



CITY OF
CRESTVIEW
CITY COUNCIL

CITY COUNCIL REGULAR MEETING AGENDA
SEPTEMBER 11, 2023
6:00 P.M.
CITY COUNCIL CHAMBERS

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

- 1. Call to Order**
- 2. Invocation, Pledge of Allegiance**
 - 2.1. Elder John Reaves of Joy Fellowship
- 3. Open Policy Making and Legislative Session**
- 4. Approve Agenda**
- 5. Presentations and Reports**
 - 5.1. 9/11 Proclamation
 - 5.2. American Heritage Girl Troop Proclamation
 - 5.3. Presentation of Employee of the Quarter
 - 5.4. Tourism Development Council - Tourism Presentation
- 6. Consent Agenda**
 - 6.1. Police K9 Purchase Contract
 - 6.2. Tidal Wave Auto Spa Traffic MOU
 - 6.3. DW Josey Plaza Traffic MOU
 - 6.4. Phillips Energy Truck Stop Traffic MOU
 - 6.5. Approval of August 28th CRA/City Council Special Meeting and City Council Regular Meeting Minutes
- 7. Public Hearings / Ordinances on Second Reading**
- 8. Ordinances on First Reading**
 - 8.1. Ordinance 1950 - Sexual Offender and Predator Residency Restrictions
 - 8.2. Ordinance 1951 – Police and Firefighters’ Retirement

9. Resolutions

10. Action Items

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

11. City Clerk Report

12. City Manager Report

12.1. City Manager Updates

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: September 11, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor
DATE: 8/31/2023
SUBJECT: Elder John Reaves of Joy Fellowship

BACKGROUND:

Area clergy volunteer to provide the Invocation.

DISCUSSION:

The invocation is provided as a service to the community.

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: September 11, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor, Ryan Bullard, Council Member
DATE: 9/8/2023
SUBