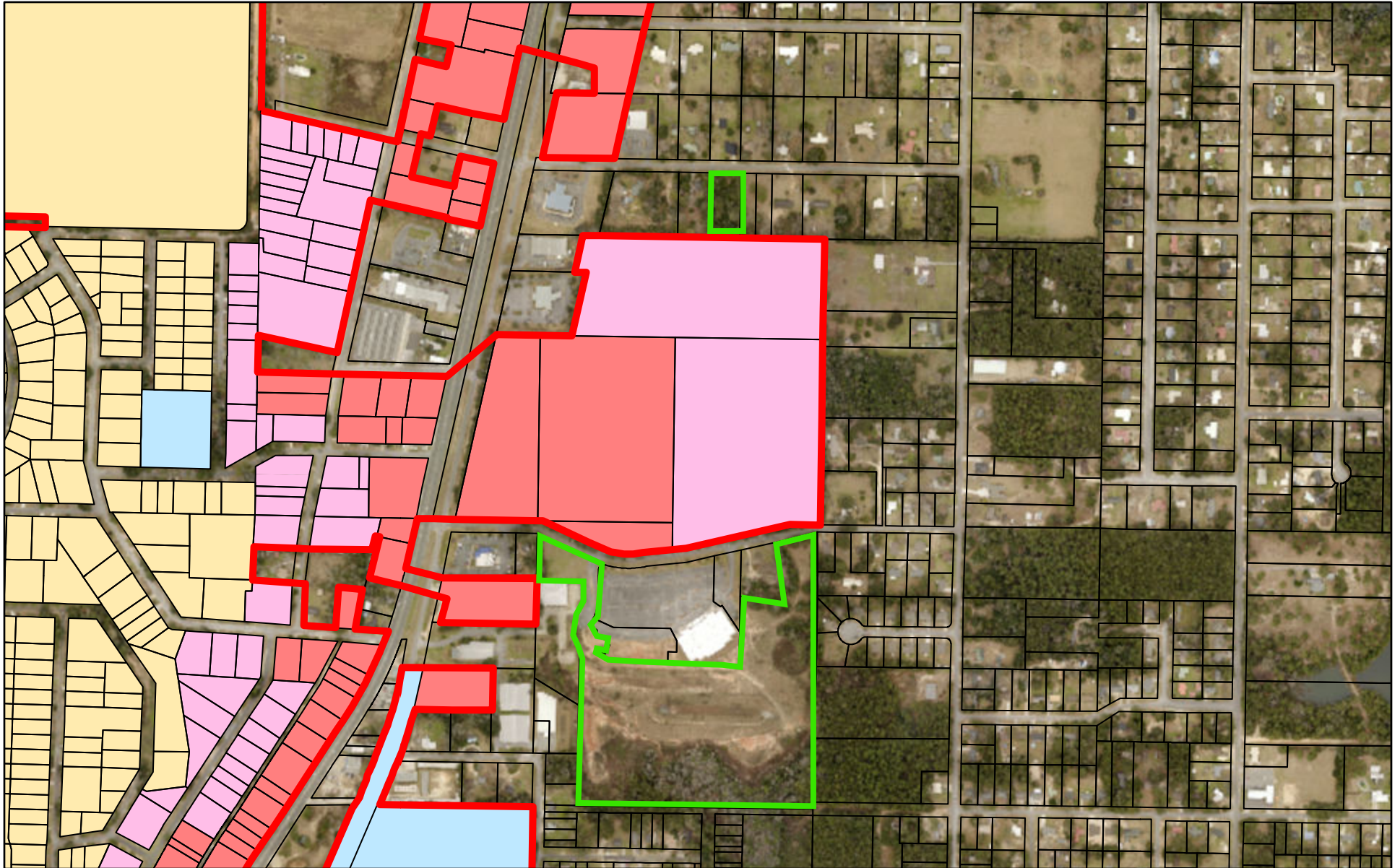
FINDINGS AND CONCLUSIONS

The amendment of the Comprehensive Plan and zoning designations for these properties will be compatible with the existing surrounding development. The proposed amendment will not result in any land use conflicts with the existing uses. No adverse impacts will be generated such as unordinary noise, smoke, exhaust, emissions, dust, adverse lighting,

vibrations, or odors that would be detrimental to the existing surrounding uses or would otherwise disturb the quiet enjoyment of nearby residents.

Additionally, the proposed amendment is consistent with and furthers the Goals, Objectives, and Policies of the Crestview Comprehensive Plan, and complies with the adopted requirements of the City's Land Development Regulations. The designation of these properties as Mixed-use will not create a condition that will negatively impact the nearby residential uses over time and will provide a transitional tier form intense uses to less intense uses within the vicinity.

Exhibit 1A - Crestview Future Land Use Map



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Future Land Use

Residential (R)

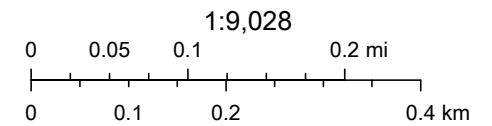
Mixed Use (MU)

Commercial (C)

Public Lands (PL)

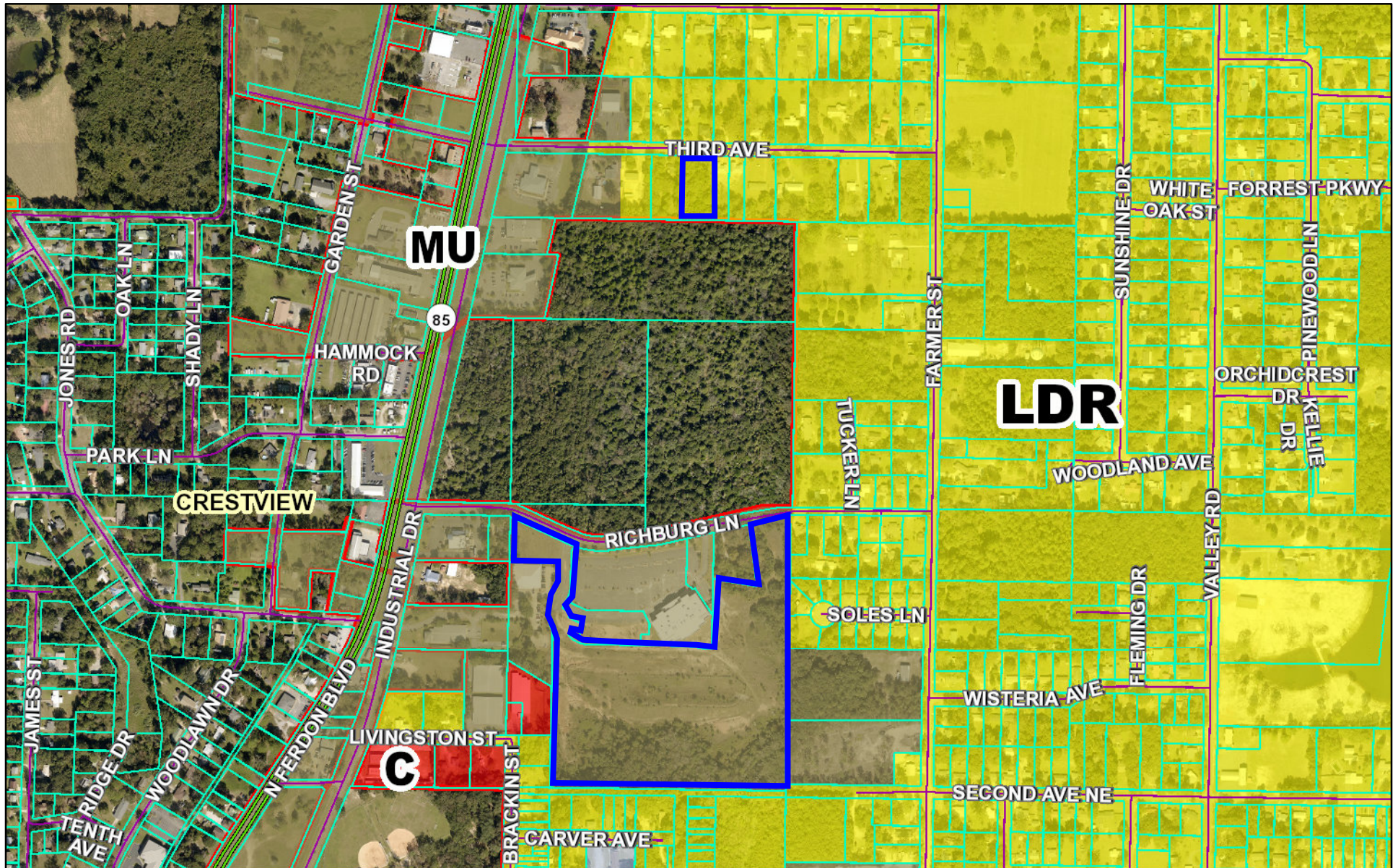
Crestview City Limits

Approximate Project Boundaries



Maxar

Exhibit 1B - Okaloosa Future Land Use Map



February 17, 2023

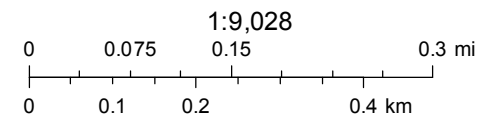
Mixed Use (MU)

Commercial (C)

Low Density Residential (LDR)

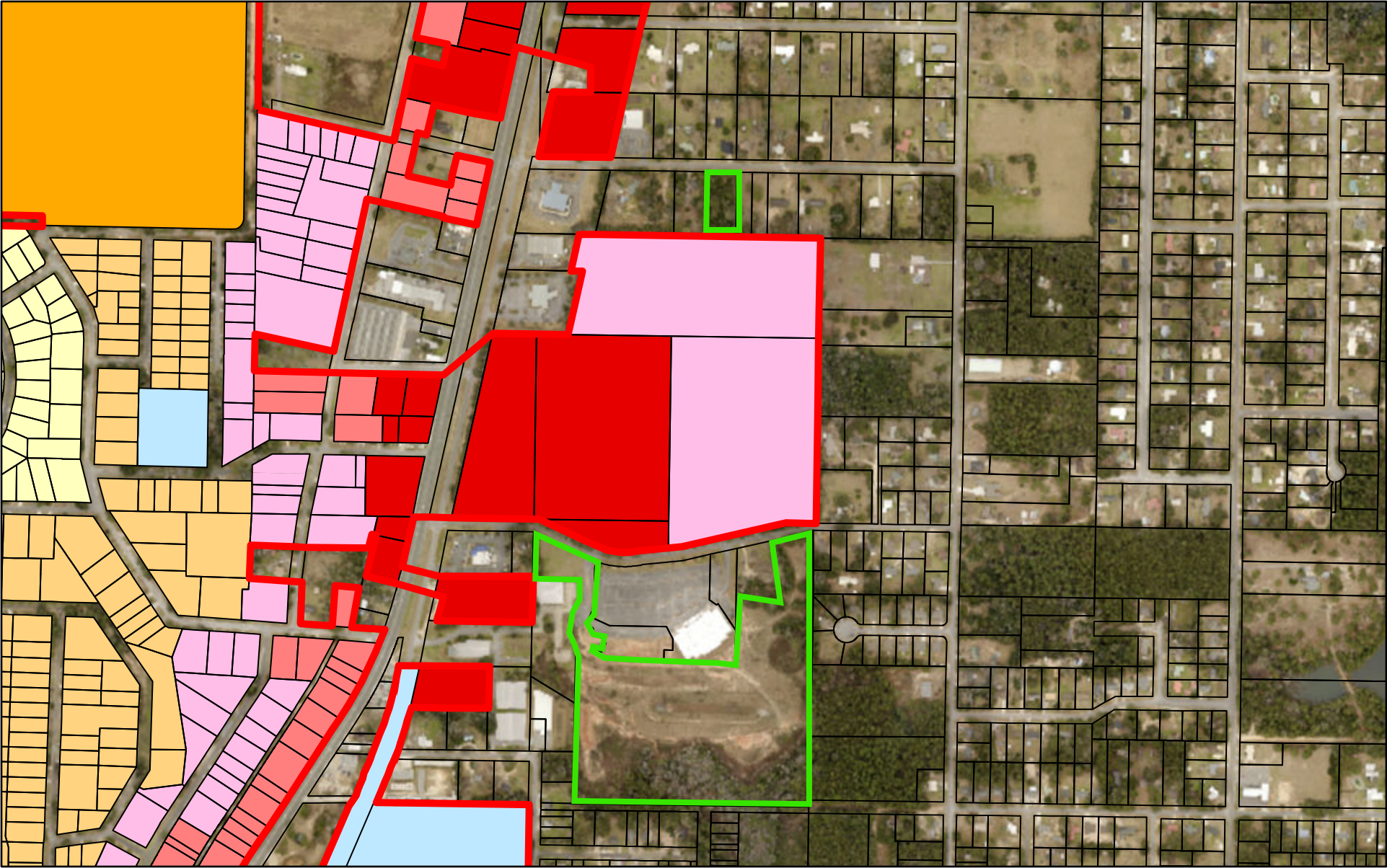
Crestview City Limits

Approximate Project Boundaries



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Exhibit 2A - Crestview Zoning Map



2/17/2023, 2:40:15 PM

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

- Crestview City Limits
- Approximate Project Boundaries

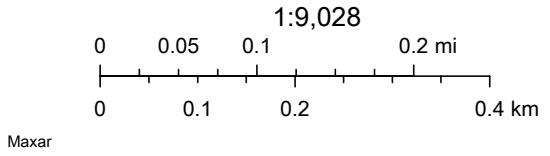
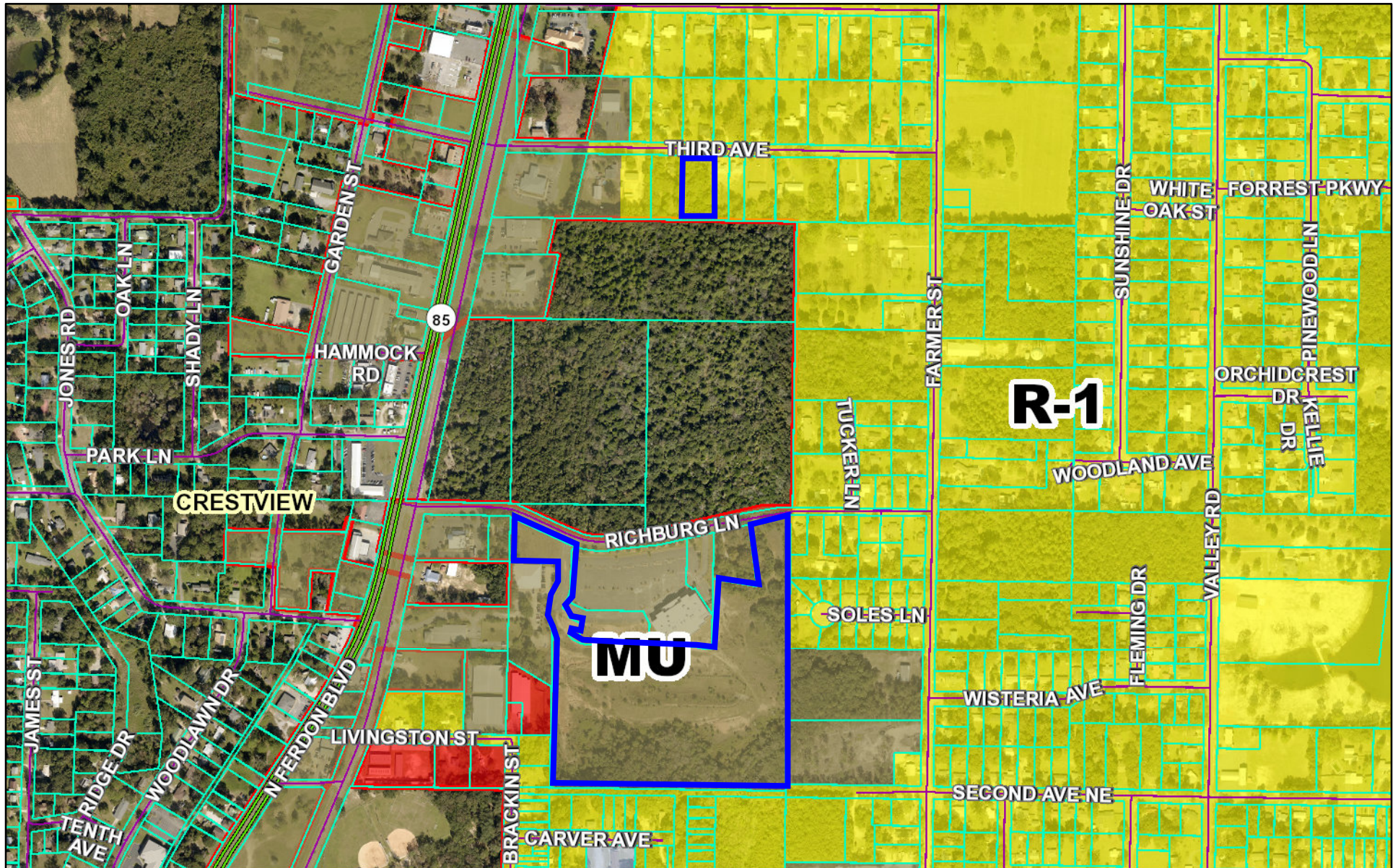


Exhibit 2B - Okaloosa Zoning Map



February 17, 2023

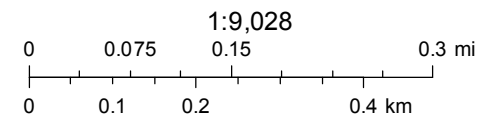
Mixed Use (MU)

Commercial (C)

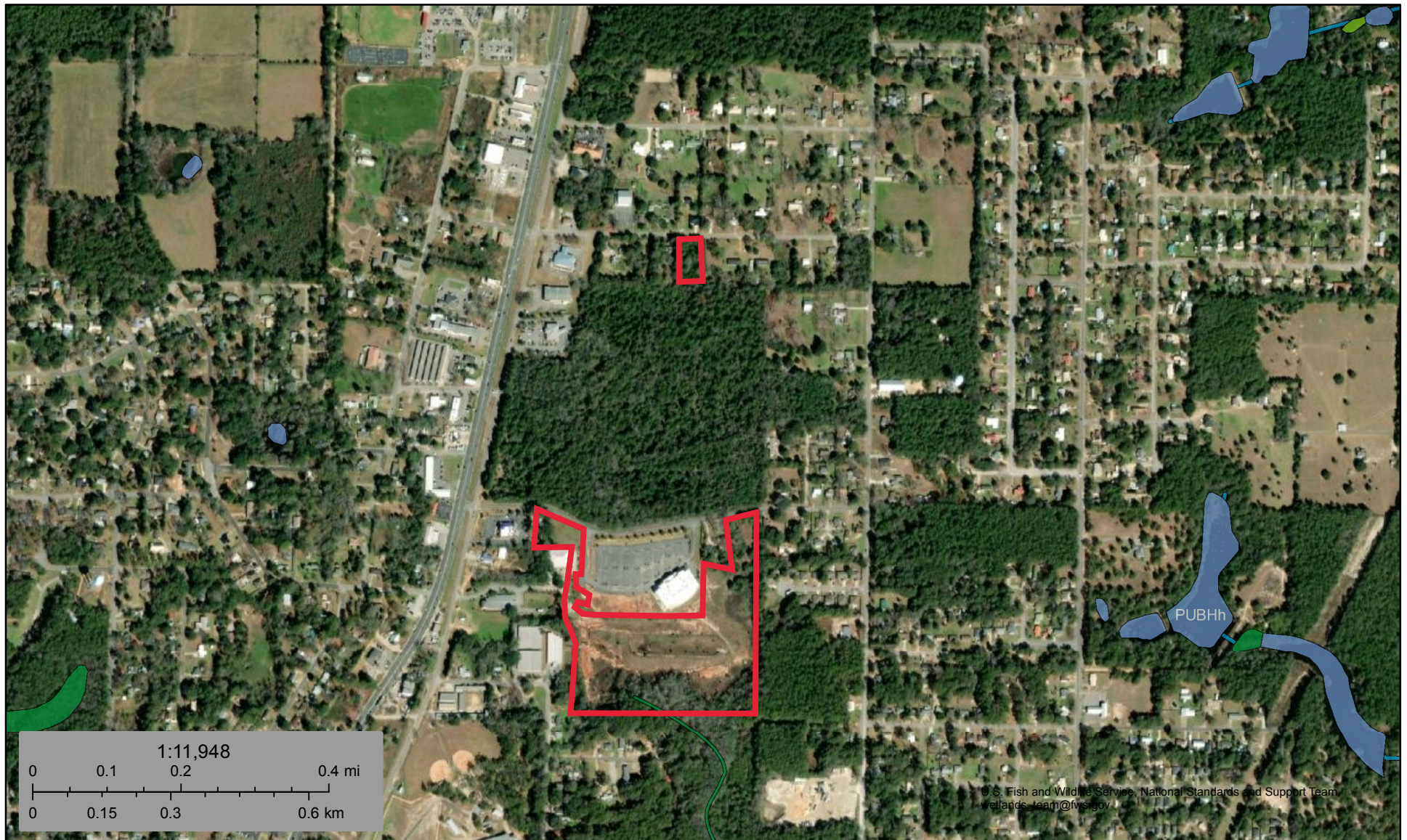
Low Density Residential (LDR)

Crestview City Limits

Approximate Project Boundaries



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),



February 17, 2023

Wetlands

- | | | |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |
| | |  Approximate Project Boundaries |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Flood Hazard Layer FIRMette



86°33'44"W 30°47'7"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

86°33'7"W 30°46'36"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature



Approximate Project Boundaries



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

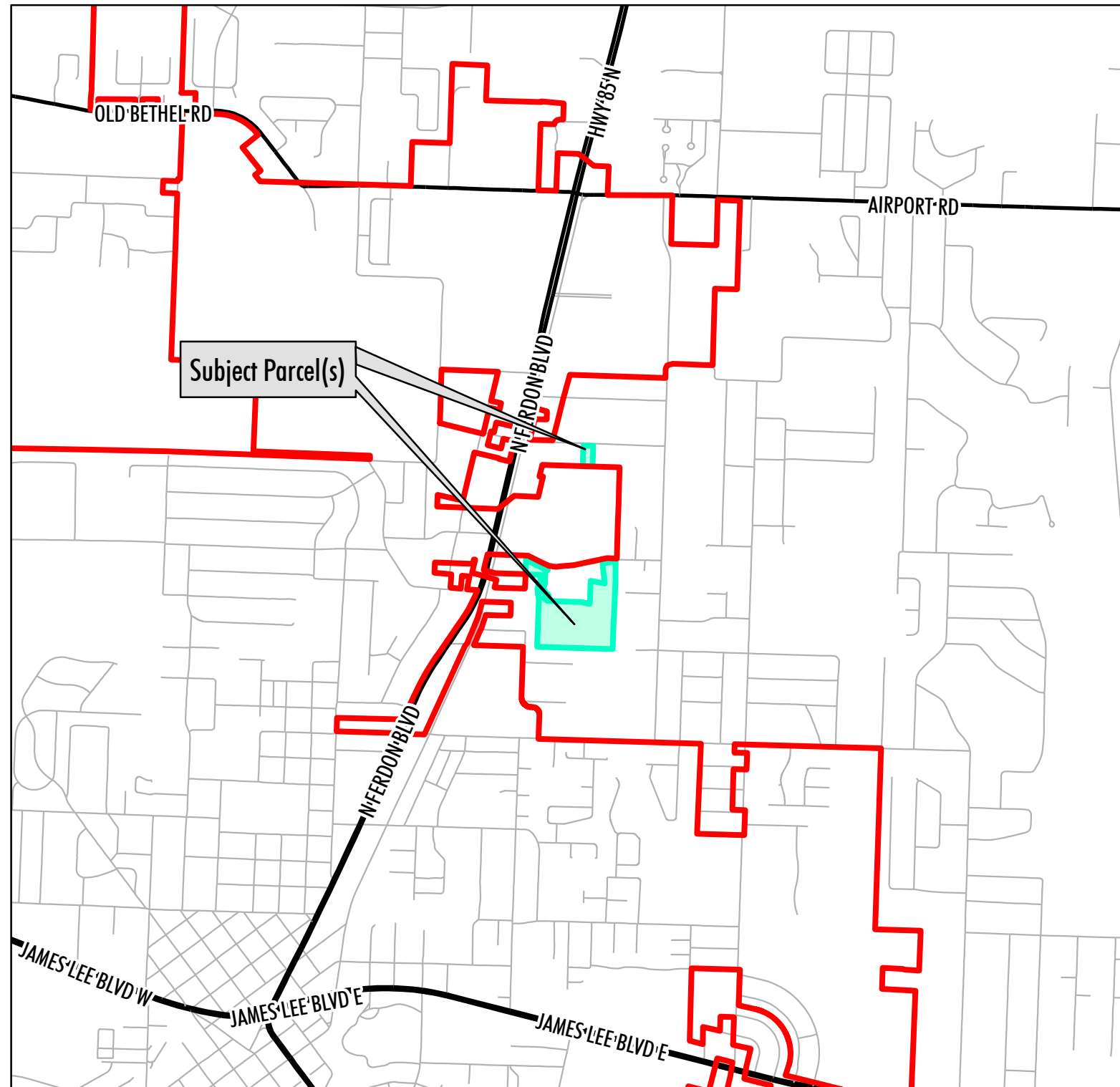
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/20/2023 at 1:15 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

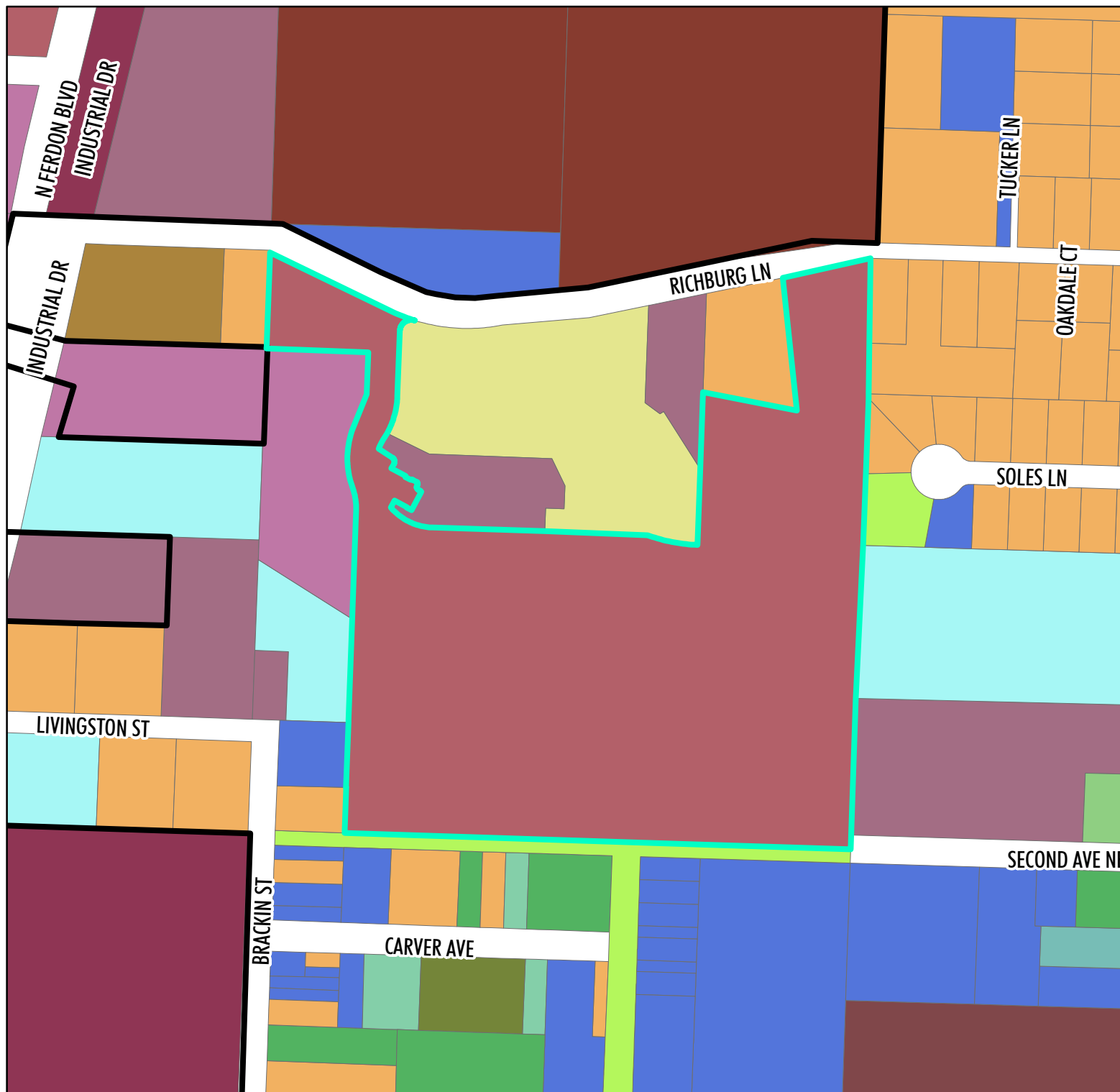
Vicinity Map



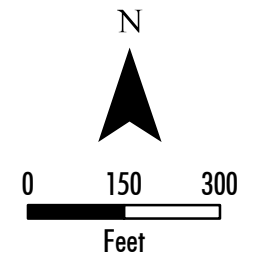
Not to Scale



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NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Existing Use Richburg Parcel



Legend

- Subject Parcel
- City Limits

Existing Use

- Churches
- County
- Manufactured Home
- Minderal Pr
- Mobile Home
- Multi-Family
- Municipal
- No AG Acre
- Office Building
- Restaurant
- Single Family
- Theater/Au
- Vacant Institutional
- Vacant
- Vacant Commercial
- Vacant/Commercial
- Warehouse

Current FLU Richburg Parcel



0 150 300
Feet

Legend

Subject Parcel

City Limits

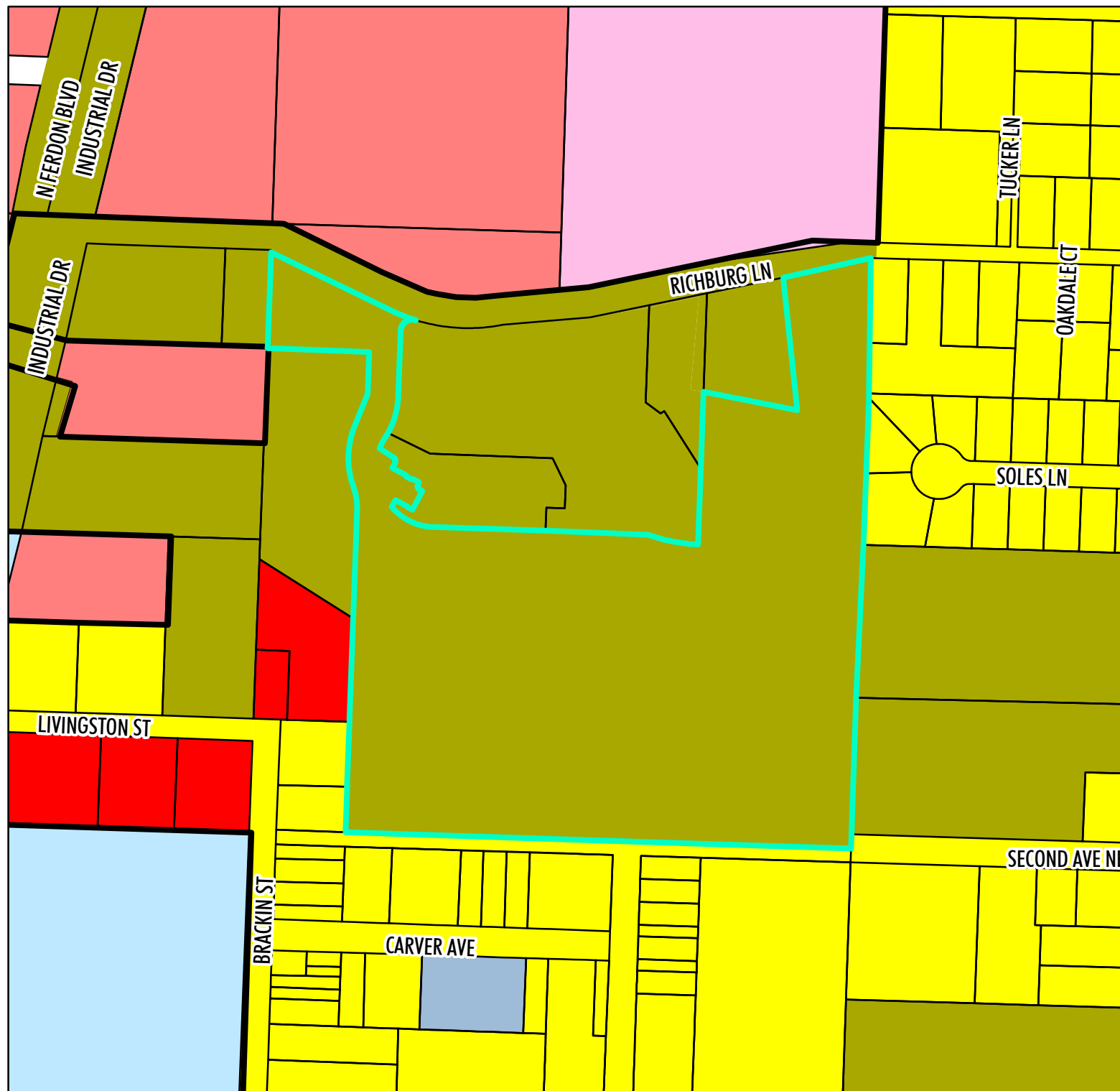
City Future Land Use

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

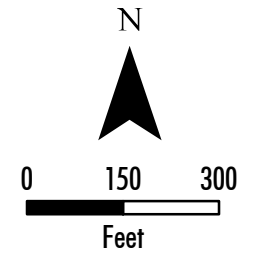
County Future Land Use

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

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Current Zoning Richburg Parcel



Legend

Subject Parcel

City Limits

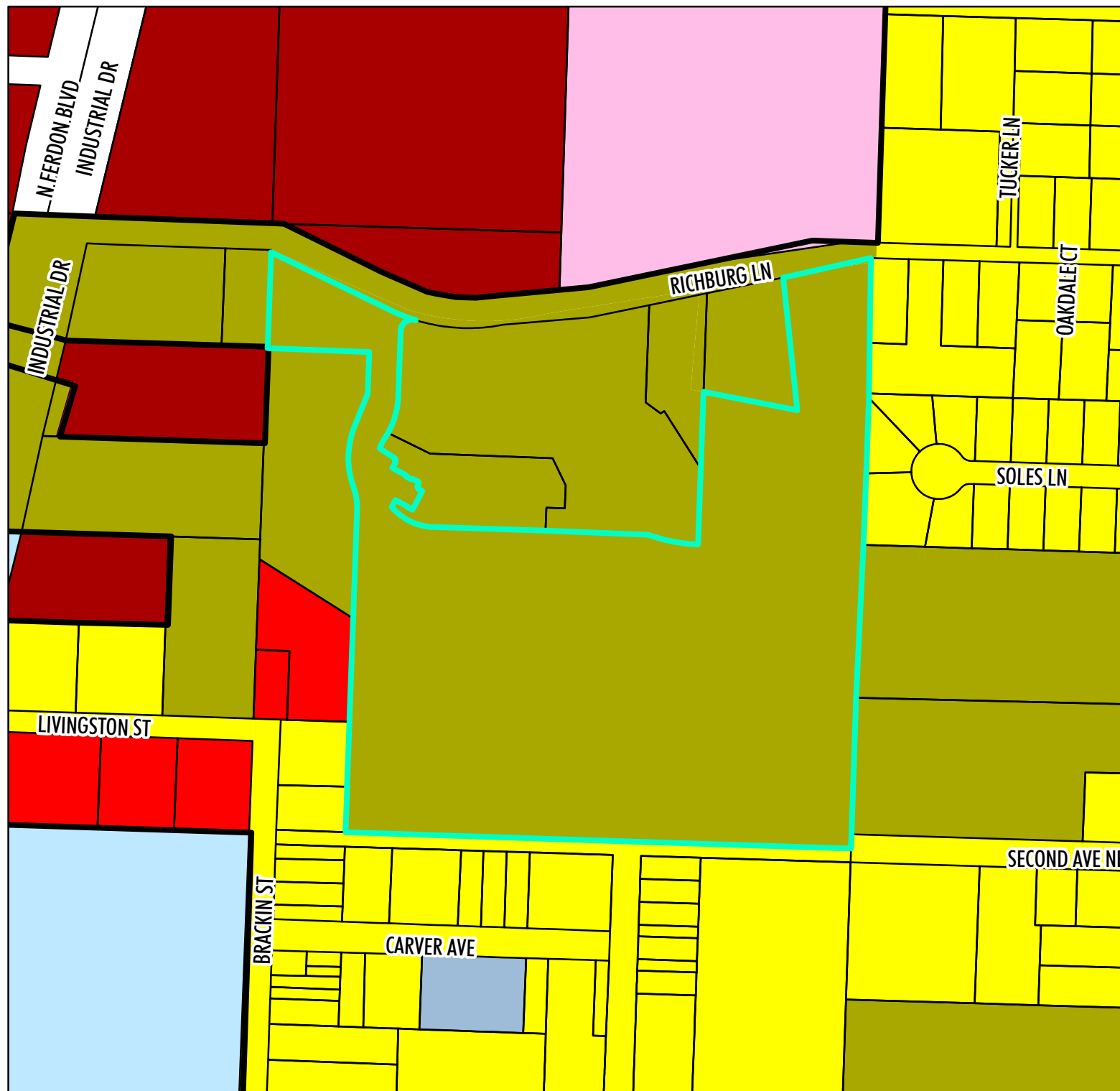
City Zoning

- 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)

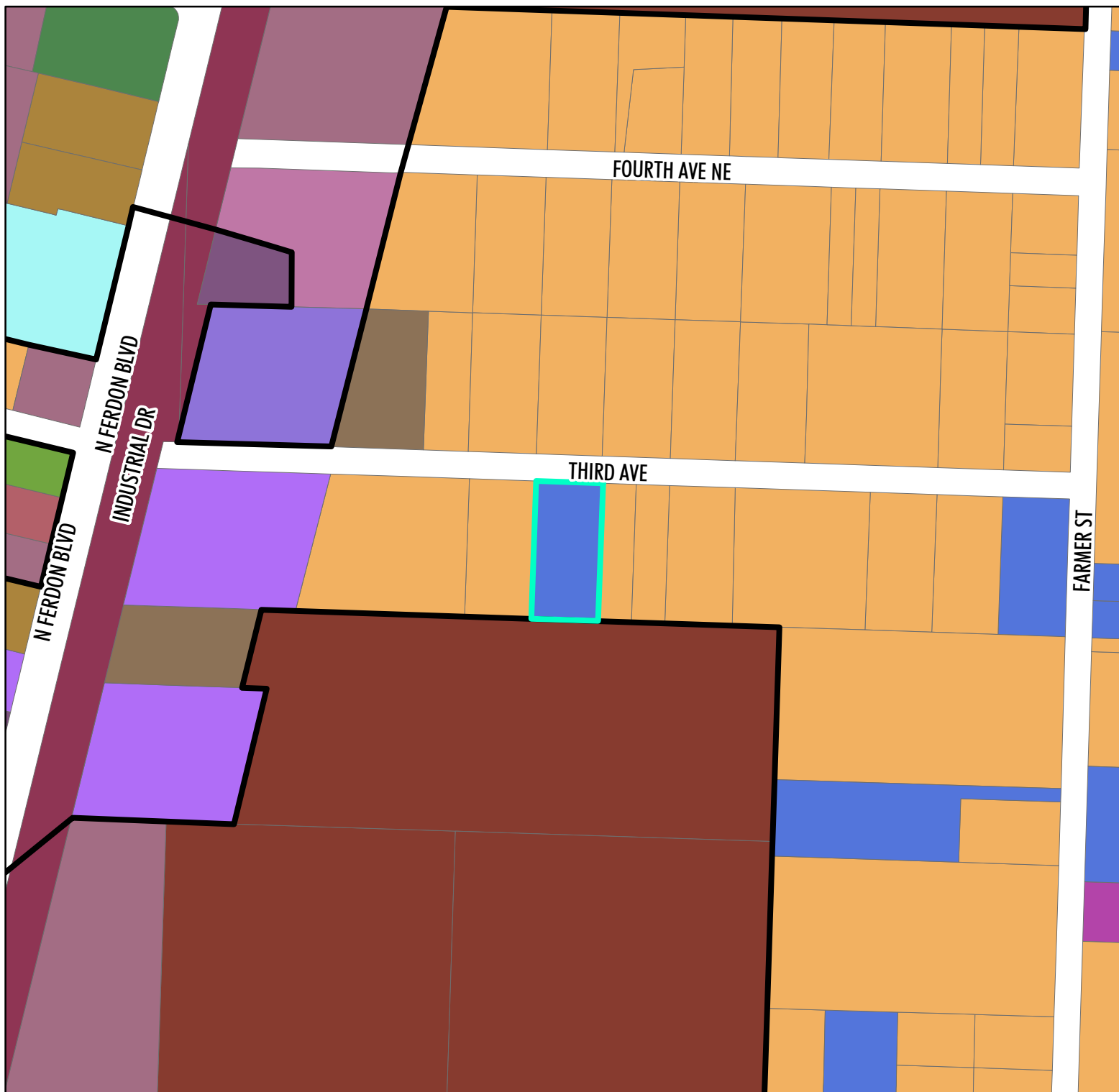
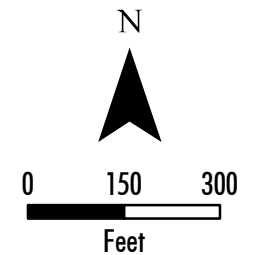
County Zoning

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

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Existing Use Third Ave. Parcel



Legend

- Subject Parcel
- City Limits

Existing Use

- Financial
- Gym/Fitness
- Municipal
- No AG Acre
- Office Building
- Restaurant
- Service Shop
- Single Family
- Stores
- Supermarket
- Utilities
- Vacant
- Vacant Commercial
- Vacant/Commercial
- Vehicle Sale
- Warehouse

Current FLU Third Ave. Parcel



0 150 300
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

 Public Lands (PL)

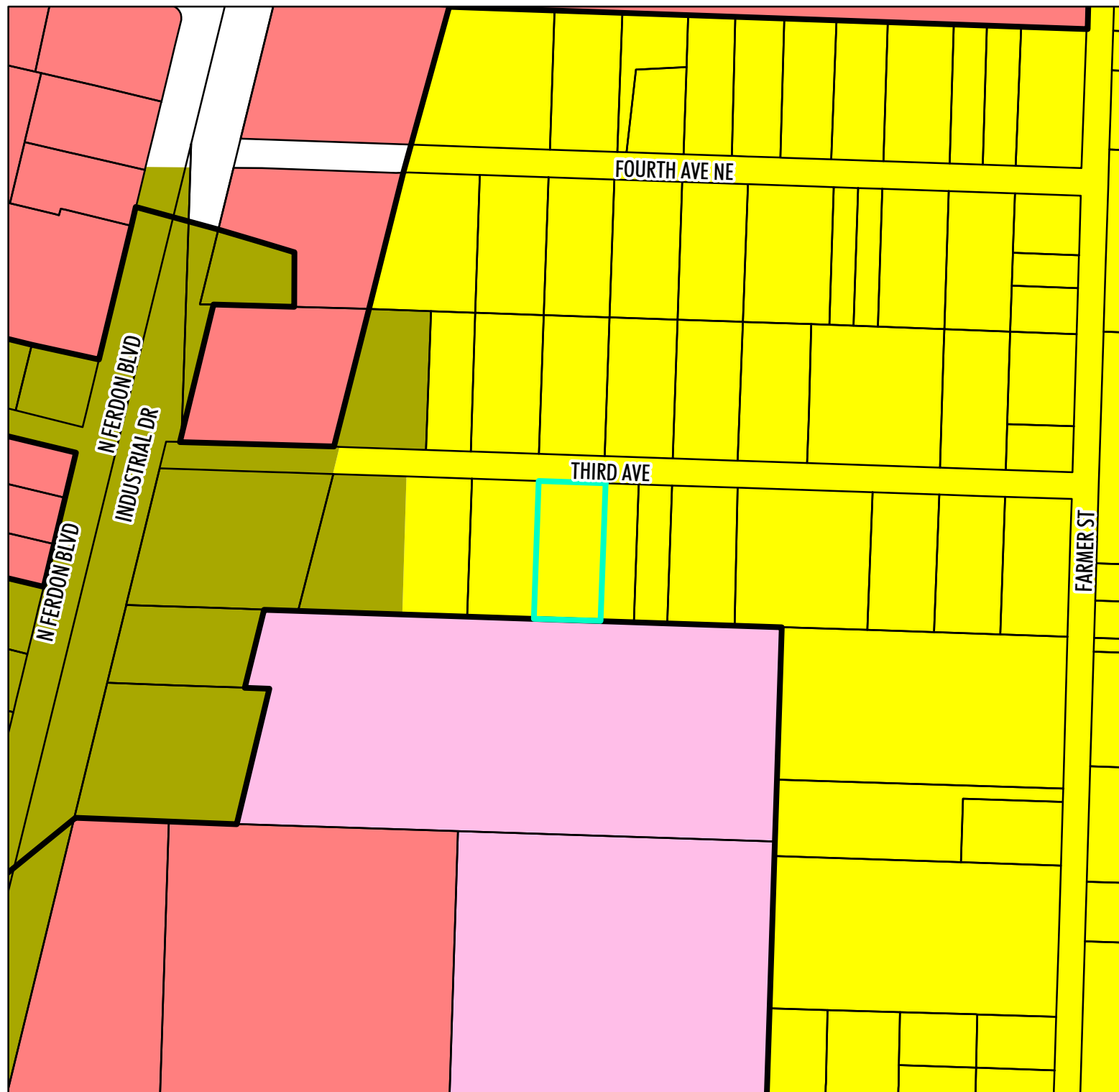
 Residential (R)

County Future Land Use

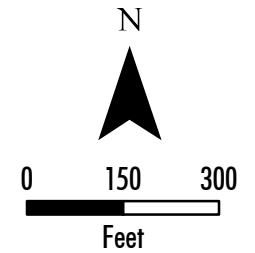
 Low Density Residential (LDR)

 Mixed Use (MU)

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U.S. SURVEY FEET



Current Zoning Third Ave. Parcel



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)

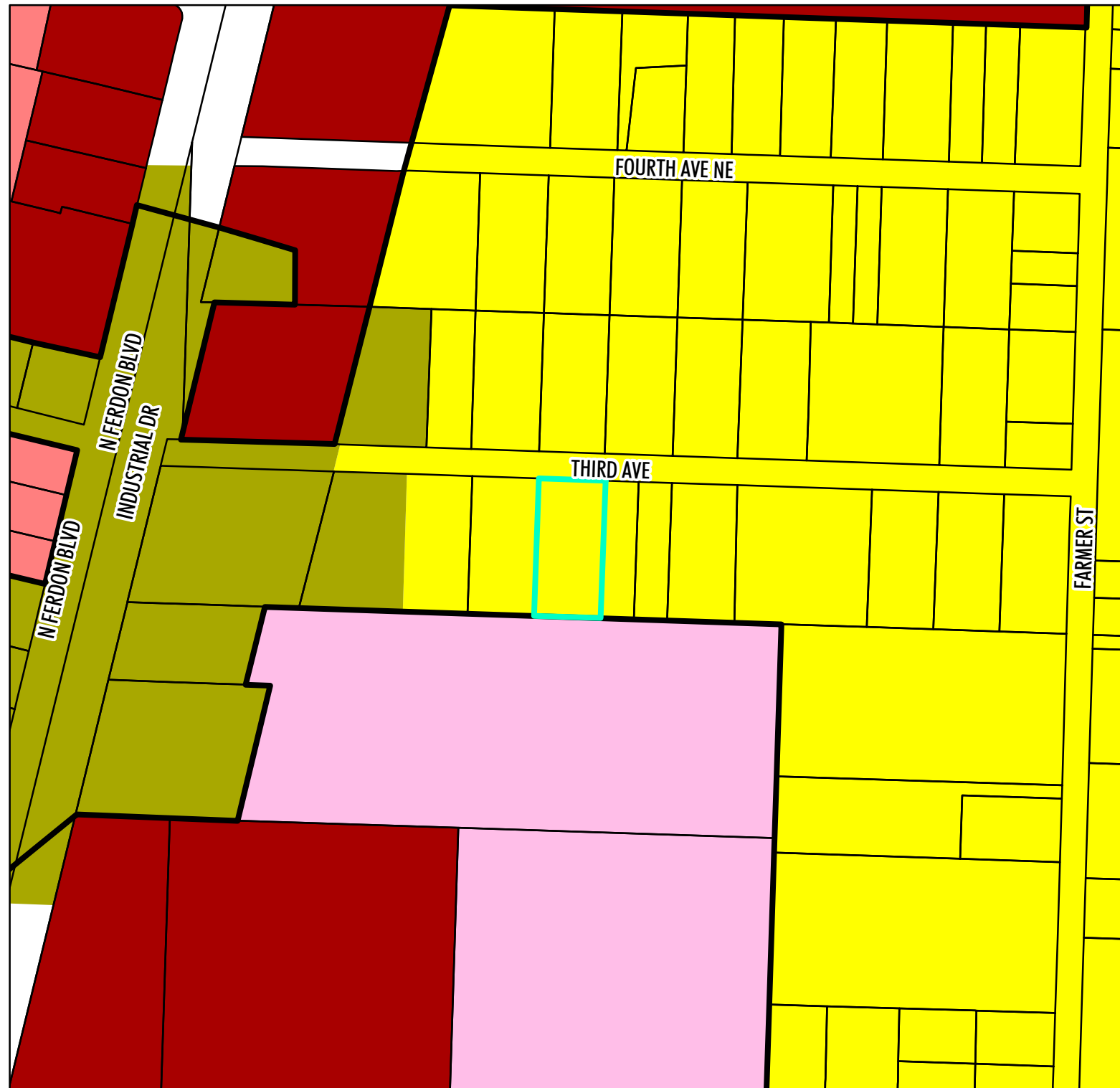
Public Lands (P)

Conservation (E)

County Zoning

Residential - 1 (R-1)

Mixed Use (MU)



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Proposed Future Land Use



0 225 450
Feet

Legend

Subject Parcel

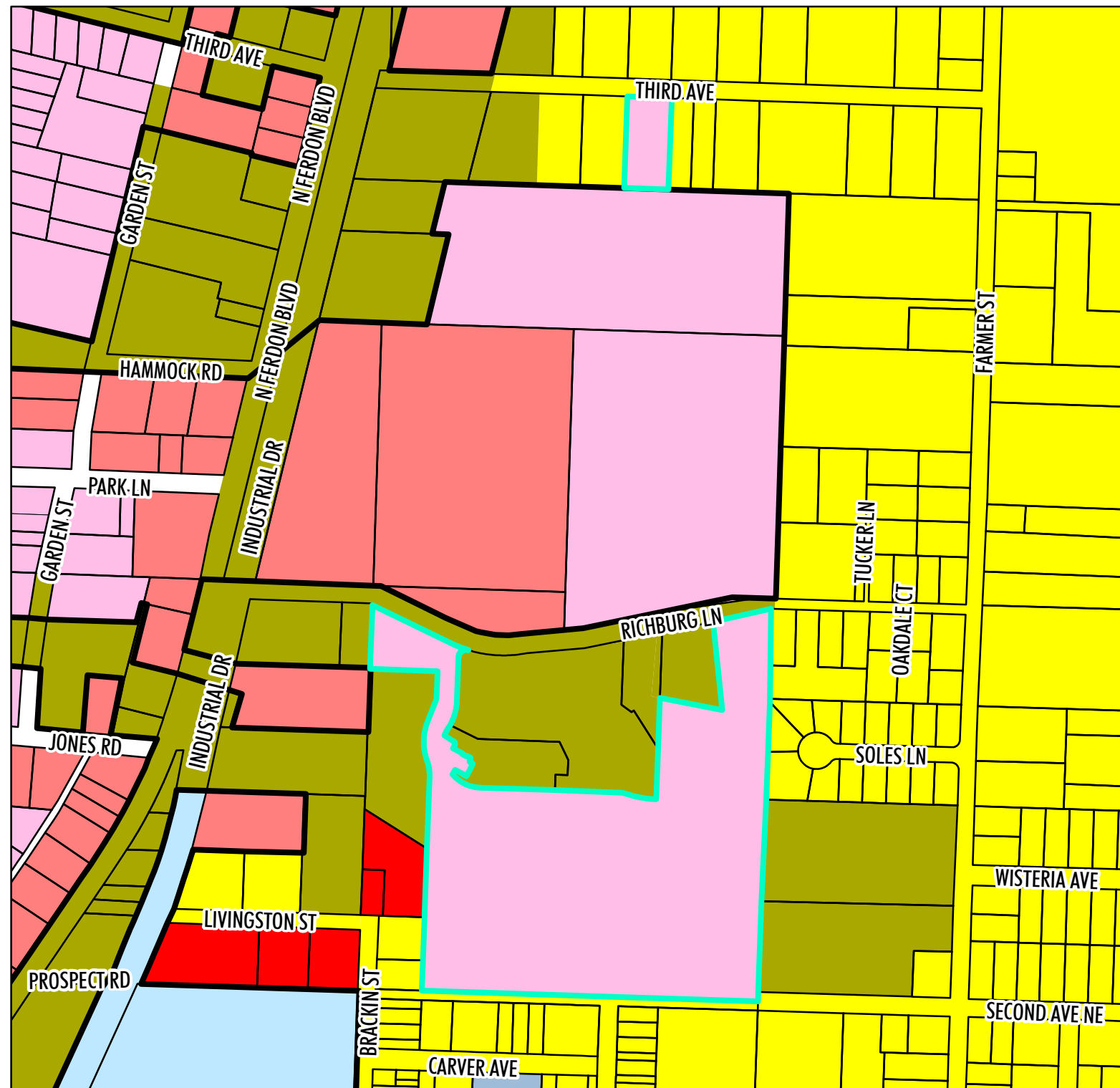
City Limits

City Future Land Use

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

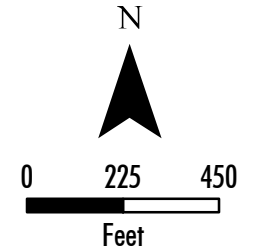
County Future Land Use

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



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Proposed Zoning



Legend

Subject Parcel

City Limits

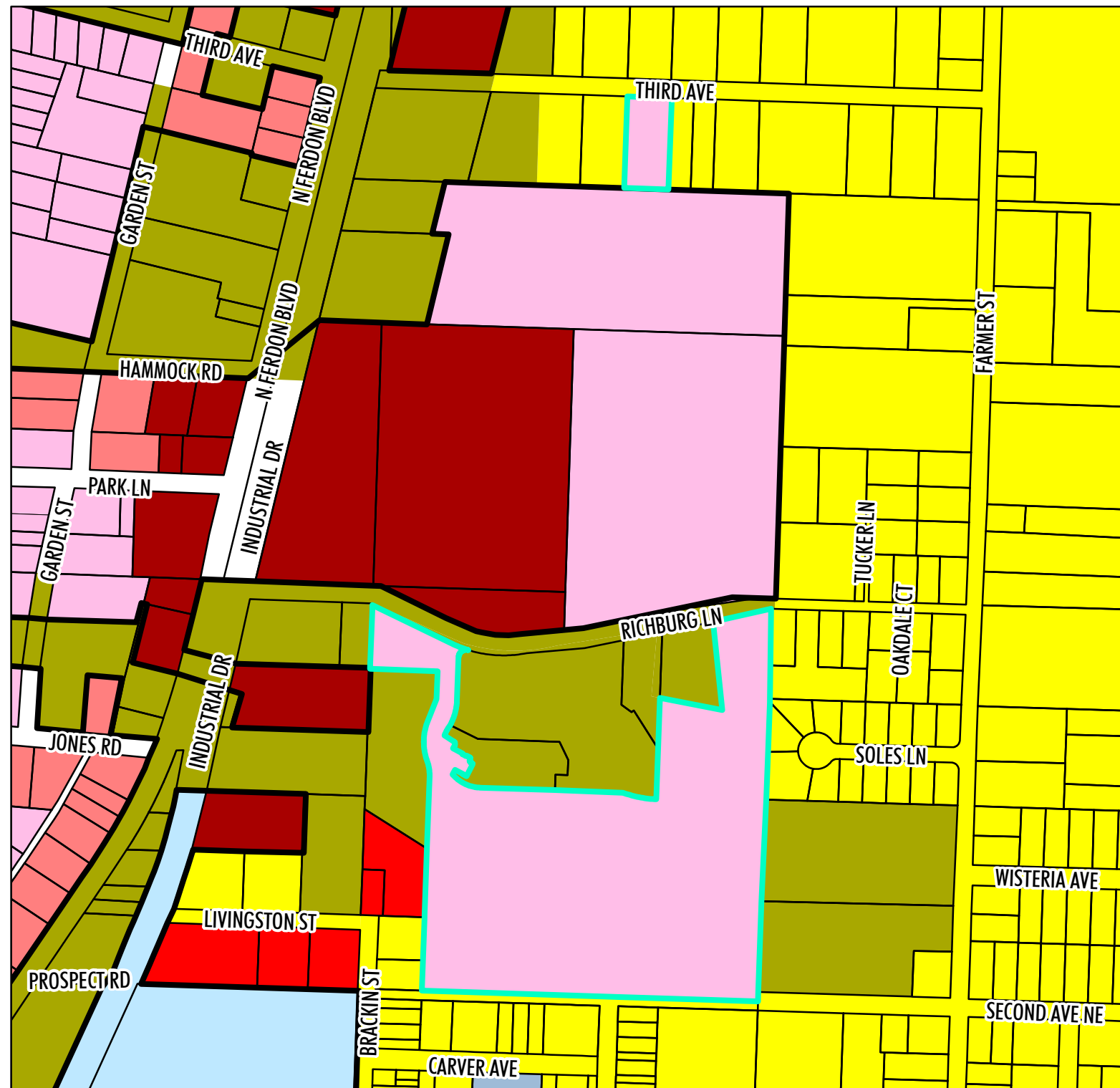
City Zoning

- 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)
- Institutional (INST)

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U.S. SURVEY FEET





Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/17/2023
SUBJECT: Ordinance 1927 - Richburg Lane and Third Avenue Rezoning

BACKGROUND:

On February 27, 2023 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located on Third Avenue and at 2828 Richburg Lane.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential & Mixed Use and Residential-1 & Mixed Use, respectively.

The application requests the Mixed Use (MU) zoning designation for the property.

On April 3, 2023, the Planning and Development Board recommended Ordinance 1927 not be approved. The first reading was approved by the City Council on April 10, 2023.

DISCUSSION:

The property description is as follows:

Property Owner: MH Crestview Land LLC
17005 Emerald Coast Pkwy
Destin, FL 32541
Parcel ID: 04-3N-23-1840-0012-0080
09-3N-23-0000-0011-001A
Site Size: 23.28 acres
Current FLU: Okaloosa County Low Density Residential & Mixed Use
Current Zoning: Okaloosa County Residential-1 & Mixed Use
Current Land Use: Vacant

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

Third Avenue Parcel

Direction	FLU	Zoning	Existing Use
North	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
East	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
South	Mixed Use (MU)	Mixed Use (MU)	Vacant

West	Okaloosa County Low Density Residential	Okaloosa County Residential-1	Residential
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Richburg Parcel

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

The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property could be developed for residential or low-intensity commercial 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 March 14, 2023. The property was posted on March 20, 2023. An advertisement ran in the Crestview News Bulletin on March 23 & 30, 2023.

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 request have been waived for this application as it was received during the moratorium on annexation fees. There is no additional cost of advertising as the rezoning request was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1927 on second reading.

Attachments

1. Attachment 4 MH annex land rezone
2. Exhibit Packet

ORDINANCE: 1927

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 23.28 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 4, TOWNSHIP 3 NORTH, RANGE 23 WEST, AND IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY RESIDENTIAL-1 AND MIXED USE ZONING DISTRICT TO THE MIXED USE (MU) 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 23.28 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 23.28 acres, more or less, being formerly zoned Okaloosa County Residential-1 and Mixed Use with the Mixed Use (MU) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1926, is hereby rezoned to Mixed Use (MU) to wit:

PIN # 04-3N-23-1840-0012-0080

LOT 8, BLOCK 12, OAKDALE MINIATURE FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 129, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

PIN # 09-3N-23-0000-0011-001A

A PARCEL OF LAND LOCATED IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4"X4" CONCRETE MONUMENT (NO IDENTIFICATION), MARKING THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA; THENCE PROCEED SOUTH 02°08'22" WEST, A DISTANCE OF 62.99 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF RICHBOURG LANE AND THE POINT OF BEGINNING; THENCE, ALONG SAID RIGHT OF WAY LINE, SOUTH 64°11'04" EAST, A DISTANCE OF 232.86 FEET; THENCE SOUTH 66°25'43" EAST, A DISTANCE OF 114.49 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE, DEPARTING SAID SOUTH RIGHT OF WAY LINE, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 105°02'50", A DISTANCE OF 45.84 FEET (CHORD=BEARING SOUTH 54°35'35" WEST, CHORD=39.68 FEET); THENCE SOUTH 02°04'10" WEST, A DISTANCE OF 141.69 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 183.00 FEET ; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF

30°26'46", A DISTANCE OF 97.24 FEET (CHORD BEARING=SOUTH 17°17'33" WEST, CHORD LENGTH=96.10 FEET), TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 125.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°40'41" A DISTANCE OF 25.48 FEET (CHORD BEARING=SOUTH 26°40'35" WEST, CHORD=25.43 FEET); THENCE SOUTH 56°55'44" EAST, A DISTANCE OF 25.85 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 10.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°47'25", A DISTANCE OF 15.50 FEET (CHORD BEARING=SOUTH 12°32'01" EAST, CHORD=13.99 FEET); THENCE SOUTH 31°51'41" WEST, A DISTANCE OF 10.61 FEET; THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 35.10 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 3.14 FEET (CHORD BEARING=SOUTH 16°42'35" EAST, CHORD=2.83 FEET); THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 12.00 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 3.14 FEET (CHORD BEARING=NORTH 73°17'25" EAST, CHORD=2.83 FEET); THENCE SOUTH 61°42'35" EAST, A DISTANCE OF 11.14 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 5.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 82°58'29", A DISTANCE OF 7.24 FEET (CHORD BEARING=SOUTH 20°13'21" EAST, CHORD=6.62 FEET); THENCE SOUTH 27°53'02" WEST, A DISTANCE OF 5.29 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.81 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°20'26", A DISTANCE OF 13.62 FEET (CHORD BEARING=SOUTH 45°05'48" EAST, CHORD=13.20 FEET), TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 22.98 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°41'12", A DISTANCE OF 2.28 FEET (CHORD BEARING=SOUTH 23°16'09" EAST, CHORD=2.28 FEET); THENCE SOUTH 27°34'34" WEST, A DISTANCE OF 44.53 FEET; THENCE NORTH 61°42'35" WEST, A DISTANCE OF 11.99 FEET; THENCE NORTH 28°17'25" EAST, A DISTANCE OF 1.00 FEET; THENCE NORTH 61°42'35" WEST, A DISTANCE OF 30.68 FEET; THENCE SOUTH 28°17'25" WEST, A DISTANCE OF 16.56 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 125.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°47'27", A DISTANCE OF 108.63 FEET (CHORD BEARING=SOUTH 62°57'51" EAST, CHORD=105.24 FEET) THENCE SOUTH 87°51'34" EAST, A DISTANCE OF 472.22 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 360.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°41'43", A DISTANCE OF 111.18 FEET (CHORD BEARING=SOUTH 79°00'42" EAST, CHORD=110.74 FEET); THENCE NORTH 02°04'10" EAST, A DISTANCE OF 333.44 FEET; THENCE SOUTH 77°01'33" EAST, A DISTANCE OF 219.60 FEET; THENCE NORTH 03°57'38" WEST, A DISTANCE OF 282.20 FEET; THENCE NORTH 81°44'56" EAST, A DISTANCE OF 176.86 FEET; THENCE SOUTH 02°04'06" WEST, A DISTANCE OF 1251.48 FEET; THENCE NORTH 88°17'57" WEST, A DISTANCE OF 1105.06 FEET; THENCE NORTH 02°08'22" EAST, A DISTANCE OF 690.59 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 136.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°58'44", A DISTANCE OF 54.54 FEET (CHORD BEARING=NORTH 09°21'00" WEST, CHORD=54.18 FEET), TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE

NORTHEAST, HAVING A RADIUS OF 185.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°42'20", A DISTANCE OF 137.89 FEET (CHORD BEARING=NORTH 00°30'48" EAST, CHORD=134.72 FEET); THENCE NORTH 21°51'58" EAST, A DISTANCE OF 81.38 FEET; THENCE NORTH 02°04'06" EAST, A DISTANCE OF 91.03 FEET; THENCE NORTH 87°50'33" WEST, A DISTANCE OF 221.43 FEET; THENCE NORTH 02°08'22" EAST, A DISTANCE OF 208.45 FEET TO THE POINT OF BEGINNING.

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 # 1926 and becomes legally effective.

Passed and adopted on second reading by the City Council of Crestview, Florida on the 24th day of April, 2023.

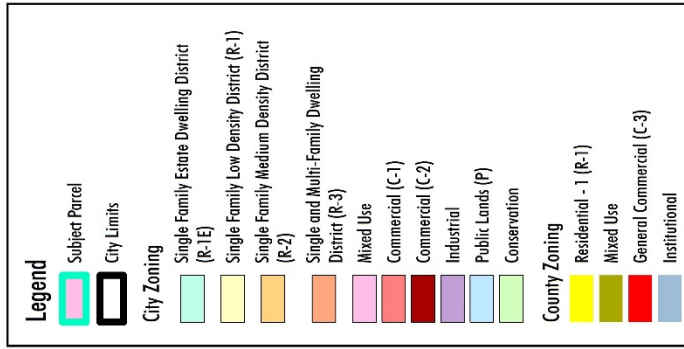
Approved by me this 24th day of April, 2023.

J. B. Whitten
Mayor

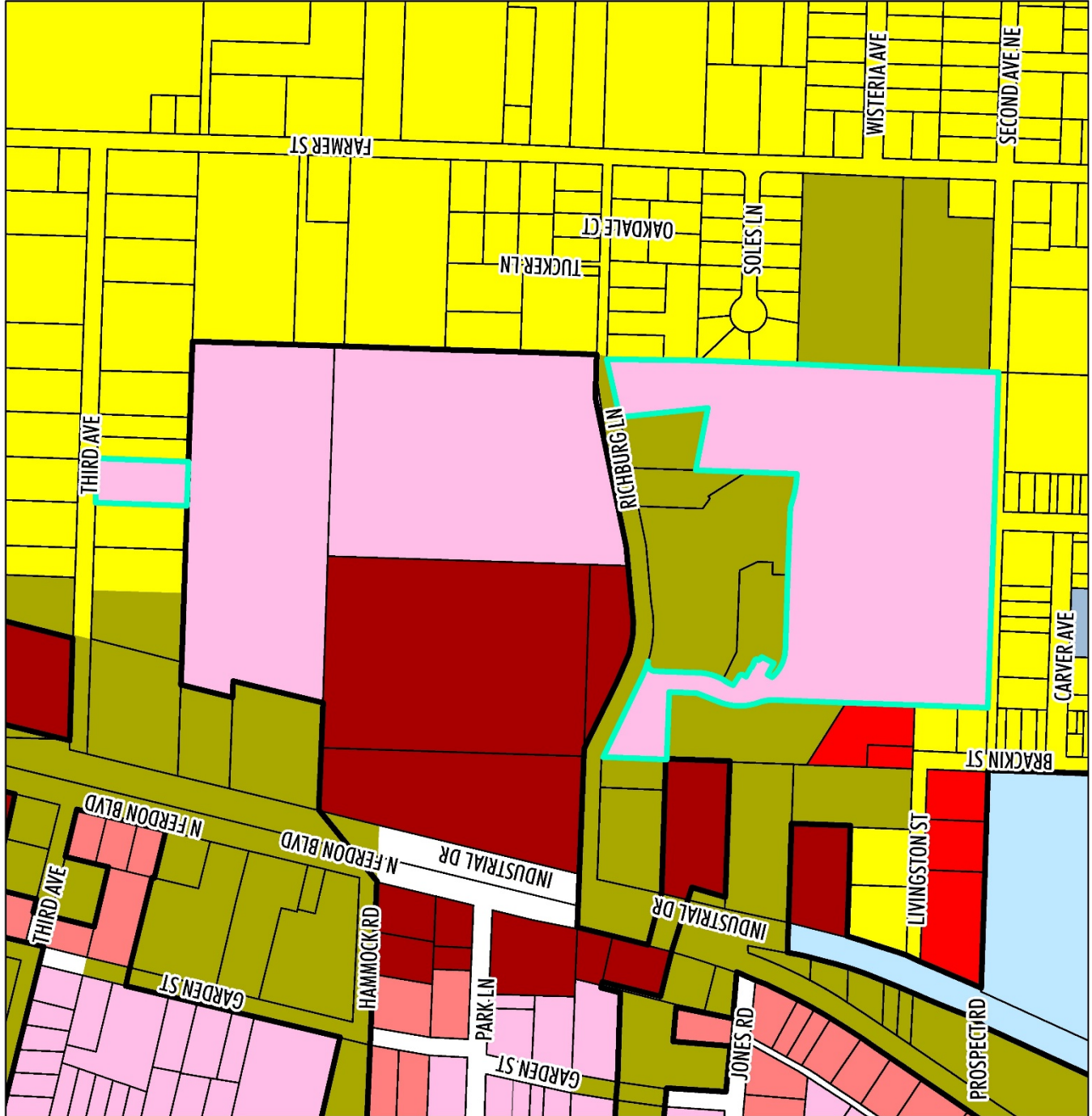
ATTEST:

Maryanne Schrader
City Clerk

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



Attachment 4

Prepared for an Annexation, Comprehensive Plan Future Land Use Map Amendment and Rezoning Request

For two properties, referenced as Parcel ID Numbers 04-3N-23-1840-0012-0080 and
09-3N-23-0000-0011-001A.

Conducted for:

MH Crestview Land LLC
17005 Emerald Coast Pkwy
Destin, FL 32541
Ph: 850.803.2000

Prepared for:

City of Crestview Community Development Services
Ph: 850.682.1560
198 Wilson St. North
Crestview, FL 32536

Prepared by:

the planning collaborative



the planning collaborative

February 20, 2023

TABLE OF CONTENTS

Purpose and Introduction.....	3
Description of Existing Conditions.....	3
Figure 1. Existing Parcel Boundaries.....	4
Figure 2. Reference Map for Adjacent Uses.....	5
Table 1. Descriptions of Adjacent Uses.....	5
Description of Request.....	7
Analysis of Applicable Policies and Regulations.....	8
Urban Sprawl Analysis.....	8
Findings and Conclusion.....	12
EXHIBIT 1A – Crestview Future Land Use Map	
EXHIBIT 1B – Okaloosa Future Land Use Map	
EXHIBIT 2A – Crestview Zoning Map	
EXHIBIT 2B – Okaloosa Zoning Map	
EXHIBIT 3 – National Wetlands Inventory Map	
EXHIBIT 4 – FEMA Flood Insurance Rate Map	

PURPOSE AND INTRODUCTION

This report supports a request to annex two (2) lots into the City of Crestview and amend the Crestview Future Land Use Map and Zoning Map to allow for the construction of residential uses. This request is respectfully submitted to amend the parcels to the Mixed-Use Future Land Use category and zoning district.

The existing land use of the one (1) acre parcel to the north (Parcel A) is “Vacant”, and the 22.28 acre parcel to the south (Parcel B) is “Vacant/Com” according to the Okaloosa County Property Appraiser.¹ The requests are supported herein. The analysis supplied with this application looks at the maximum residential development potential of these parcels as the request is being made to support the development of a multi-family residential complex.

The consultant, the planning collaborative, reviewed, and analyzed the following documents and websites in preparation of this report and application.

- The Okaloosa County Property Appraiser website data and maps
- The Crestview Comprehensive Plan, as published online
- The Crestview Land Development Code, as published online
- Okaloosa’s GIS Mapping webpage
- Crestview’s GIS Mapping webpage
- The Federal Emergency Management Agency’s flood maps
- The National Wetland Inventory Online Map
- FDOT Okaloosa County Functional Classifications, dated April 29, 2014
- Correspondence with various City departments, Okaloosa County School Board, and Auburn Water

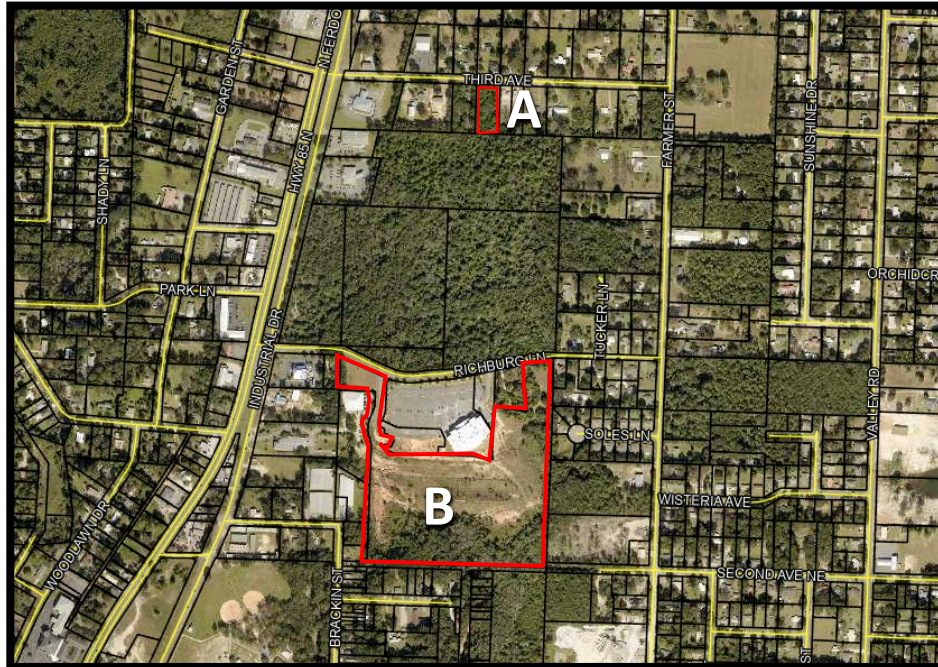
DESCRIPTION OF EXISTING CONDITIONS

This request is being made for two (2) parcels. As labeled in Figure 1, the first (Parcel A) is located to the south of Third Ave and the second (Parcel B) is located to the south of Richburg Lane. The parcel numbers are as follows, respectively: 04-3N-23-1840-0012-0080 and 09-3N-23-0000-0011-001A. Both combined include +/- 23.28 acres total. Parcel A is designated by the Okaloosa County Future Land Use Map as Low Density Residential (LDR) and the Okaloosa County Zoning Map as Residential 1 (R-1). Parcel B is designated by the Okaloosa County Future Land Use Map as Mixed Use (MU) and the

¹ Okaloosa County Property Appraiser, Department of Revenue Code, as referenced February 7, 2023

Okaloosa County Zoning Map as Mixed Use (MU). Exhibits 1 and 2 include the Future Land Use Maps and Zoning Maps for Crestview and Okaloosa County.

Figure 1. Existing Parcel Boundaries

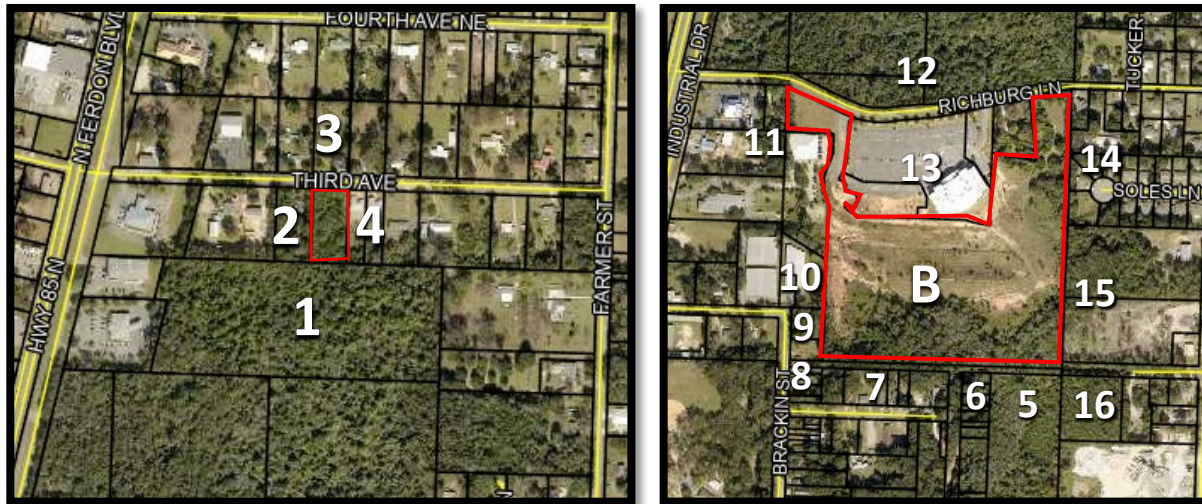


Source: Okaloosa County Property Appraiser, February 2023

 Approximate Boundary of Parcels

Figure 2 following depicts the location of the two parcels in relation to adjacent parcels. This graphic is considered with Table 1 to show consistency with adjacent residential uses.

Figure 2. Reference Maps for Adjacent Uses



Source: Okaloosa County Property Appraiser, February 2023

Approximate Boundary of Parcels

Table 1 below, describes the existing uses, the Future Land Use, and Zoning assigned to the parcels within the vicinity of these properties. The map annotation refers to the numbers on Figure 2 above.

Table 1. Adjacent Uses

Map Annotation	Property Appraiser Tax Code	Future Land Use	Zoning District
1	No Ag Acre	Mixed-Use (City)	Mixed-Use (City)
2	Single Family	Low Density Residential (County)	R-1 (County)
3 (3 parcels)	Single Family	Low Density Residential (County)	R-1 (County)
4 (2 parcels)	Single Family	Low Density Residential (County)	R-1 (County)
5	Vacant	Low Density Residential (County)	R-1 (County)
6 (5 parcels)	Vacant	Low Density Residential (County)	R-1 (County)
7 (6 parcels)	Mobile Home x2 Vacant Institutional Single Family x2 Vacant	Low Density Residential (County)	R-1 (County)
8 (5 parcels)	Vacant x3 Single Family	Low Density Residential (County)	R-1 (County)

Map Annotation	Property Appraiser Tax Code	Future Land Use	Zoning District
9 (2 parcels)	Single Family Vacant	Low Density Residential (County)	R-1 (County)
10 (2 parcels)	Vacant Commercial Warehouse	Commercial (County)	C-3 (County)
11 (3 parcels)	Office Building x2 Single Family	Mixed Use (County) x2 Commercial (City)	Mixed Use (County) x2 C-2 (City)
12 (3 parcels)	Vacant No Ag Acre x2	Commercial (City) x2 Mixed Use (City)	C-2 (City) x2 Mixed Use (City)
13 (3 parcels)	Theater/AU Vacant Commercial x2	Mixed Use (County)	Mixed Use (County)
14 (8 parcels)	Single Family x6 & Vacant	Low Density Residential (County)	R-1 (County)
15 (2 parcels)	Warehouse Vacant Commercial	Mixed Use (County)	Mixed Use (County)
16	Vacant	Low Density Residential (County)	R-1 (County)

Source: Okaloosa County Property Appraiser, Okaloosa County GIS webpage, and City of Crestview GIS webpage

The current zoning of the nearby properties to Parcel A are residential to the north, east, and west with mixed use to the south. Parcel B is nearby to properties zoned mixed use residential, and commercial.

The existing land uses surrounding the parcels are varied and include a mixture of uses including residential, warehousing, office buildings, a theatre, county property, and vacant commercial, residential, and institutional properties. These surrounding uses are similar in nature to the intended uses of the property: residential and commercial.²

According to the National Wetland Inventory and Crestview data, Parcel A contains no wetlands while Parcel B contains a portion of wetlands towards the southern boundary (Exhibit 3).³ There are no plans for development at this time, however, the applicant, in compliance with Crestview's Comprehensive Plan and Land Development Code, reserves the right to apply for appropriate permits in regard to the forthcoming site plan development.

The properties are both located in a Flood Zone X, or the area outside of the Special Flood Hazard Area (Exhibit 4).⁴

² Okaloosa County Property Appraiser, Department of Revenue Code, as referenced July 18, 2022

³ U.S. Fish & Wildlife Service National Wetlands Inventory, Online Wetlands Mapper, as referenced July 19, 2022

⁴ Federal Emergency Management Agency, Flood Insurance Rate Map Panel No. 12091C0170J

Both parcels are currently vacant, based on the Department of Revenue Codes assigned to the parcels as indicated by the Okaloosa County Property Appraiser.⁵

DESCRIPTION OF REQUEST

This application is submitted to request that both parcels be amended to the Mixed Use Future Land Use category and the Mixed Use zoning district. Description of the proposed Future Land Use category and requested zoning district for the site area provided below:

Future Land Use Category: Mixed Use (MU)⁶

“The Mixed-Use land use category is limited to areas that exhibit an existing or planned development pattern reflecting a variety of uses, densities, and non-residential uses.”

MU Allowable Uses: The Comprehensive Plan describes the allowable residential uses and non-residential uses in policy. The “specific residential uses allowed in this category include single-family residential, multi-family residential, mobile home parks and mobile home subdivisions.” The “specific non-residential uses include recreation uses, neighborhood and general commercial and business uses, offices, restaurants, motels, hotels and other temporary lodging facilities, clinics and medical facilities, churches and places of worship, light industrial uses when such uses do not create any adverse off-site impacts to other properties or to protected environmental resources.” It is also included that “other similar uses may be allowed based on compatibility with existing nearby uses.”

Zoning District: Mixed Use District (MU)⁷

“The Mixed-Use District is established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments, including retail sales, professional offices, service industries, bed-and-breakfasts, other similar uses and accompanying accessory uses.”

“Uses may be limited by location due to impacts and compatibility issues.”

⁵ Okaloosa County Property Appraiser, Department of Revenue Code, as referenced July 18, 2022

⁶ Crestview Comprehensive Plan, Future Land Use Element Policy 7.A.3.4(2)

⁷ Crestview Land Development Regulations, Section 4.03.00

The proposed use of the property **is consistent** with the above land use and zoning descriptions, as amended.

Also, because the proposed development includes residential and commercial uses, and as described of the same usages as existing development within the vicinity (see Table 1), a consistent development pattern is continued with this amendment.

ANALYSIS OF APPLICABLE POLICIES AND REGULATIONS

Crestview Comprehensive Plan

Policy 7.A.2.3 (5) states that “New mixed-use developments shall be located on or connected to collector or arterial roadways.”

RESPONSE: These two parcels, as an addition to a previously submitted and approved mixed use land use amendment and rezoning approval, are accessible to an arterial roadway. Parcel A of this application will connect to North Ferdon Boulevard, a “Principal Arterial – Other URBAN”, by ways of Third Avenue. Parcel B will also connect to North Ferdon Boulevard, a “Principal Arterial – Other URBAN”, by ways of Richburg Lane, a roadway designated as “Local URBAN”. Therefore, this development is consistent with the location criteria for the assignment of the category.

Urban Sprawl Analysis

Policy 7.A.6.5 states that “No zoning change or plan amendment shall be approved unless a finding is made that such zoning change and plan amendment will promote compact urban development and not encourage urban sprawl”.

RESPONSE: Because this site is located in an infill area, where City services such as transportation networks and water services exist, this change will not create an urban sprawl occurrence. Florida Statutes defines urban sprawl as:

“a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.”⁸

⁸ 163.3164(52), Florida Statutes (2022)

The following 163.3177(6), F.S. analysis determines that this request does not meet that definition.

1. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or single-use development or uses.

RESPONSE: These parcels are a part of a larger mixed-use development that will not be low-intensity or low-density. The proposed development will include multi-family residential and commercial uses.

2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

RESPONSE: The subject parcels are not in an area considered to be rural. Both parcels are undeveloped and will be used for housing, which supports this criterion.

3. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

RESPONSE: As previously mentioned, these two parcels are additions to a mixed use development. Both parcels are surrounded by existing uses. No radial, strip, isolated, or ribbon patterns of development will occur as a result of this amendment.

4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

RESPONSE: As shown in Exhibits 3, Parcel A contains no wetlands. Twin Creek runs into the southern portion of Parcel B, creating a wetland. No wetland impacts are projected at this time. The existing wetlands conditions are not expected to change at the time, but the applicant reserves the right to apply for the appropriate permits in regard to the forthcoming site plan development. Both properties are located in a Flood Zone C, or the area outside of the Special Flood Hazard Area (Exhibit 4).

5. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

RESPONSE: No agriculturally used or designated areas are within the vicinity of these parcels.

6. Fails to maximize use of existing public facilities and services.

RESPONSE: Existing public facilities and services, such as the existing transportation network, solid waste collection, and water services will be sought to serve this development as they are available.

7. Fails to maximize use of future public facilities and services.

RESPONSE: Any future public facilities and services will be used, as practical to the development.

8. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

RESPONSE: Services exist in the area. The approval of this request will not disproportionately increase the cost of providing service to this development.

9. Fails to provide a clear separation between rural and urban uses.

RESPONSE: The subject parcels are not in an area considered to be rural. No rural areas are adjacent to the subject parcels.

10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

RESPONSE: This development is considered infill development.

11. Fails to encourage a functional mix of uses.

RESPONSE: As components of a larger mixed use development, the residential units in close proximity to other uses will encourage a functional mix of uses, especially as this development will provide a transition between existing commercial uses along SR 85 and Richburg Lane and those residential uses to the east and the south.

12. Results in poor accessibility among linked or related land uses.

RESPONSE: Other uses within the vicinity are easily accessible via Richburg Lane and SR 85 North.

13. Results in the loss of significant amounts of functional open space.

RESPONSE: There is no functional open space currently associated with these parcels.

Crestview Land Development Code

Section 3.06.07 states that “An application for a rezoning shall be reviewed in accordance with the following criteria.” These criteria include:

1. Whether the proposed zoning district is consistent with the City Comprehensive Plan;

RESPONSE: With the approval of the requested amendment of the Future Land Use Map to the Mixed-use category, the land use and zoning will be consistent. This criterion **will be met** with the approval of both amendment requests.

2. Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;

RESPONSE: Although a final plan for development is not yet finalized, it is anticipated that the development will include a range of housing types, which include detached single family and attached multi-family, which will be compatible with the existing residential uses to the east and north and non-residential uses to the west and south. This criterion **is met**.

3. Whether the range of uses allowed in the proposed zoning district will be compatible with existing and potential uses in the area under consideration;

RESPONSE: As indicated by Section 4.03.00(B), the Mixed-use District is (in part) “established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments... Each parcel, lot, tract or other division of land may contain multiple single- and multi-family dwellings according to the density allowed by the size of each piece of land.” Therefore, this criterion **is met** since a multi-family use is considered allowable.

4. Whether the proposed zoning district will serve a community need or broader public purpose;

RESPONSE: The development of multi-family housing will serve the need for additional housing within the community, which also serves the need for Eglin Air Force Base. This criterion **is met**.

5. To ensure there are not multiple zoning districts assigned to one parcel. Except if secondary zoning is Conservation (E), designated on a plat or development plans as a parcel or easement of conservation or jurisdictional wetlands;

RESPONSE: With the approval of proposed Future Land Use Map amendment and rezoning, each parcel will be designated with only one zoning district. This criterion **is met**.

6. The characteristics of the proposed rezoning area are suitable for the uses permitted in the proposed zoning district; and

RESPONSE: As indicated above, the rezoning allows for multi-family uses, which is a portion of the anticipated development of these parcels. Additional housing types are planned as part of the development. This criterion **is met**. Additionally, the location for this use is ideal, as a transitional use between more intense commercial and less intense single-family uses.

7. Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.

RESPONSE: The requested zoning district is actually less intense than the existing Okaloosa County Mixed Use zoning assigned for Parcel B. Therefore, the reduction of adverse impacts to the adjacent residential uses surrounding this parcel will be beneficial with the assignment of the requested category. The redesignation of Parcel A will be consistent with the larger parcel which was recently annexed and amended to the City's Mixed Use Future Land Use category.

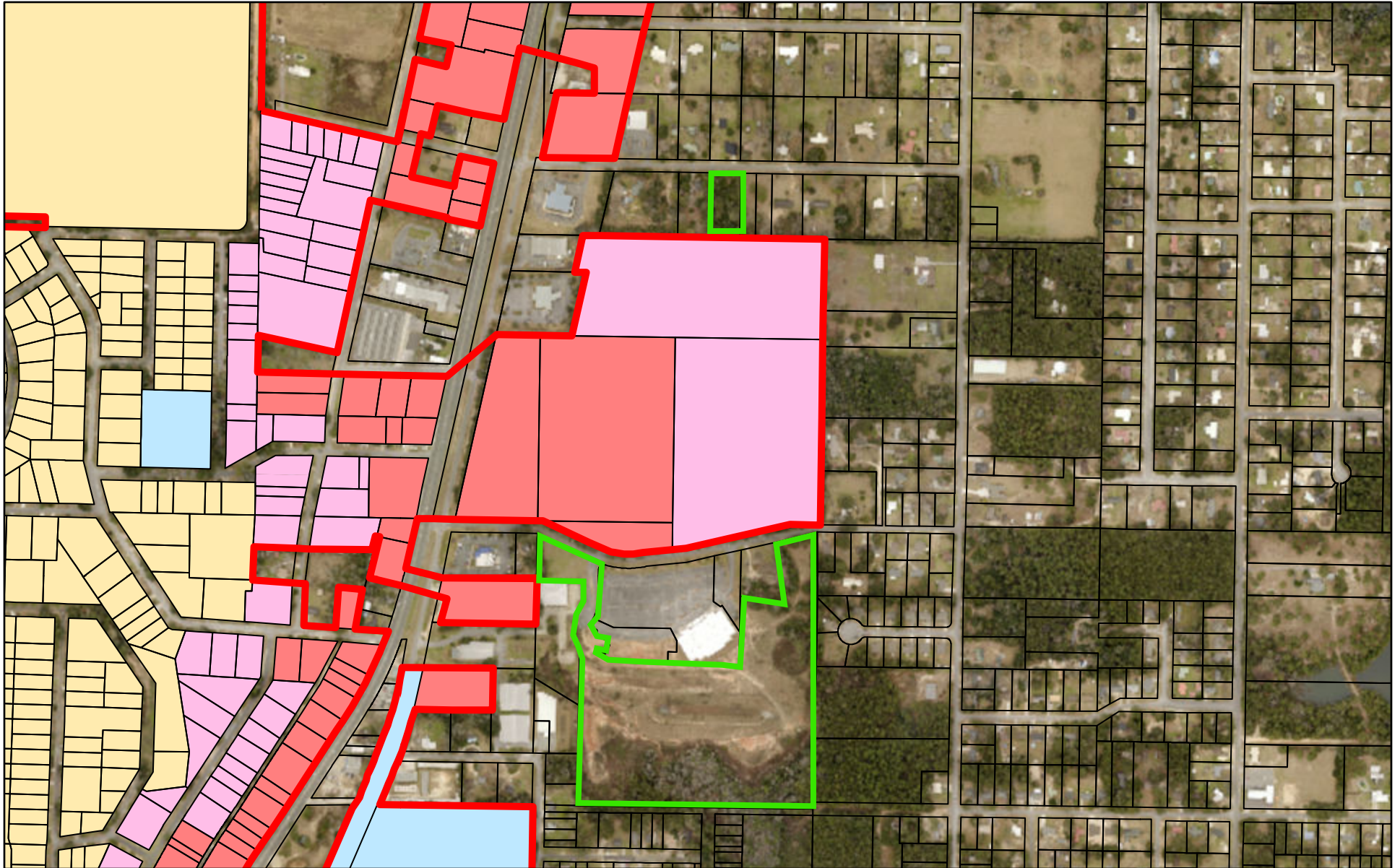
FINDINGS AND CONCLUSIONS

The amendment of the Comprehensive Plan and zoning designations for these properties will be compatible with the existing surrounding development. The proposed amendment will not result in any land use conflicts with the existing uses. No adverse impacts will be generated such as unordinary noise, smoke, exhaust, emissions, dust, adverse lighting,

vibrations, or odors that would be detrimental to the existing surrounding uses or would otherwise disturb the quiet enjoyment of nearby residents.

Additionally, the proposed amendment is consistent with and furthers the Goals, Objectives, and Policies of the Crestview Comprehensive Plan, and complies with the adopted requirements of the City's Land Development Regulations. The designation of these properties as Mixed-use will not create a condition that will negatively impact the nearby residential uses over time and will provide a transitional tier form intense uses to less intense uses within the vicinity.

Exhibit 1A - Crestview Future Land Use Map



2/17/2023, 2:09:10 PM

Future Land Use

Residential (R)

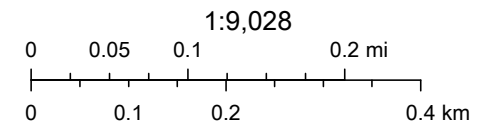
Mixed Use (MU)

Commercial (C)

Public Lands (PL)

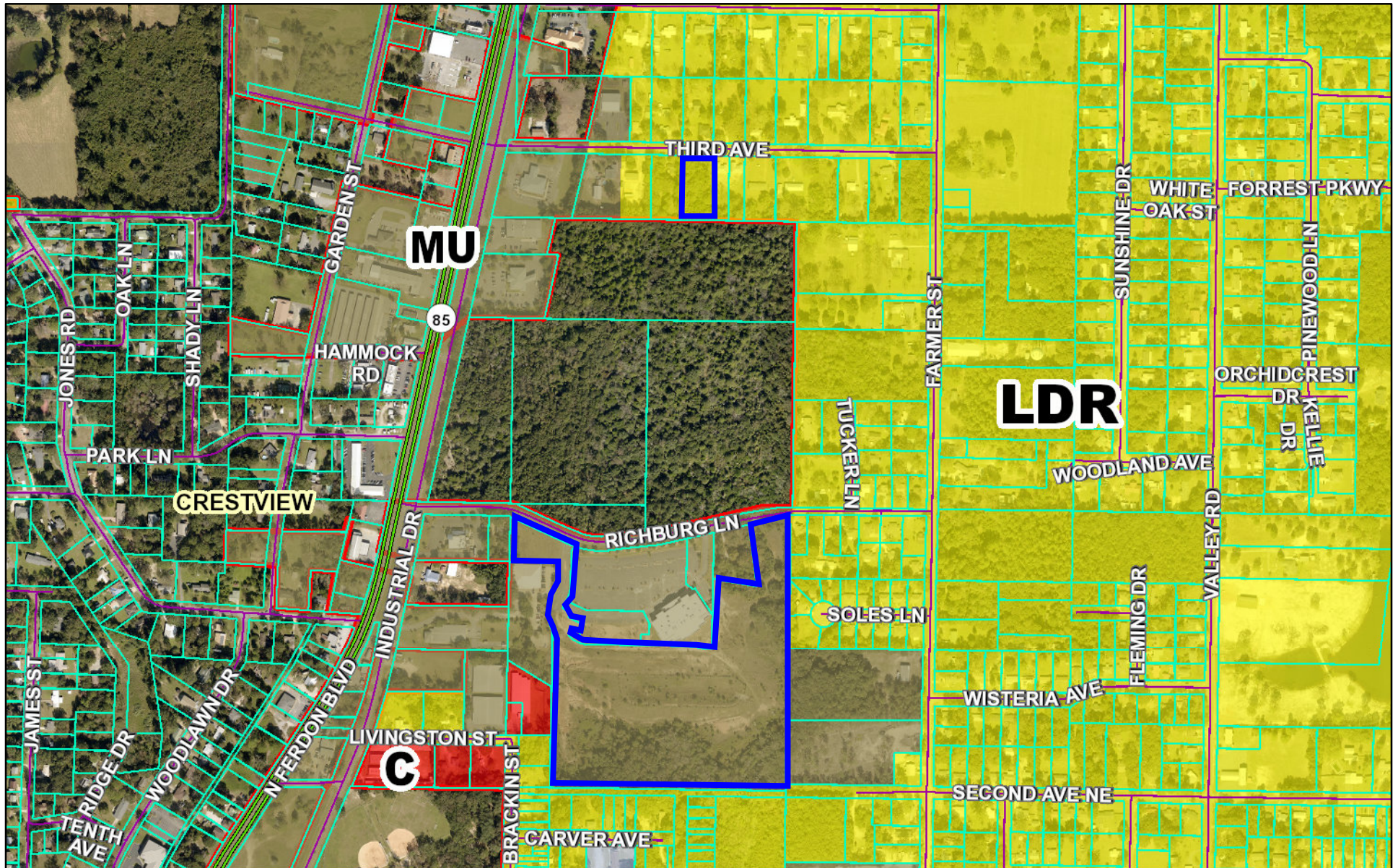
Crestview City Limits

Approximate Project Boundaries



Maxar

Exhibit 1B - Okaloosa Future Land Use Map



February 17, 2023

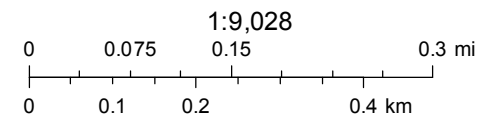
Mixed Use (MU)

Commercial (C)

Low Density Residential (LDR)

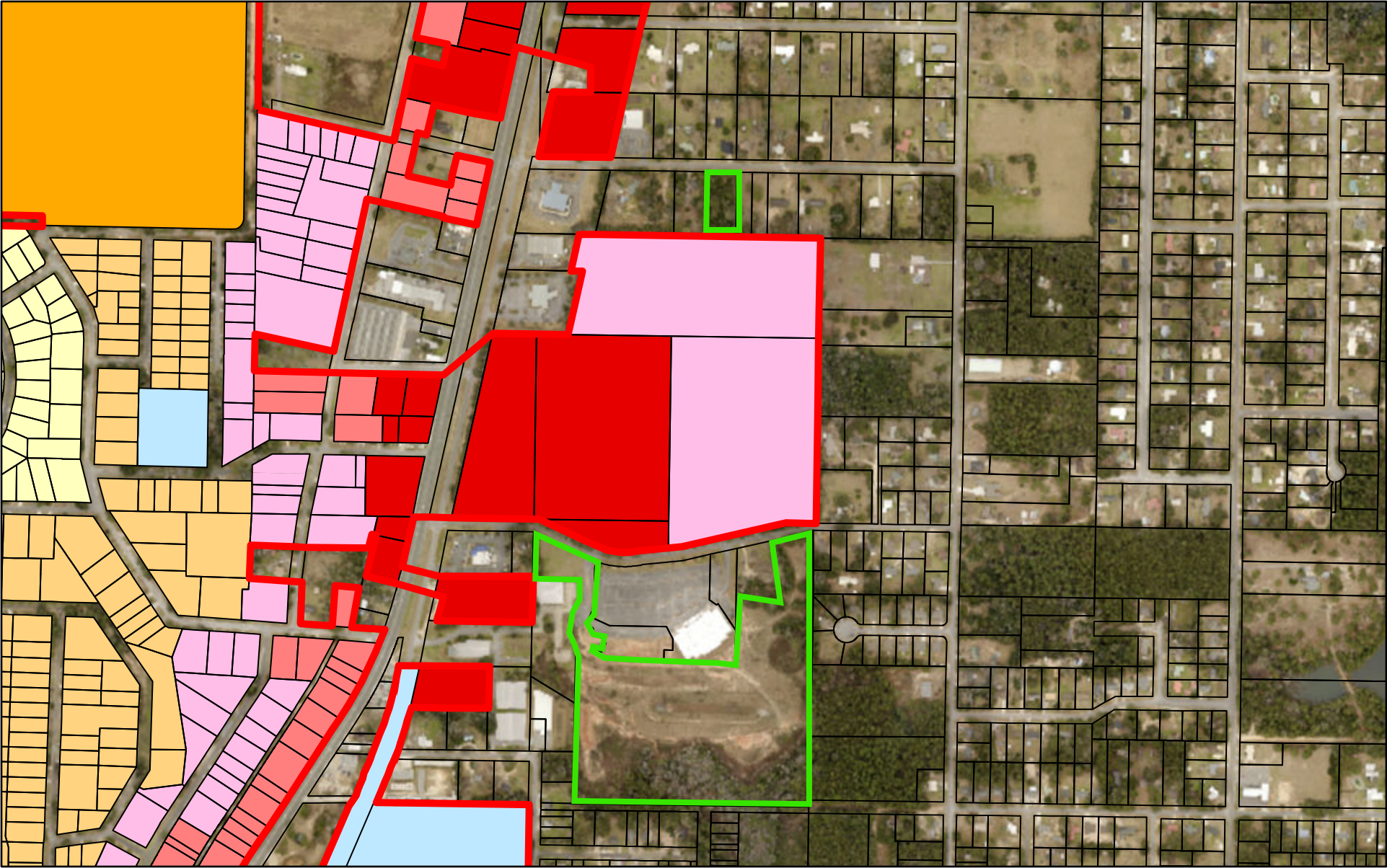
Crestview City Limits

Approximate Project Boundaries



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Exhibit 2A - Crestview Zoning Map



2/17/2023, 2:40:15 PM

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

- | |
|--------------------------------|
| Crestview City Limits |
| Approximate Project Boundaries |

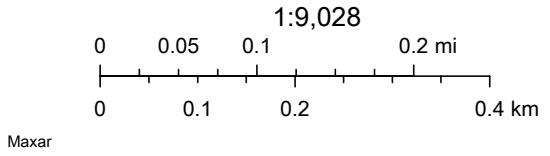
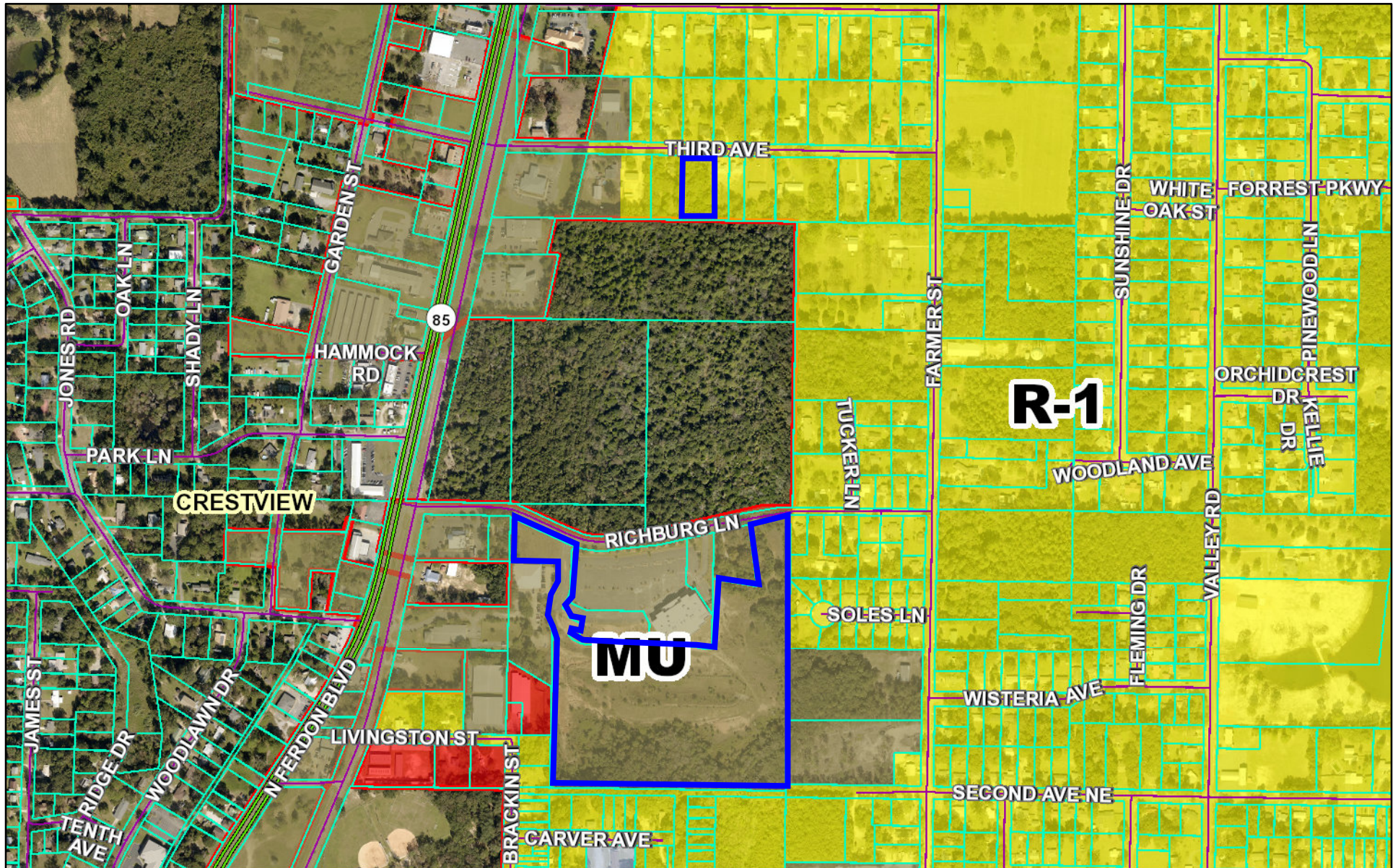


Exhibit 2B - Okaloosa Zoning Map



February 17, 2023

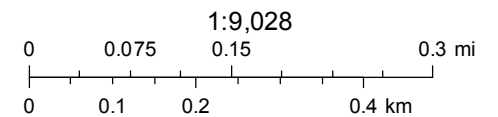
Mixed Use (MU)

Commercial (C)

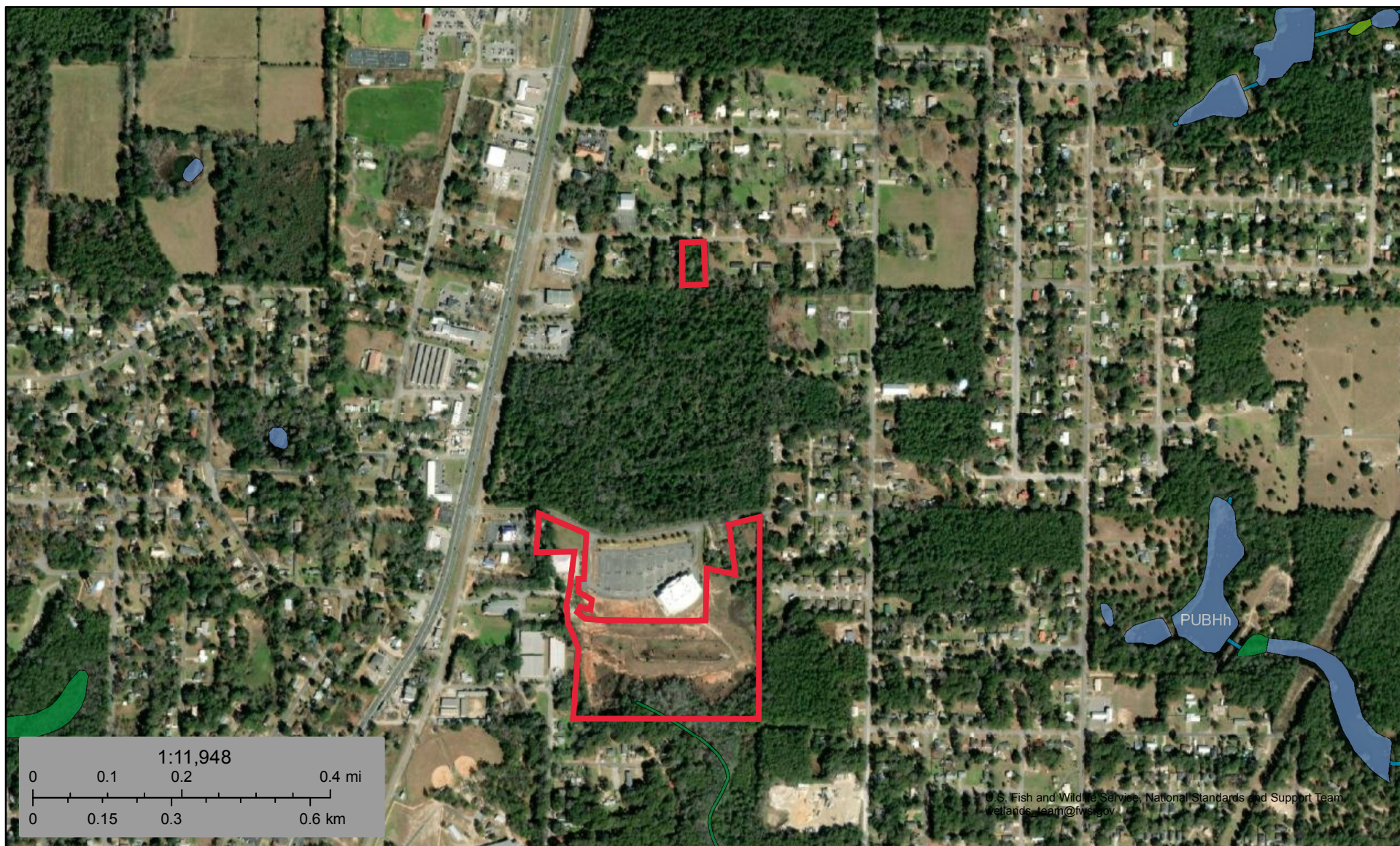
Low Density Residential (LDR)

Crestview City Limits

Approximate Project Boundaries



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),



February 17, 2023

Wetlands

- | | | |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |
| | |  Approximate Project Boundaries |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Flood Hazard Layer FIRMette



86°33'44"W 30°47'7"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

86°33'7"W 30°46'36"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature



Approximate Project Boundaries



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

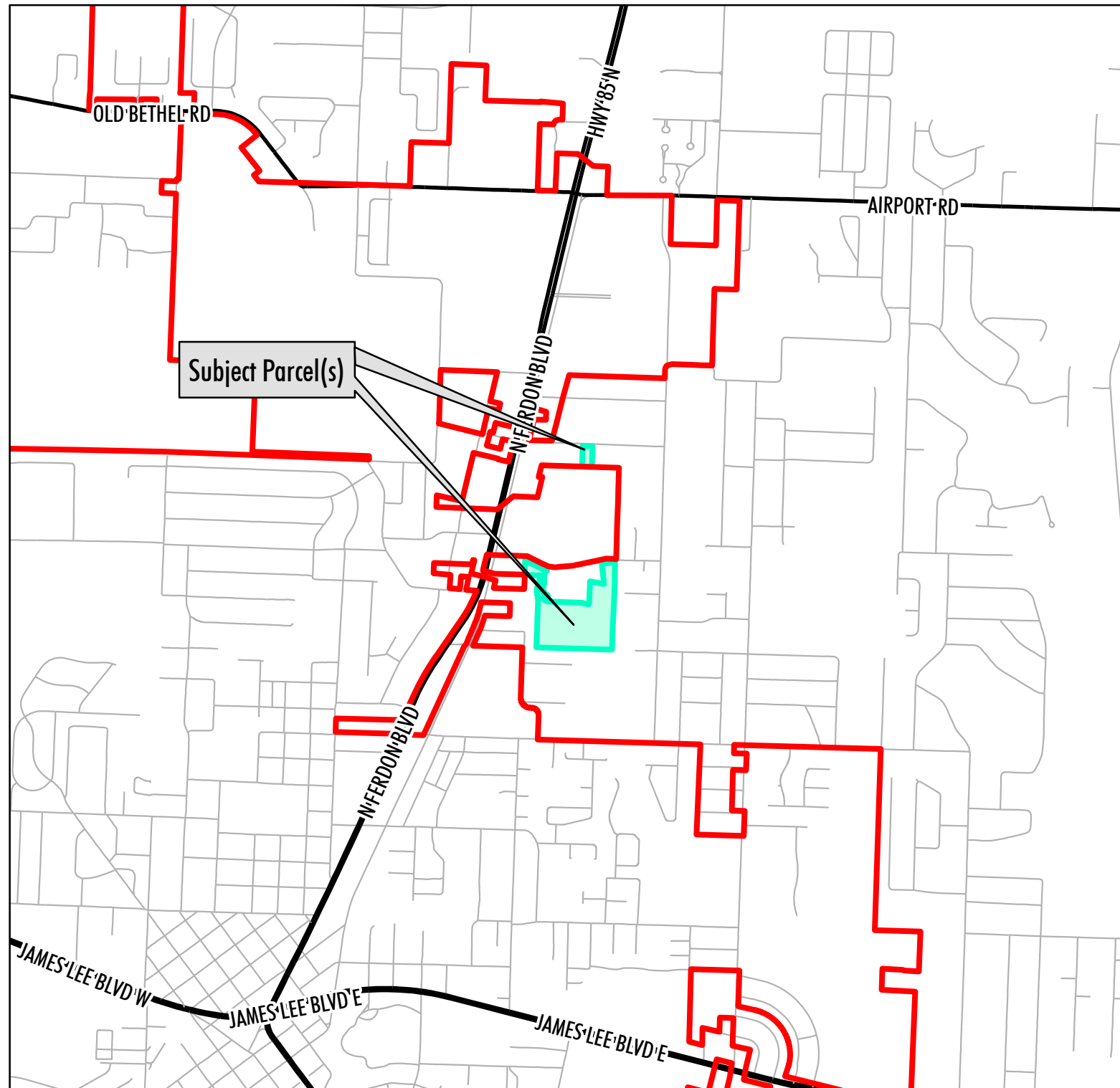
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/20/2023 at 1:15 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

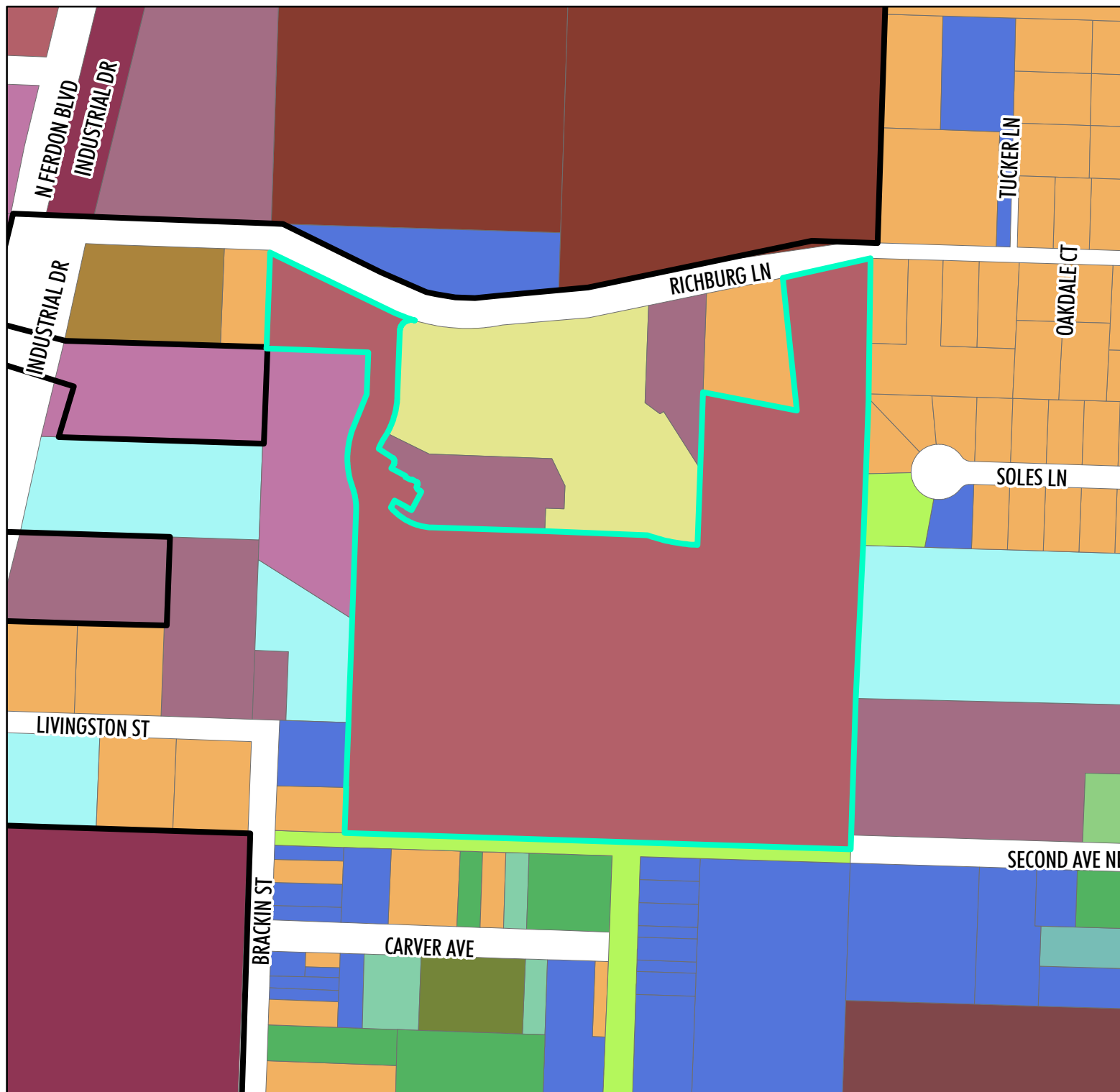
Vicinity Map



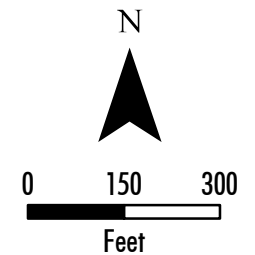
Not to Scale



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



Existing Use Richburg Parcel



Legend

- Subject Parcel
- City Limits

Existing Use

- Churches
- County
- Manufactured Home
- Minderal Pr
- Mobile Home
- Multi-Family
- Municipal
- No AG Acre
- Office Building
- Restaurant
- Single Family
- Theater/Au
- Vacant Institutional
- Vacant
- Vacant Commercial
- Vacant/Commercial
- Warehouse

Current FLU Richburg Parcel



0 150 300
Feet

Legend

Subject Parcel

City Limits

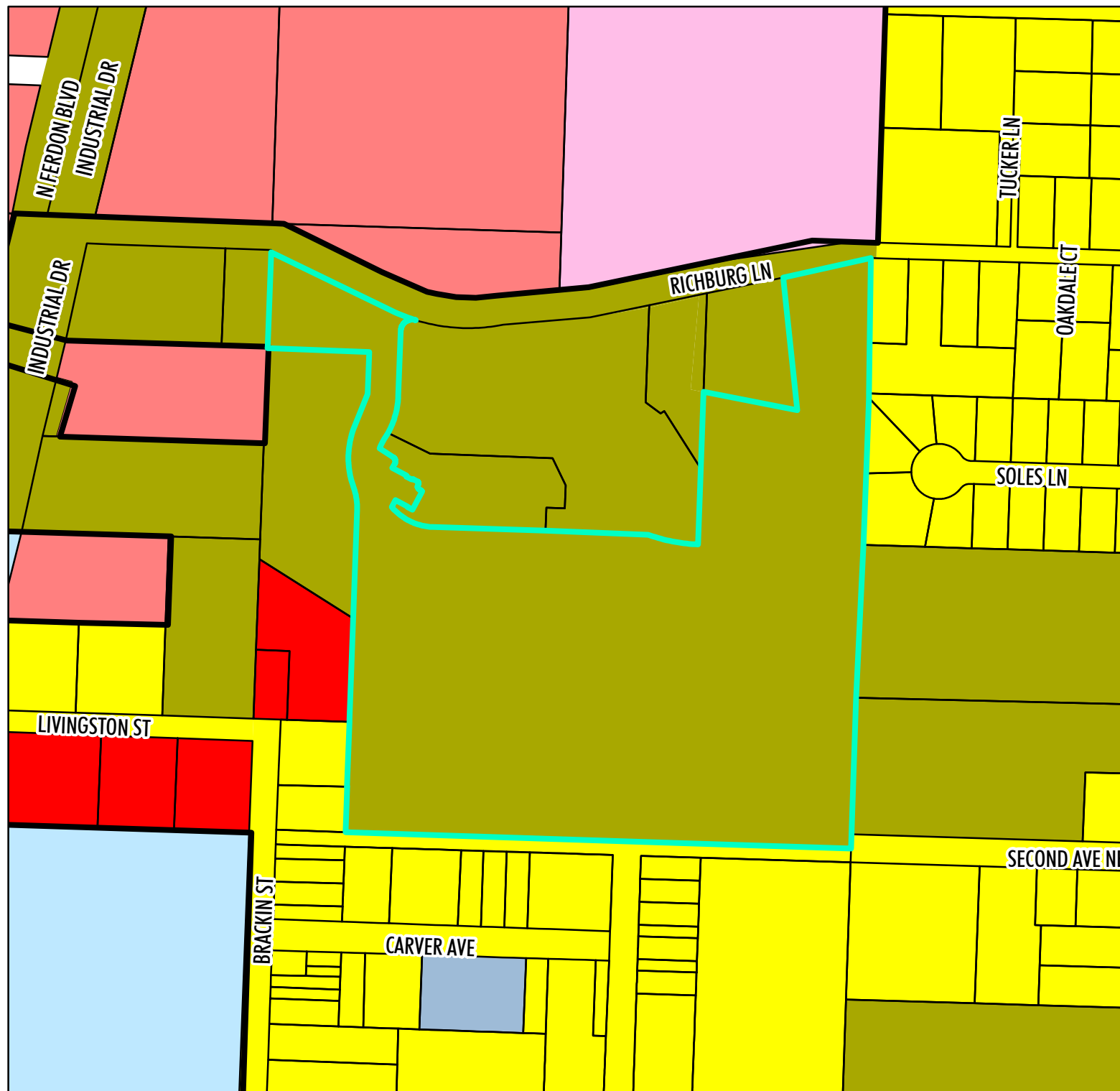
City Future Land Use

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

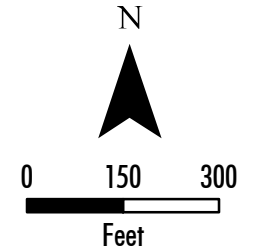
County Future Land Use

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

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U.S. SURVEY FEET



Current Zoning Richburg Parcel



Legend

Subject Parcel

City Limits

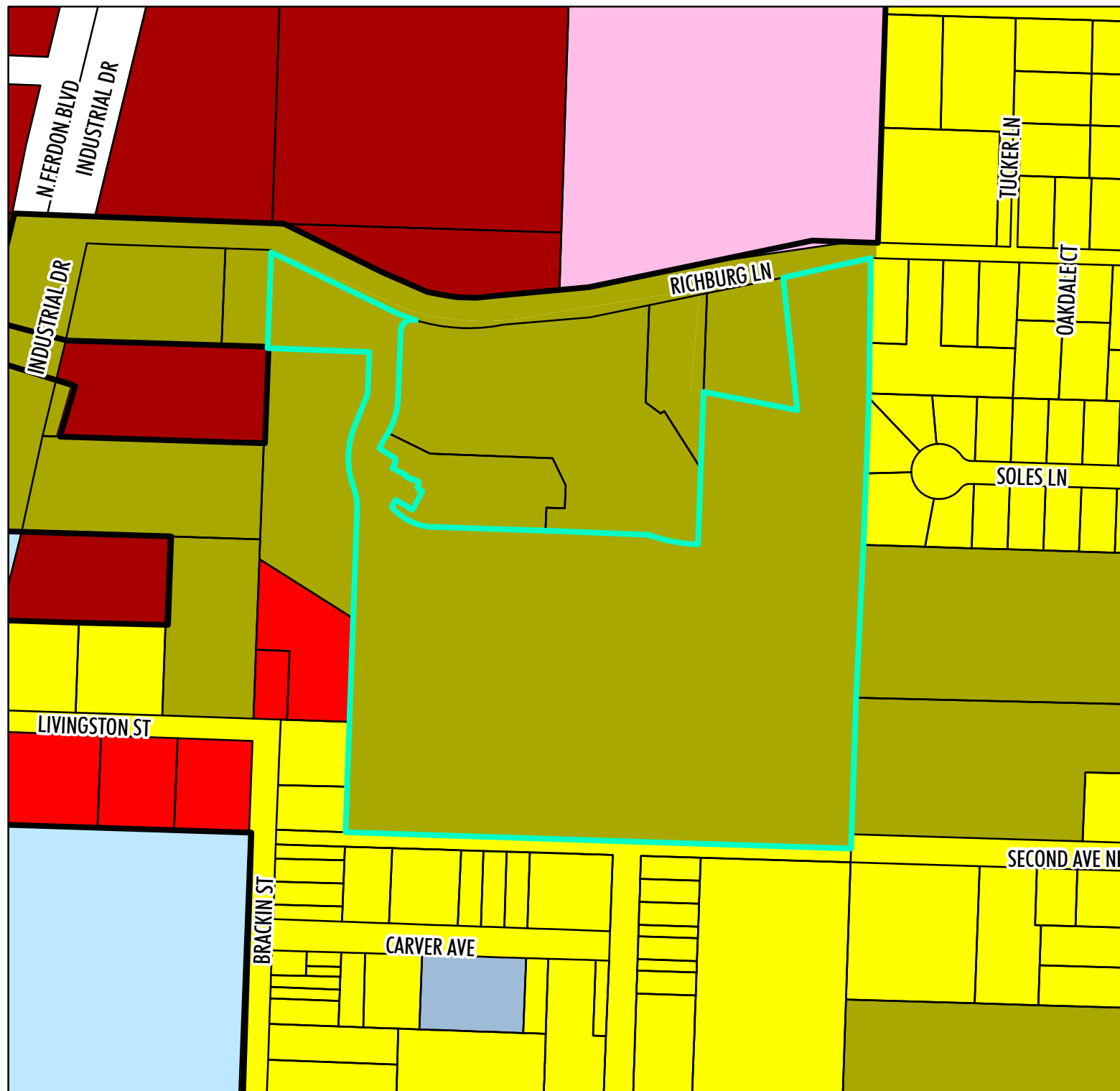
City Zoning

- 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)

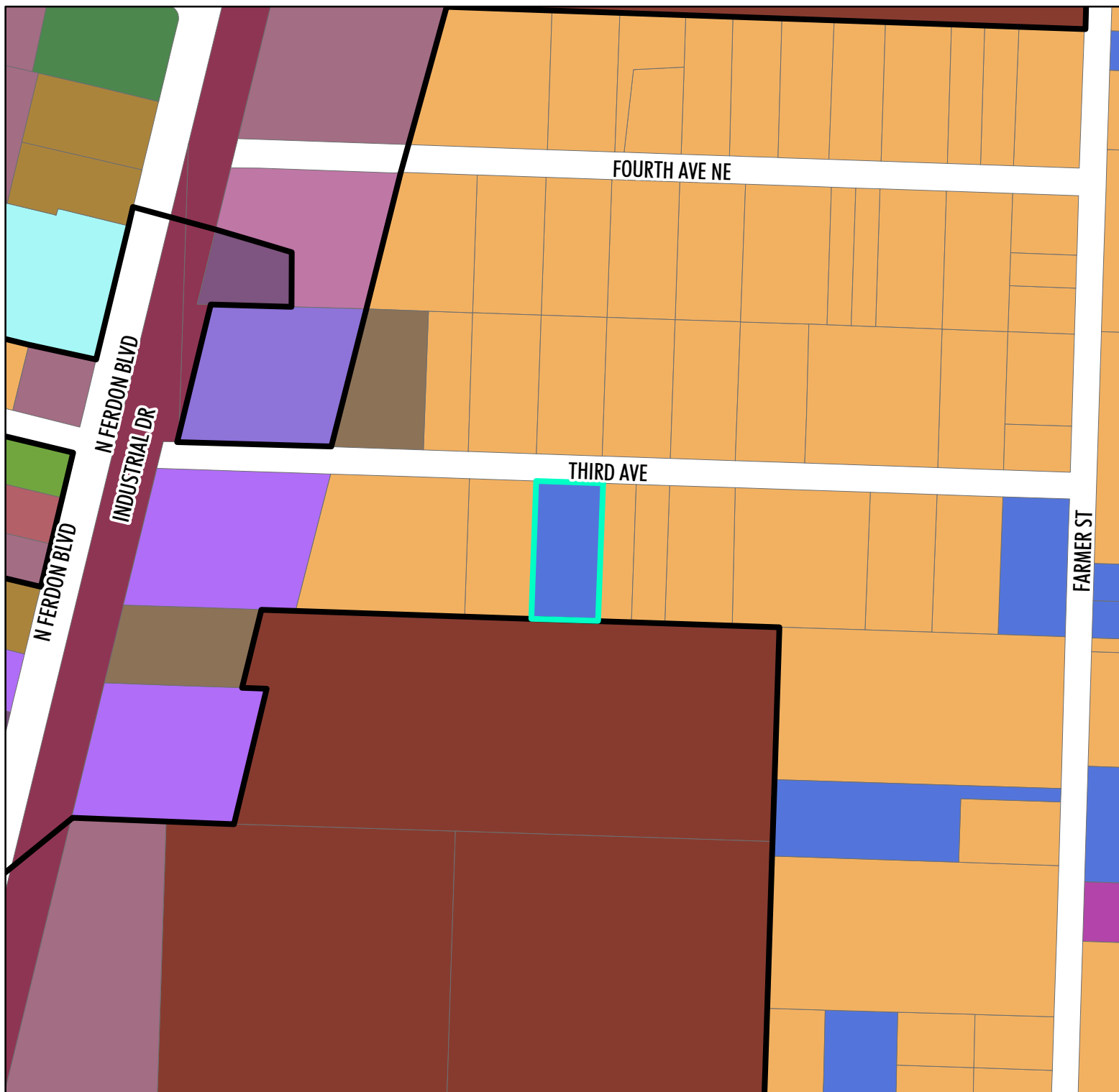
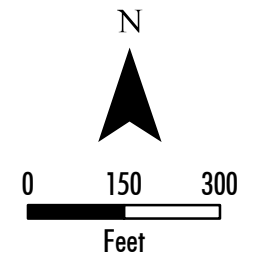
County Zoning

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

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Existing Use Third Ave. Parcel



Legend

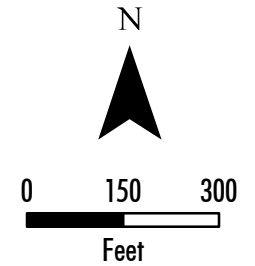
Subject Parcel

City Limits

Existing Use

- Financial
- Gym/Fitness
- Municipal
- No AG Acre
- Office Building
- Restaurant
- Service Shop
- Single Family
- Stores
- Supermarket
- Utilities
- Vacant
- Vacant Commercial
- Vacant/Commercial
- Vehicle Sale
- Warehouse

Current FLU Third Ave. Parcel



Legend

Subject Parcel

City Limits

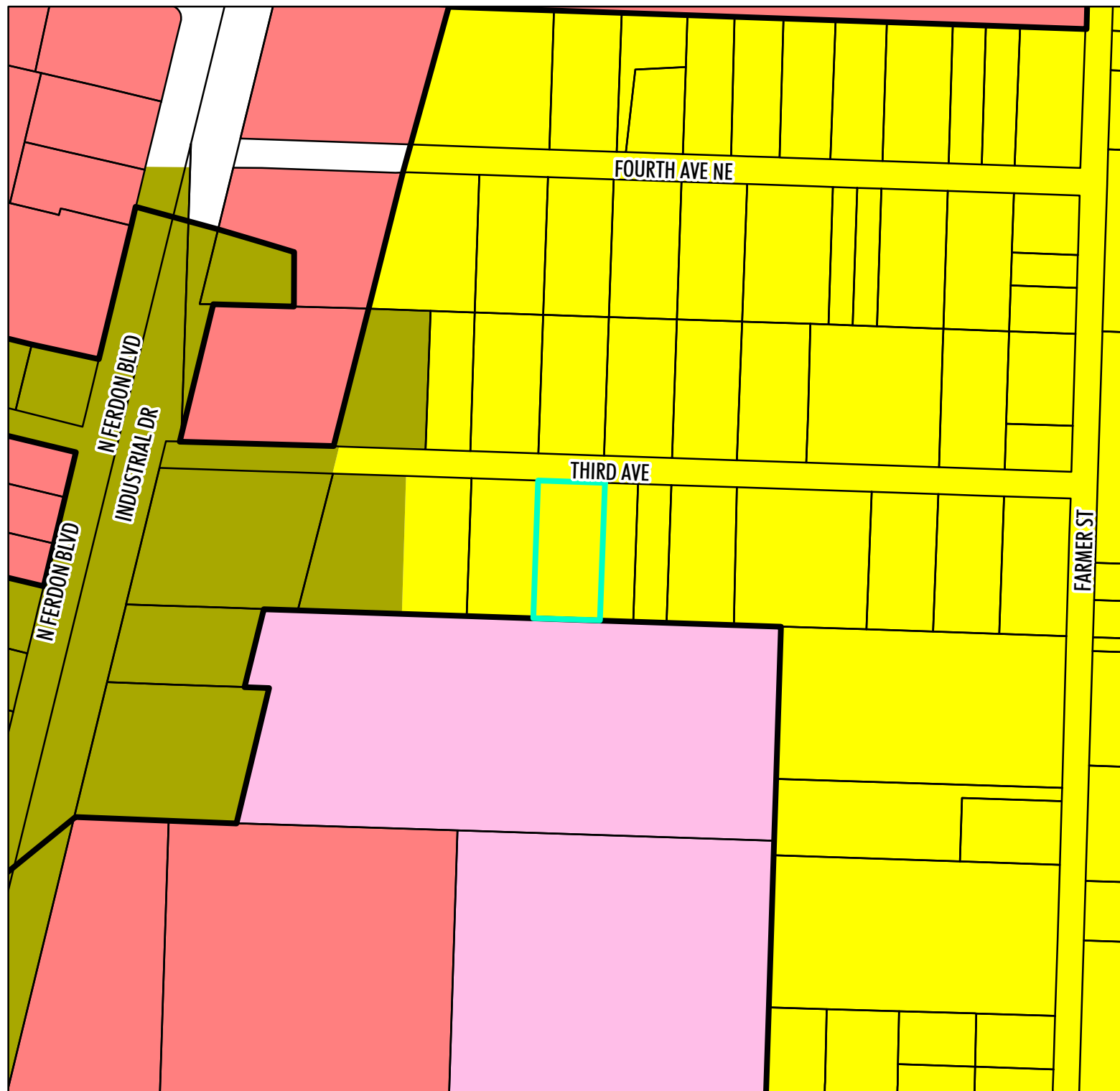
City Future Land Use

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

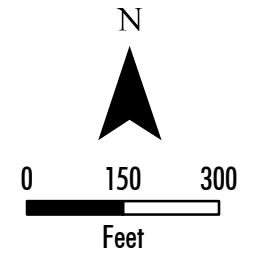
County Future Land Use

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

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Current Zoning Third Ave. Parcel



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)

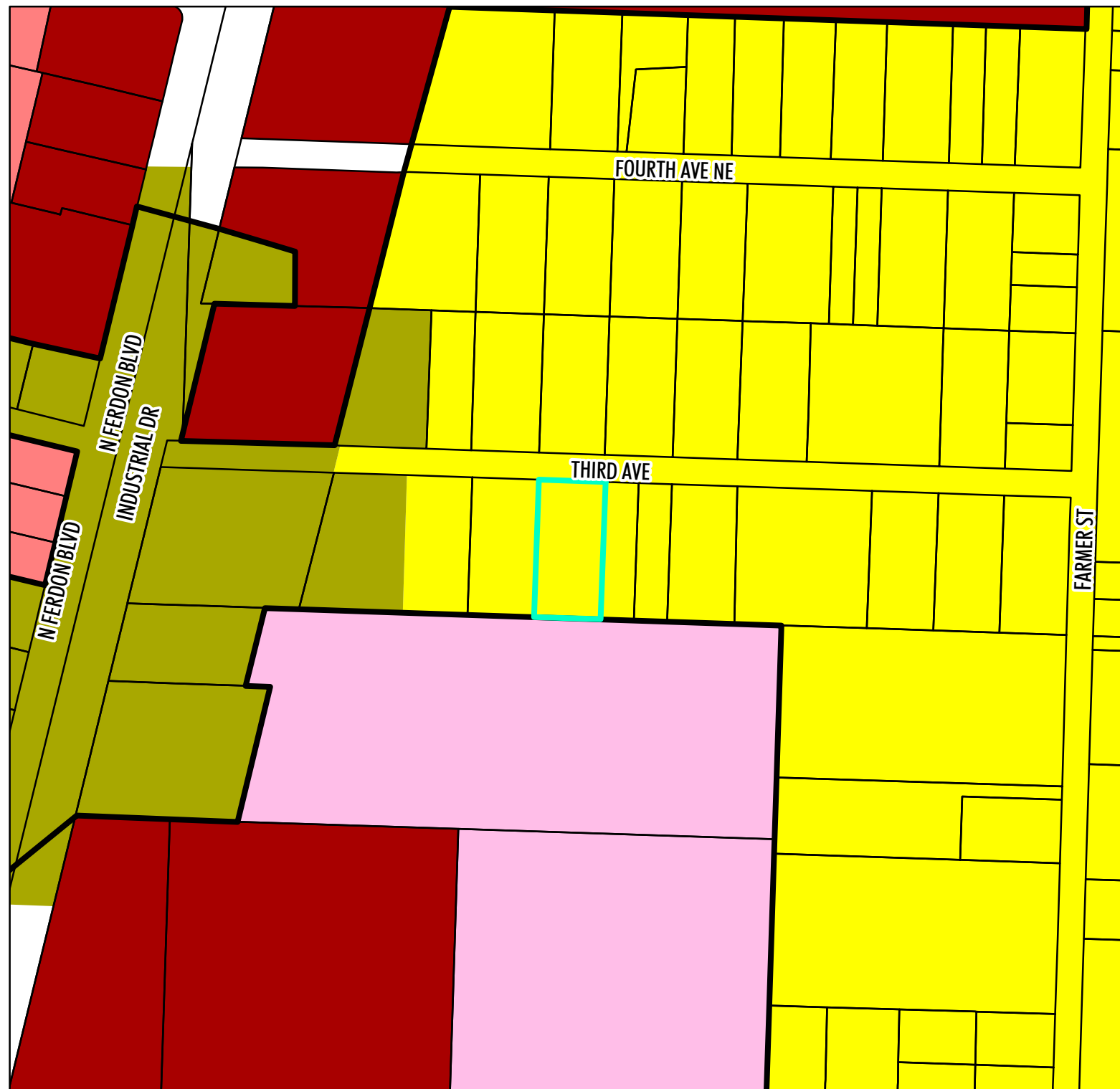
Public Lands (P)

Conservation (E)

County Zoning

Residential - 1 (R-1)

Mixed Use (MU)



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Proposed Future Land Use



0 225 450
Feet

Legend

Subject Parcel

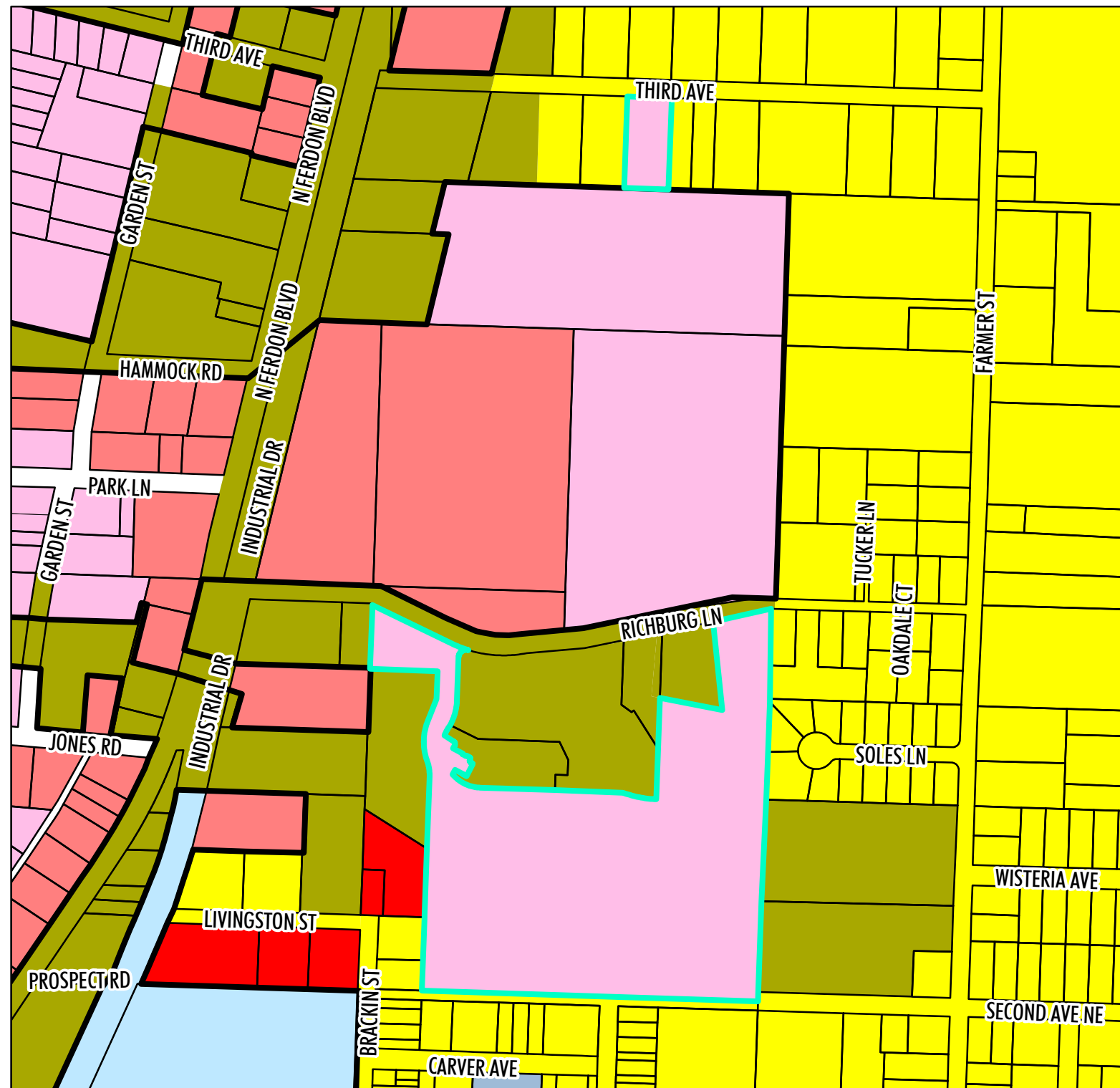
City Limits

City Future Land Use

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

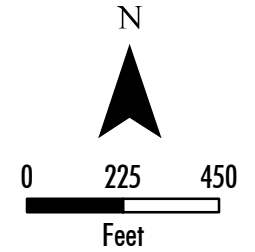
County Future Land Use

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



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Proposed Zoning



Legend

Subject Parcel

City Limits

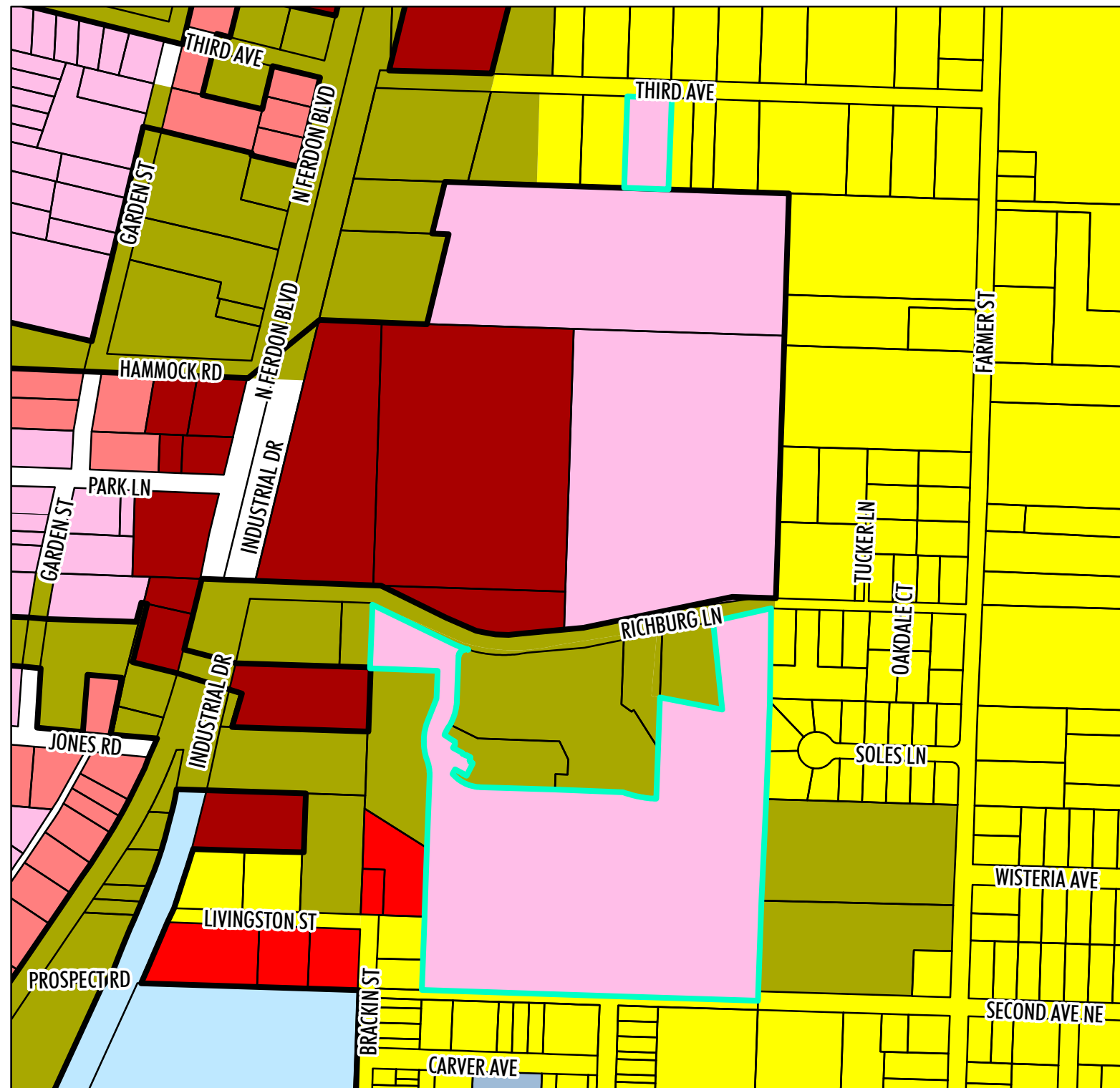
City Zoning

- 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)
- Institutional (INST)

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U.S. SURVEY FEET





Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: 1st reading after PDB

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Nicholas Schwendt, Senior Planner, Barry Henderson, Development Services Director
DATE: 4/19/2023
SUBJECT: 1. Ordinance 1930 - Ground Mounted Solar Panels

BACKGROUND:

Typically, solar panels are seen attached to the roofs of houses but as time goes on, more and more individuals are also opting for solar panels attached to structures mounted in the ground. Ground mounted solar systems provide for easier installation and maintenance as well as less potential impact and damage to existing roof structures.

The Land Development Code does not currently contain requirements or restrictions explicitly pertaining to ground-mounted solar panel systems. The City Council directed staff to research and prepare an ordinance providing standards to regulate ground mounted solar systems.

On April 17th, 2023, the Planning and Development Board recommended approval of this Ordinance.

DISCUSSION:

As a starting point, Community Development Services staff reviewed proposed code in other municipalities regarding the same topic. Following further discussion and direction from council, staff then revised the standards to more closely match our existing accessory building requirements. Staff also discussed the standards with building officials from other surrounding jurisdictions to ensure there were no safety concerns pertaining to ground-mounted solar that would require fencing provisions to be included in the code. There were no such concerns.

The proposed additions to the Land Development Code can be found in the attached ordinance.

GOALS & OBJECTIVES

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

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

Safety- Ensure the continuous safety of citizens and visitors

FINANCIAL IMPACT

There is no expected financial impact resulting from this ordinance.

RECOMMENDED ACTION

Staff requests a motion to approve Ordinance 1930 on 1st reading and move to 2nd Reading for adoption.

Attachments

None

ORDINANCE: 1930

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.

Approved by me this ____ day of _____, 2023.

J. B. Whitten
Mayor

ATTEST:

Maryanne Schrader
City Clerk



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jayce Vanderford, Project Manager
DATE: 4/20/2023
SUBJECT: Brookmeade Park Improvements Conceptual Design

BACKGROUND:

The City of Crestview has seen significant population growth in recent years that has led to an increase in the need for recreation facilities. The concept design and master planning of the Brookmeade Park Improvements and Master Plan Project began on August 4, 2022, by DAG Architects, Inc.

DISCUSSION:

Master planning and conceptual design are complete. If approved, the next step of the project is to select an engineering firm to provide civil plans and detailed design for construction.

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

There is no financial impact at this time.

RECOMMENDED ACTION

Staff respectfully requests a motion to accept the conceptual design and proceed with engaging an engineering firm, requesting a task order for civil engineering and detailed design for construction plans.

Attachments

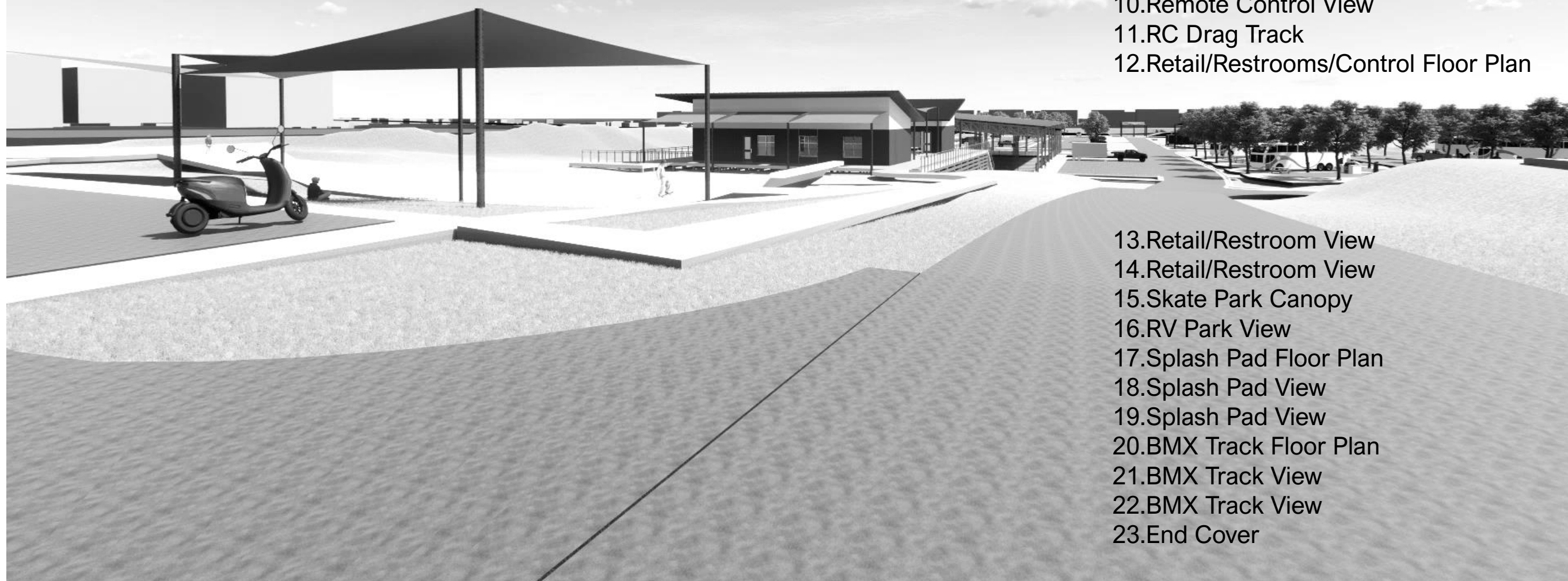
1. Brookmeade Skateboard RC Track Concept Package

Brookmeade Park Improvements

City of Crestview

585 Brookmeade Dr, Crestview, FL 32539

Concept Development



Index:

1. Cover Sheet
2. Project Summary
3. Overall Site Plan
4. West View
5. Aerial View
6. Aerial View
7. Remote Control Floor Plan
8. North View
9. In The Pit
- 10.Remote Control View
- 11.RC Drag Track
- 12.Retail/Restrooms/Control Floor Plan

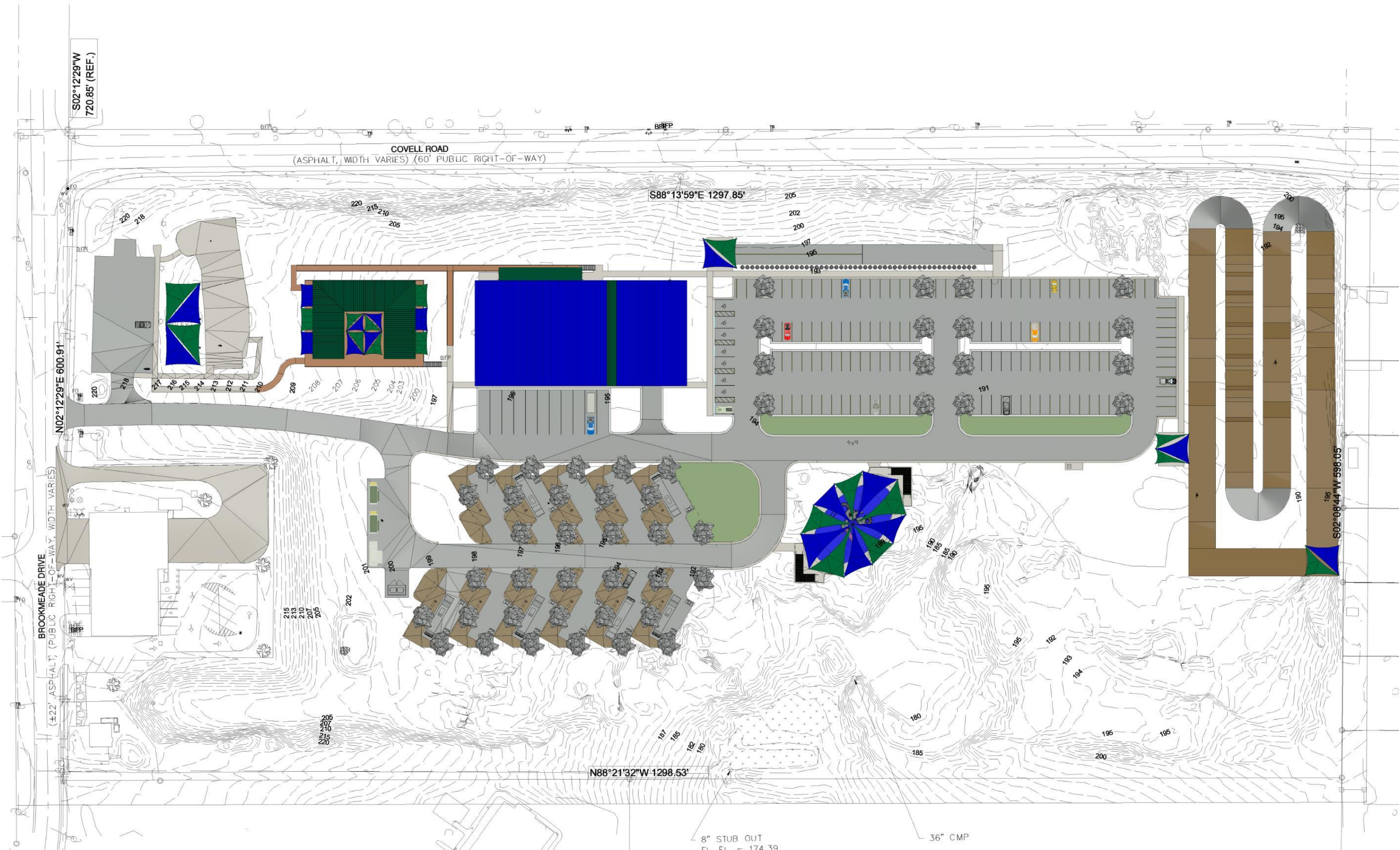
- 13.Retail/Restroom View
- 14.Retail/Restroom View
- 15.Skate Park Canopy
- 16.RV Park View
- 17.Splash Pad Floor Plan
- 18.Splash Pad View
- 19.Splash Pad View
- 20.BMX Track Floor Plan
- 21.BMX Track View
- 22.BMX Track View
- 23.End Cover

PROJECT SUMMARY:

The Project is located at the Brookmeade Park in City of Crestview, Florida. It will be new Sports Center with Restrooms, Office space, Covered RC Track, RV Parking, Splash Pad, BMX Track and New parking lot.

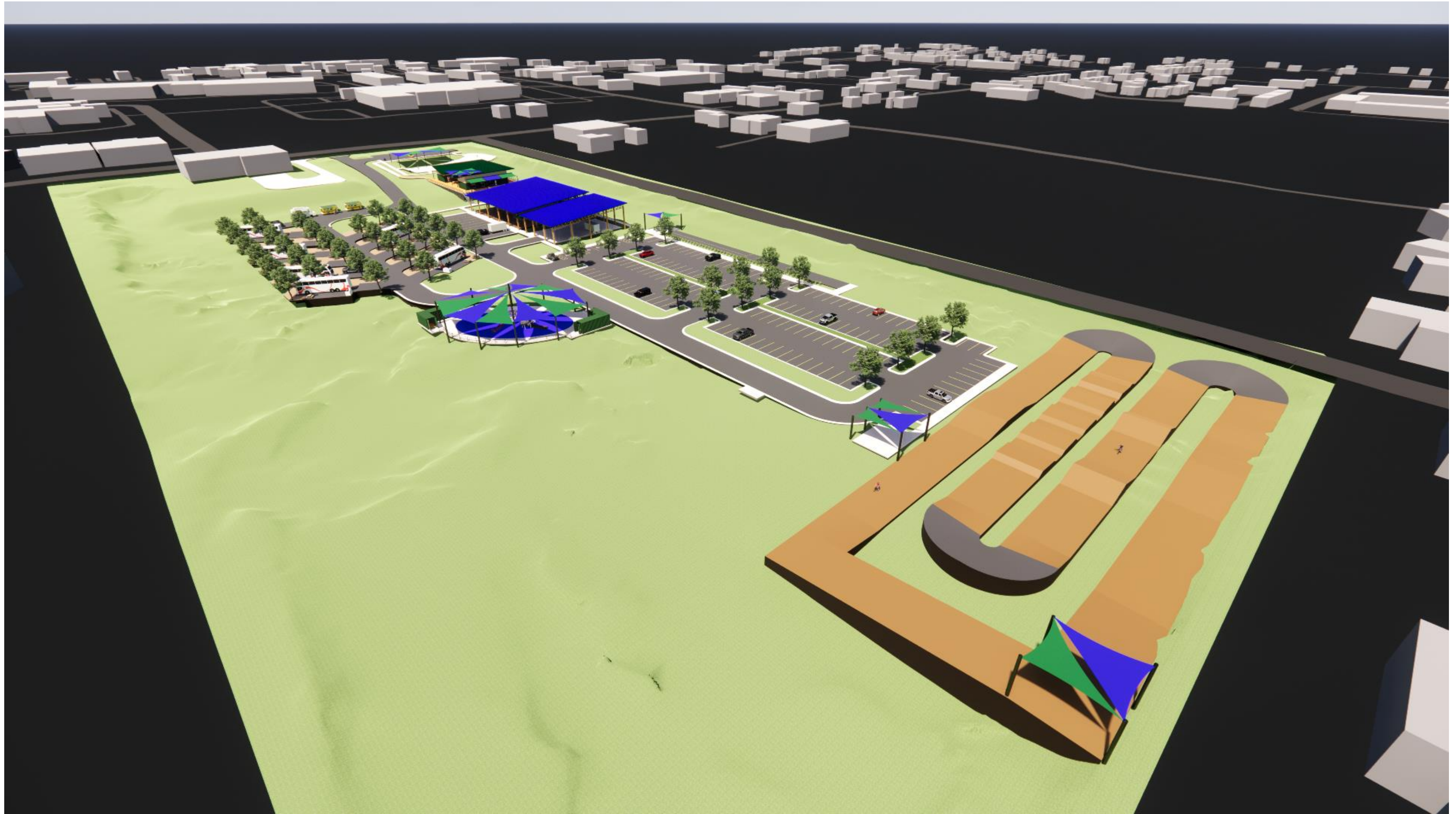
- ☐ ADA HANDICAP ACCESS SIDEWALKS AND RAMPS
- ☐ NEW RESTROOM FACILITIES – 1,320 GSF
- ☐ NEW OFFICE/RETAIL – 2,400 GSF
- ☐ NEW VIEWING/ PICKNICK DECK
- ☐ NEW COVERED ROOF OVER EXISTING REMOTE CONTROLLED RACETRACK
- ☐ NEW COVERED RAISED REMOTE-CONTROL STATIONS
- ☐ NEW COVERED PIT AREA WITH 18 SPACES
- ☐ 2 NEW 8’X40’ SHIPPING CONTAINER STORAGE
- ☐ 146 NEW 10’ X 20’ PARKING SPACES
- ☐ 11 NEW 12’ x 45’ TRAILER SPACES
- ☐ 11 NEW RV PARK TYPE SPACES WITH GRILL, POWER & WATER.
- ☐ 3 NEW FOOD TRUCK SPACES
- ☐ NEW SPLASH PAD WITH SHADE SAILS & RESTROOMS
- ☐ NEW 1200’ BMX BIKE TRACK
- ☐ NEW REMOTE CONTROLLED DRAG TRACK
- ☐ NEW SHADE SAILS FOR SKATE PARK











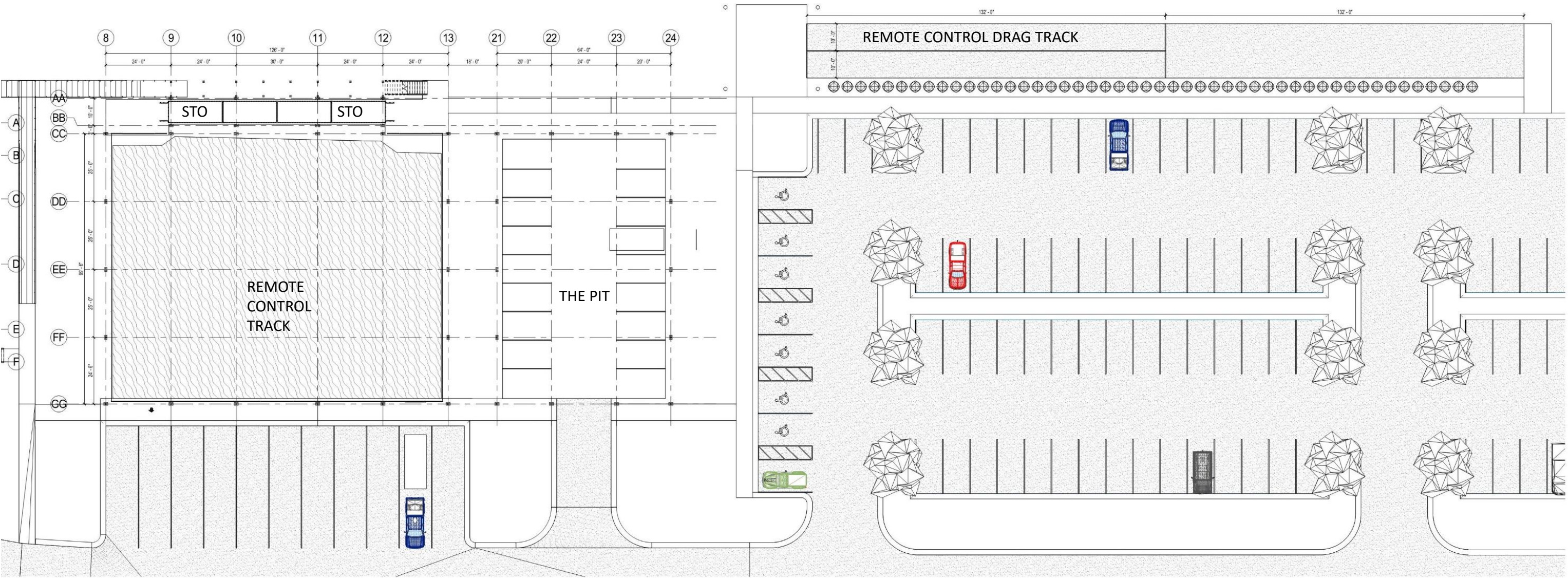
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City of Crestview – Brookmeade Park Improvements

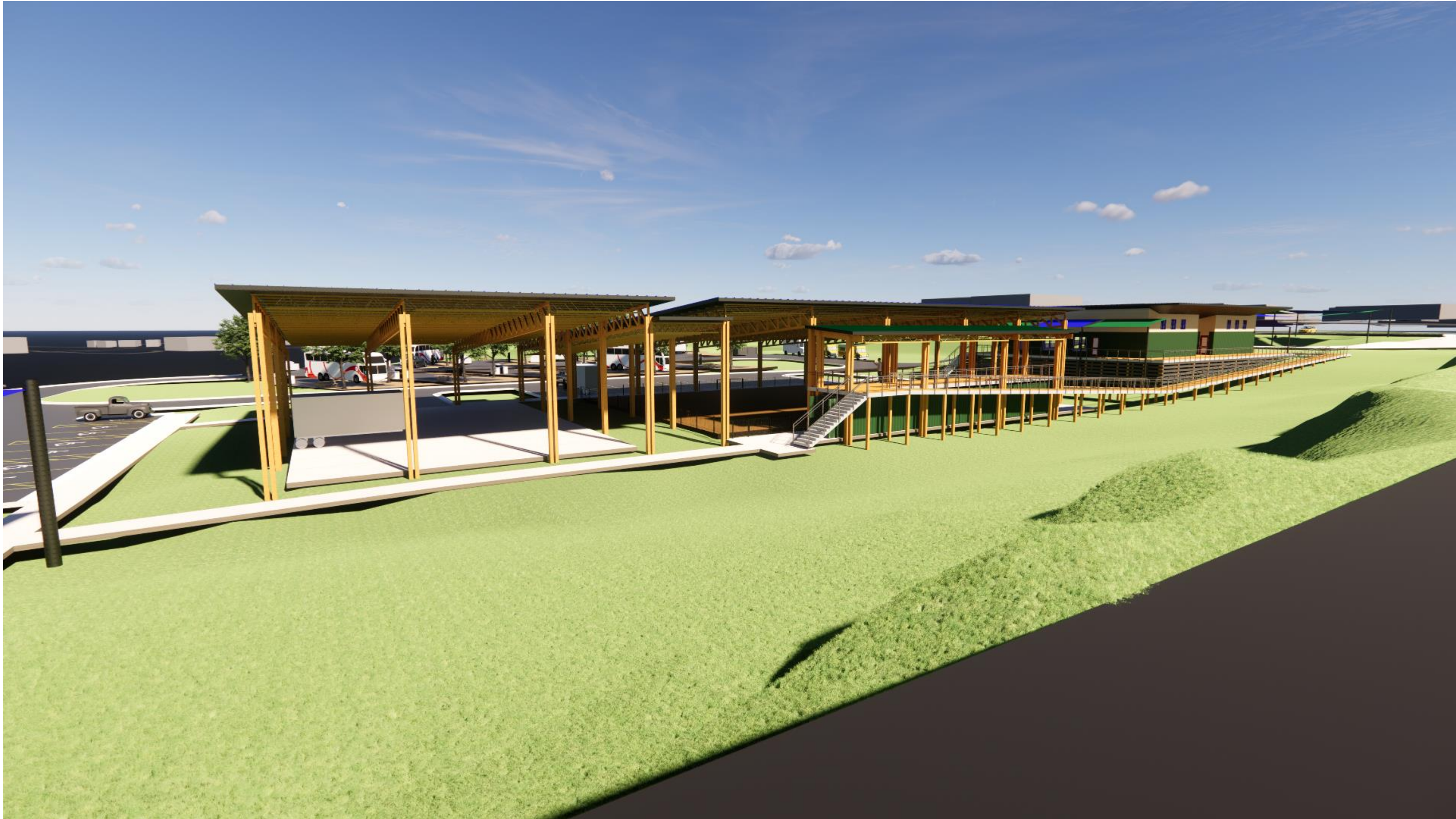
AERIAL VIEW 6



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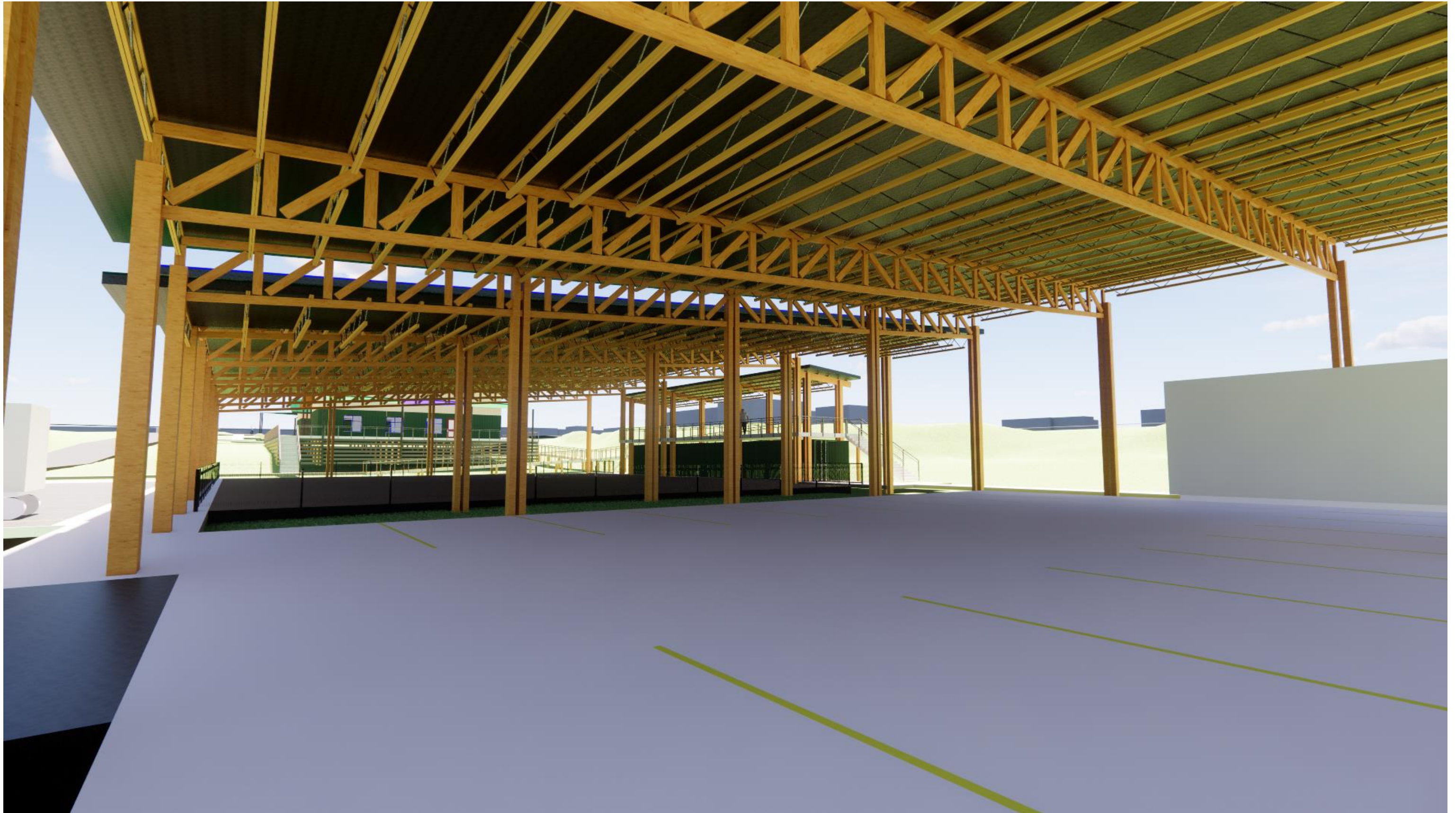
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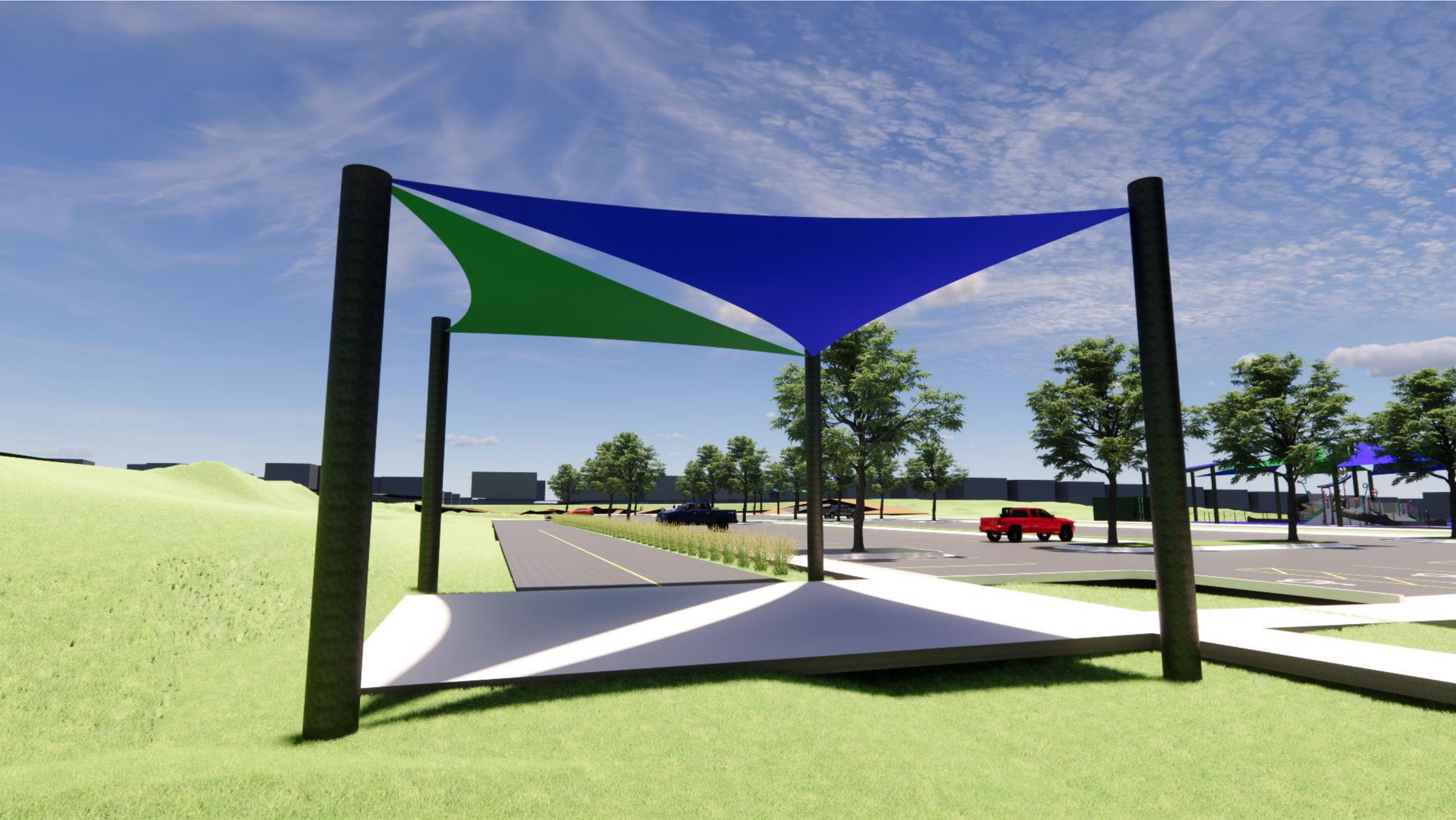
City of Crestview – Brookmeade Park Improvements

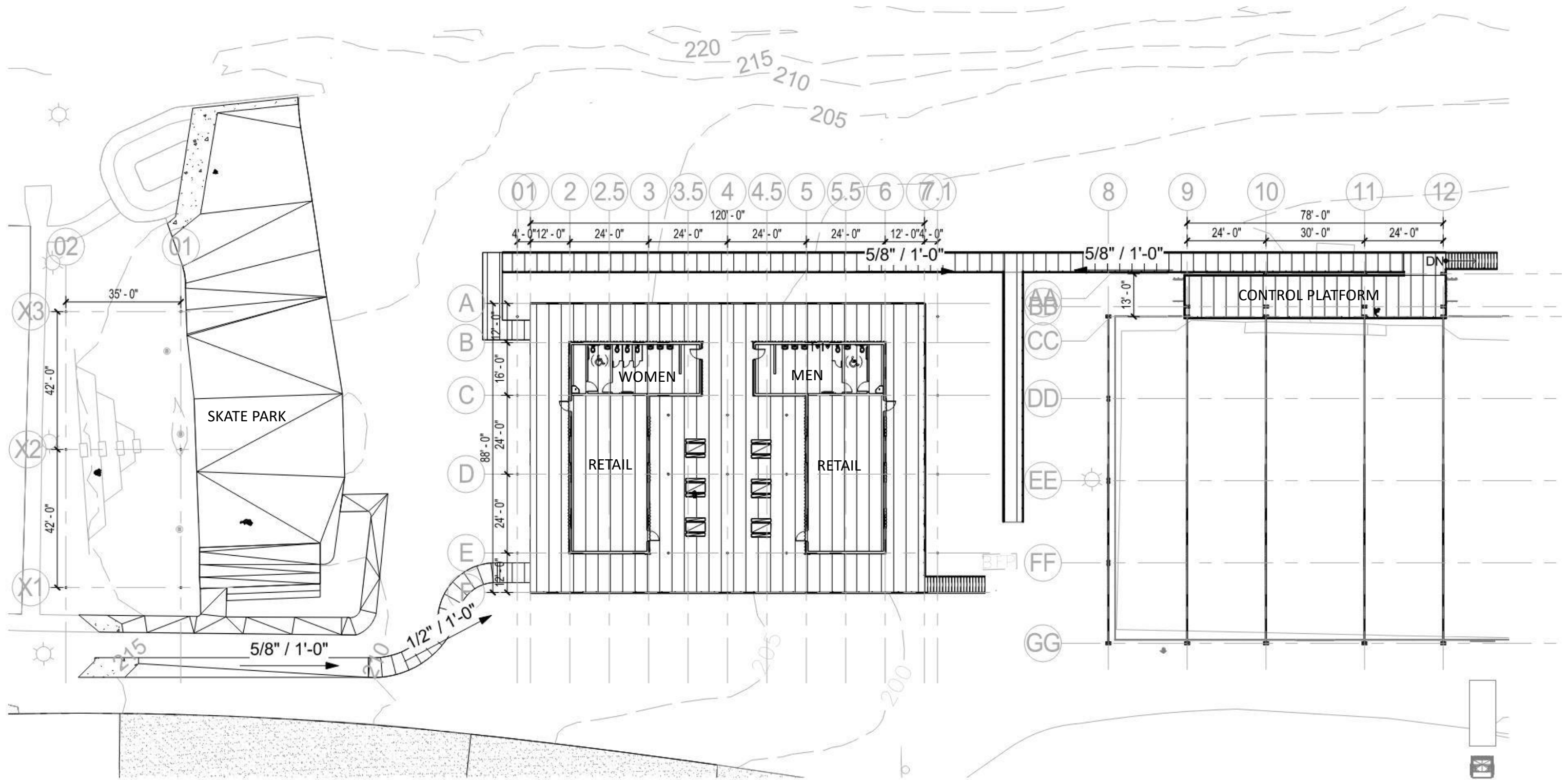
NORTH VIEW

8



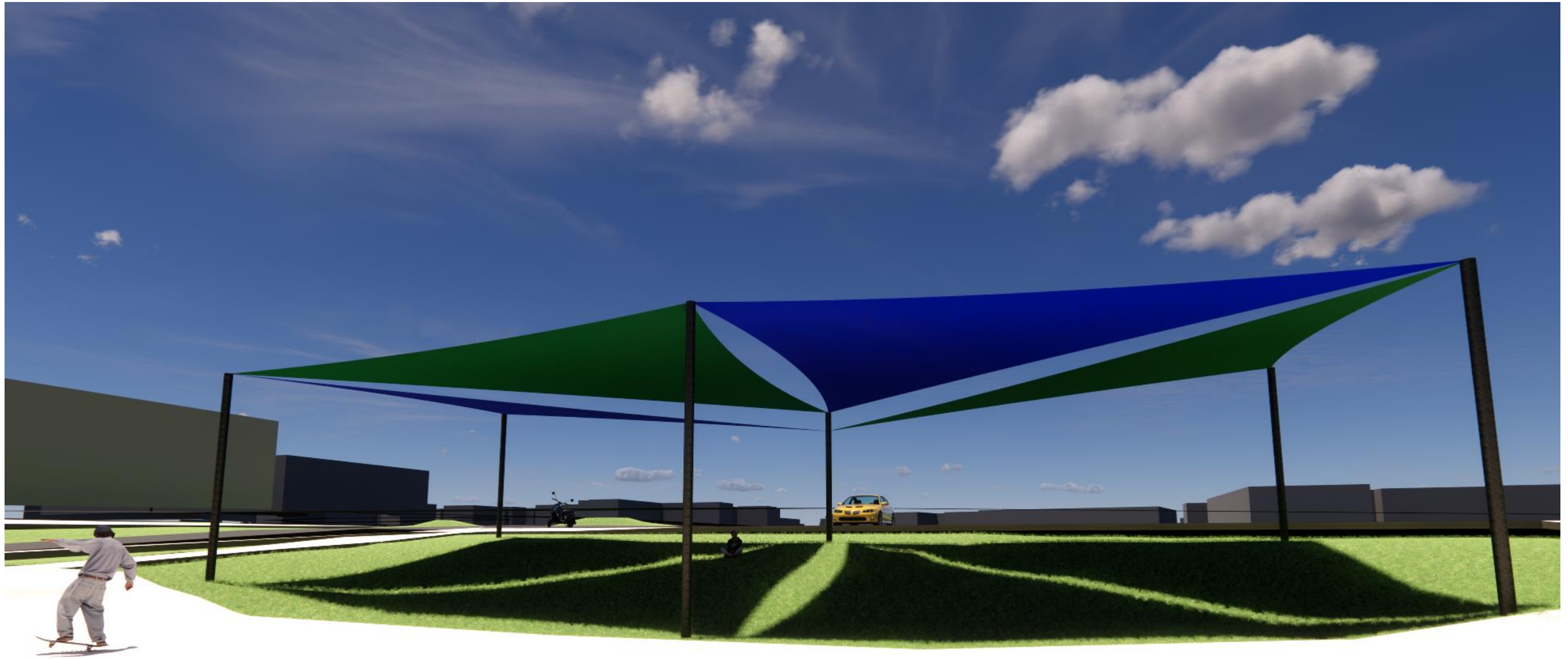


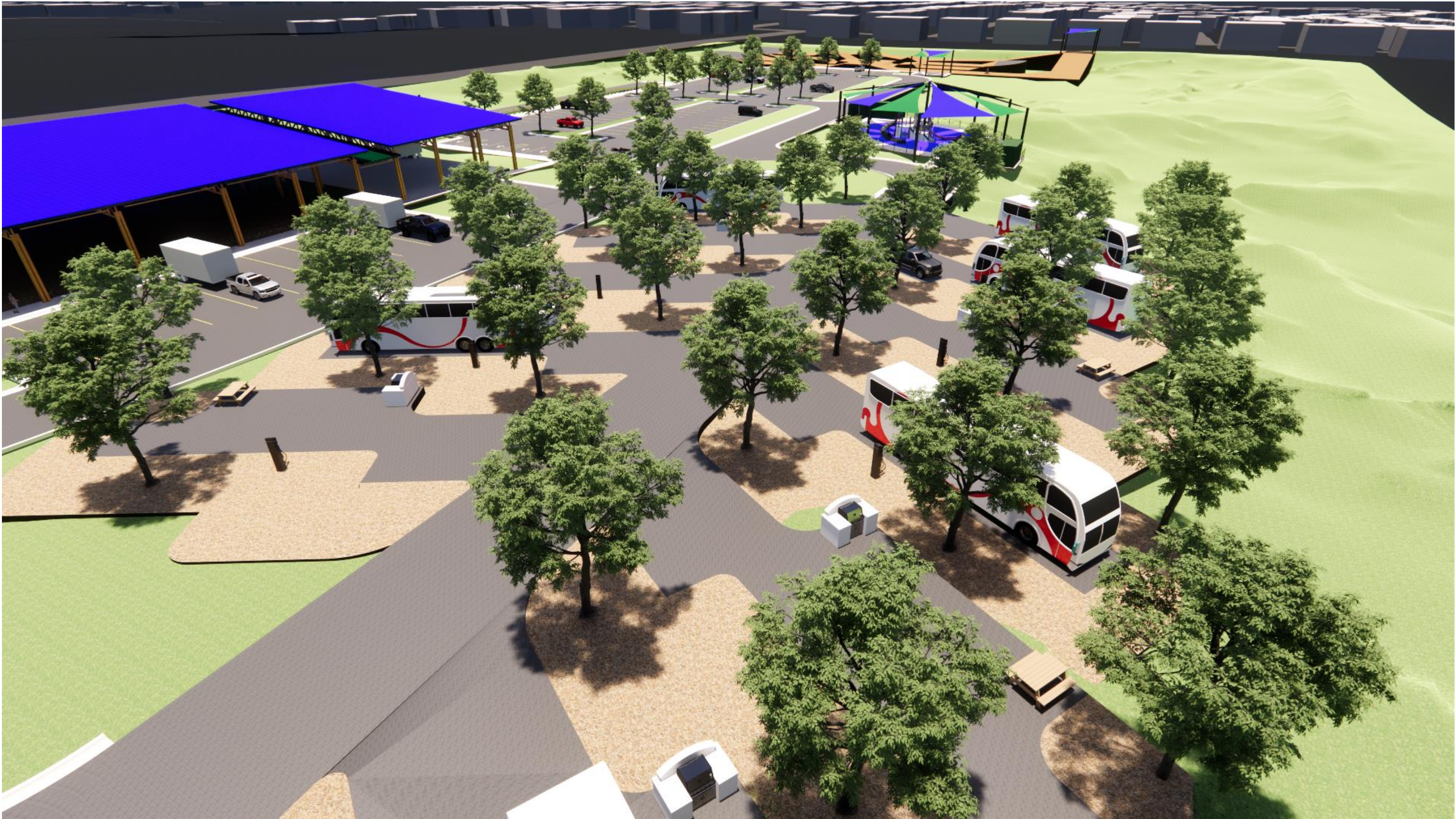


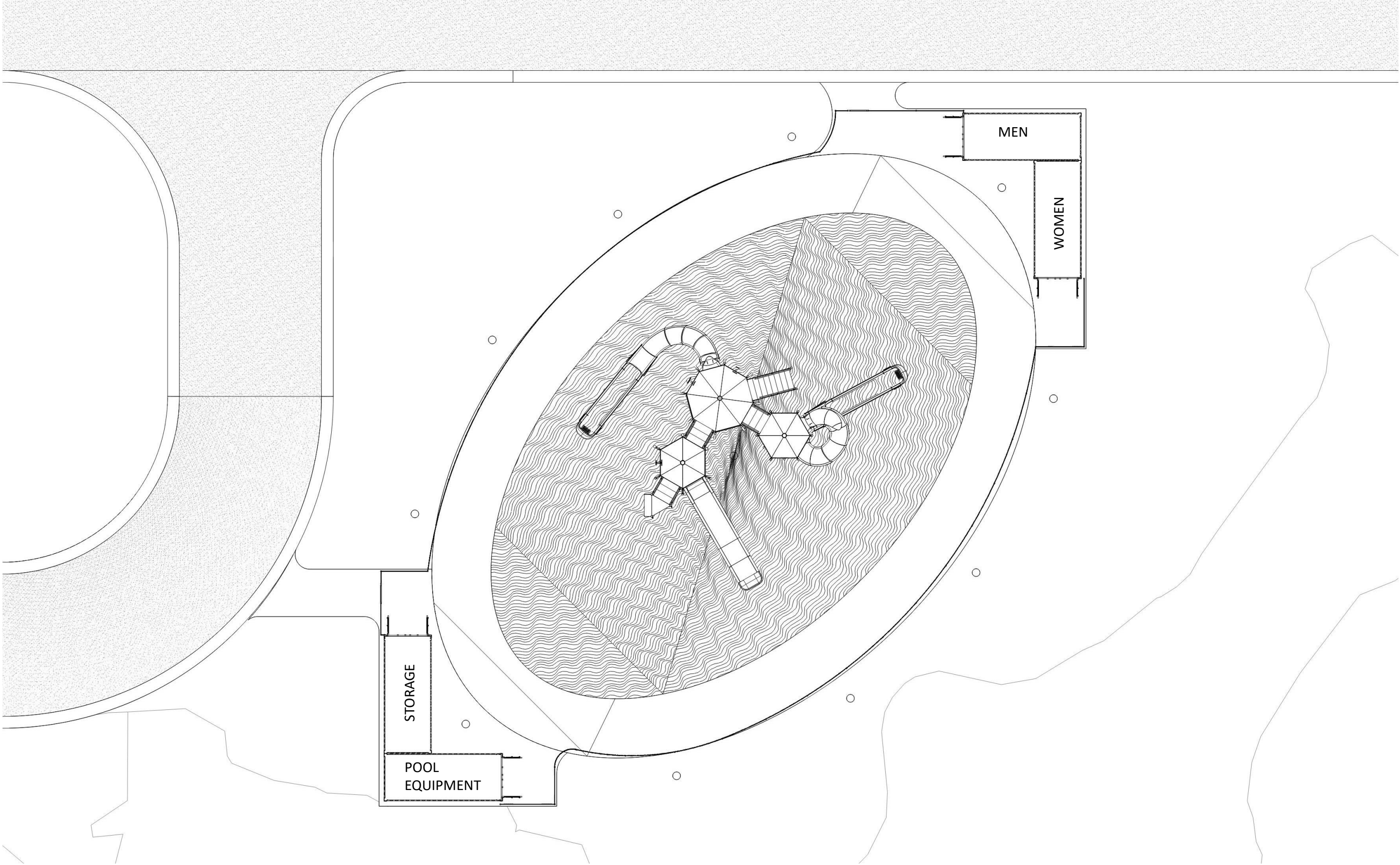






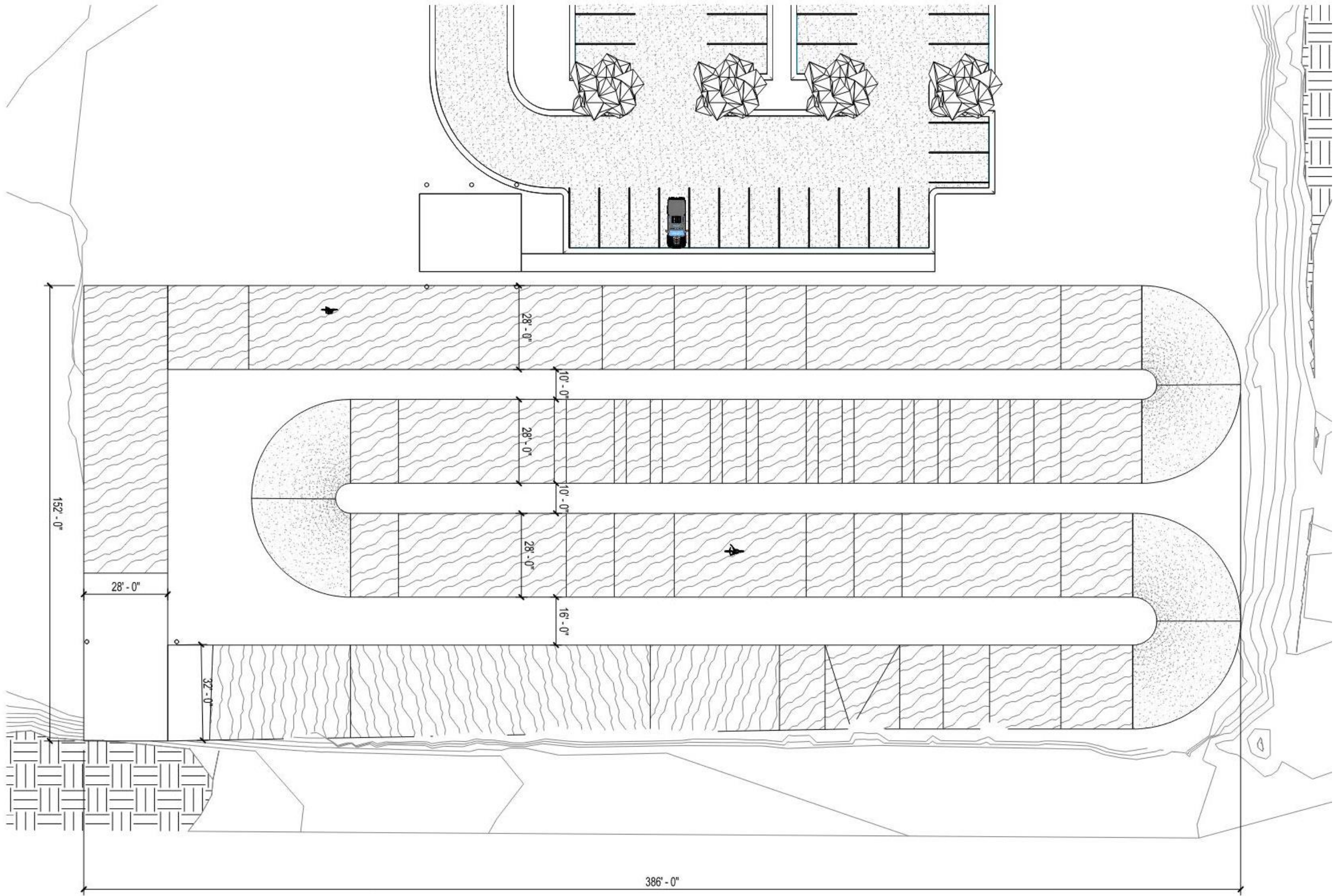


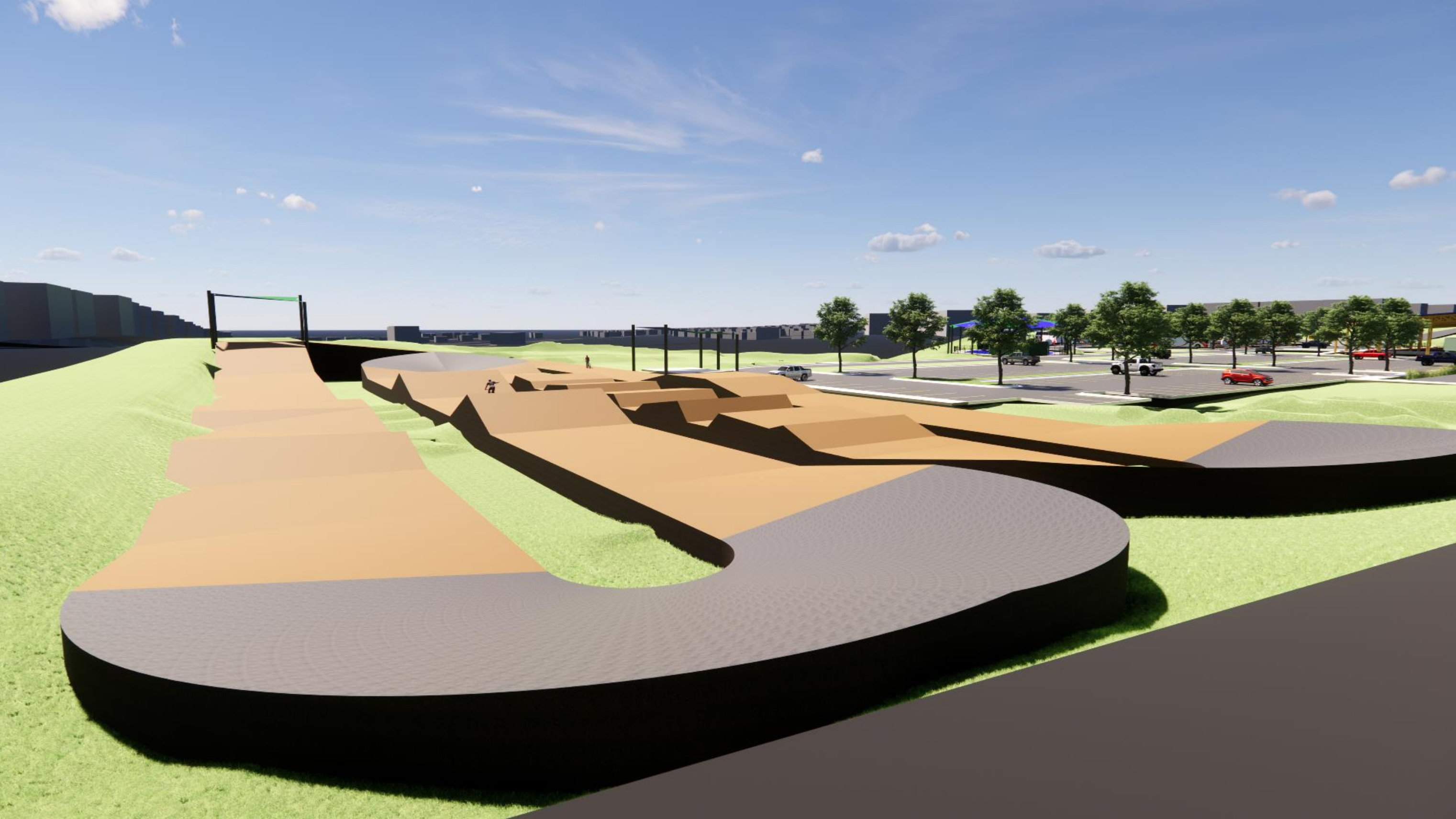


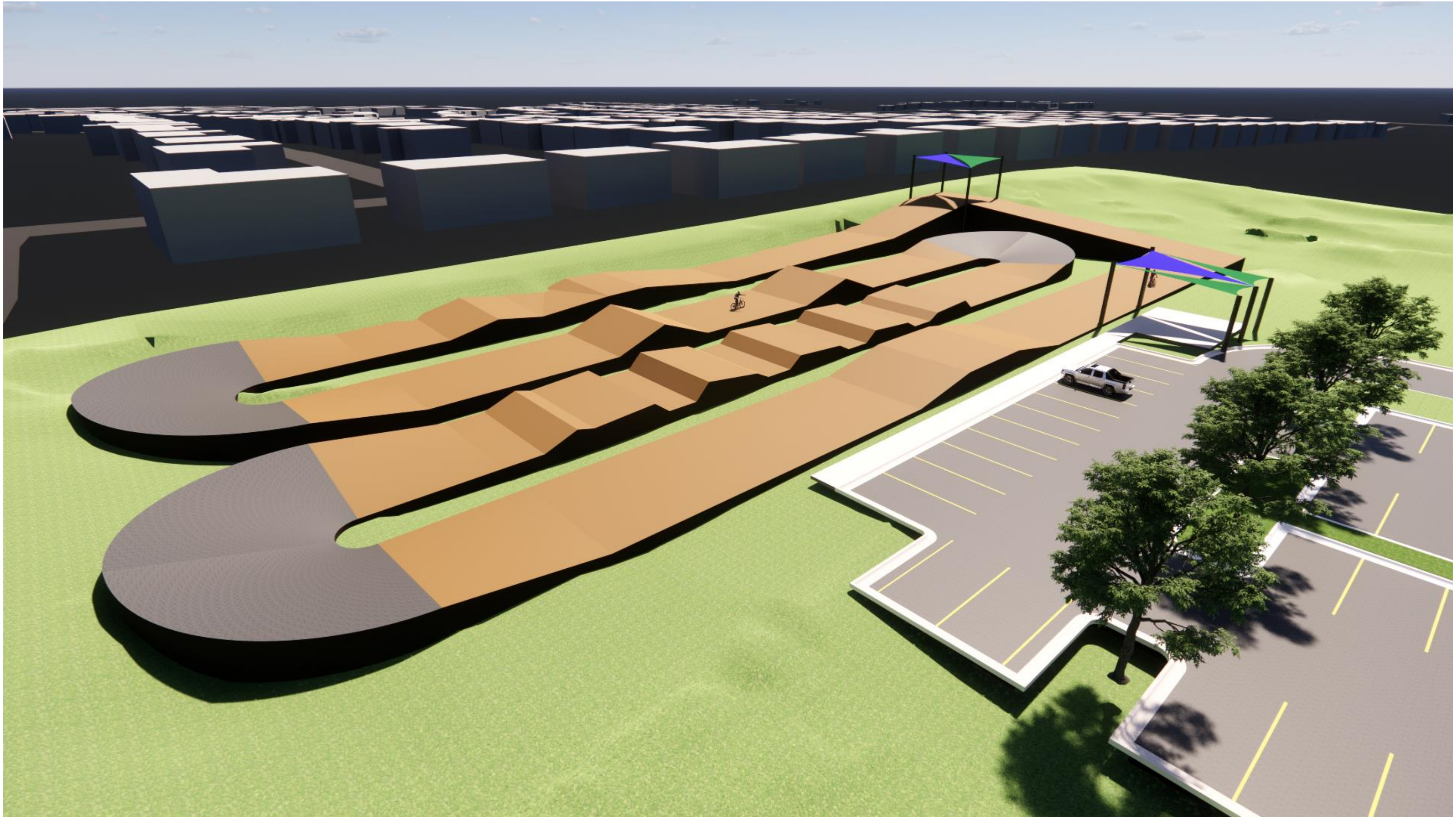












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City of Crestview – Brookmeade Park Improvements

BMX TRACK VIEW 22





Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader
DATE: 4/18/2023
SUBJECT: Update for March 2023

BACKGROUND:

Routine update on processes and projects.

DISCUSSION:

Municode – Continuing to work 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 March 1 -31, 2023 period, we received 45 new requests, with 20 open, the average number of days to fulfill all requests was 3, 53 requests were closed, and 7 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 1.38 hours at a cost of staff time averaging \$23.64. We released 51 documents for the period. We have received \$885.73 from invoices for the March 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 March 2023 is 89,829 pages.

We have received estimates from Business Systems & Consultants, Inc. (BSC) regarding scanning of records to free up much needed storage space, however, further research is needed to proceed as the estimates came in higher than expected.

Records Management – Working on a training session for records management liaisons from each department.

Training Update - Natasha is continuing her college track education. Maryanne attended a Florida Association of City Clerks webinar on "Essential Records, Disaster Mitigation and Recovery". One Ideas to Action that I received from this course is to plan an annual review to identify security issues and set up a correction date. I plan to research training resources for disaster recovery and mitigation.

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

No action required.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: April 24, 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: 4/20/2023
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 March disbursement registers. Also provided are the monthly Unaudited Schedules of Revenues & Expenditures ending February 28, 2023.

Follow this link by clicking on the icon with the arrow for the March check registers and financial statements:

[March Check Register](#)

[March Epayables Register](#)

[February Monthly Financial Report](#)

GOALS & OBJECTIVES

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FINANCIAL IMPACT

N/A

RECOMMENDED ACTION

For informational purposes. No action required.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: April 24, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader, City Clerk
DATE: 4/20/2023
SUBJECT: Planning Development Board Membership

BACKGROUND:

During the last City Council meeting, the City Council directed the City Manager to meet with the Planning Development Board, to provide an update on major projects currently ongoing in the City. Staff performed this update on April 17th at a special meeting.

DISCUSSION:

The Bylaws indicate that in the event that the alternate member dies, resigns, is removed, or becomes a member, the City Council shall promptly appoint a qualified person to the unexpired term of the alternate.

Following the last Council meeting, several City Council members asked the City Manager to review the current appointment terms. The City Clerk provided the following:

On June 8, 2020, the City Council appointed individuals to the newly established PDB effective for a 3-year term ***or until a successor is appointed*** effective March of the year of being appointed.

Ellis Connor – expired March 2023

Michael Roy (Chair) – expired March 2023

Mario Werth (Vice-Chair) – expired March 2023

Bryan Follmar – appointed February 2023 to replace Malcolm Hayes (appointed 6/2020)

Michael Gilbert – appointed April 2021

Alternate:

Shannon Hayes – appointed November 2022 to replace B. Follmar

Alternate - Vacant

Staff have advertised the vacancy requesting applicants who are interested in volunteering their expertise. The Community Development department interviewed three potential candidates from the submitted applicants. In addition to the applications provided, Mr. Larry Medlock has expressed an interest in serving on the board as well.

Since three of the terms for the current board members have all expired, the Council should fill the three seats by either reappointment or a new appointment as soon as reasonable. The staff have met with Mr. Brandon Frost and Mr. Larry Medlock, and found both candidates capable and eager to serve on the board.

GOALS & OBJECTIVES

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FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

Staff respectfully asks for a motion to appoint three members to the board and one alternate.

Attachments

1. Brandon Frost APP

From: noreply@civicplus.com
To: [City Clerk](#)
Subject: [CAUTION EXTERNAL SENDER] Online Form Submission #5733 for Planning and Development Board
Date: Thursday, March 9, 2023 1:46:26 PM

Planning and Development Board

Duties and Responsibilities

The Planning and Development Board/Local Planning Agency (hereinafter Board or PDB) shall have the authority and responsibility to review land use in the City and evaluate planning and regulatory methods and systems for resolving physical, economic, social, environmental and fiscal issues. The Board shall receive and hear appeals in cases involving the City of Crestview Land Development Code (hereafter known as the LDC) The Board shall receive and hear applications for special exceptions/uses and variances to the terms of this LDC, and grant relief where authorized under this LDC. The Board shall also hear, determine and decide appeals, reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the LDC. The Board shall be responsible for review and approval of the City of Crestview Comprehensive Plan. The Board shall have any other powers or duties delegated by the City Council.

Criteria and Requirements for Board Membership:

• Must be a Resident of the City of Crestview • Must be able to attend PDB meetings on the First Monday of each Month at a time to be determined by the City Council (all meetings will be after 5:00 PM) • Must have a good working knowledge of computers and be able to use same before and during the meetings. • Must be willing to gain/maintain working knowledge of the Current Land Development Code and abide by same. • Preferred applicants will have knowledge of property zoning, commercial applications and land uses.

Applicant Information

First Name	Brandon
Last Name	Frost
Address	107 Split Creek Drive
City	Crestview
State	FL
Zip Code	32539
Phone Number	8507581071
Fax Number	Field not completed.
Email Address	mrffrost03@gmail.com

I am an open-minded person who loves to see my hometown

Please give a Short narrative as to why you feel you would be a good Candidate for the New Planning and Development Board:

grown bigger and better each day. I want to be apart of the future of this town as this is the place i will spend the rest of my life along with my kids.

I am interested in: (type of membership)

Full Member

Electronic Signature Agreement

I agree.

Electronic Signature

Brandon K Frost

Date

3/9/2023

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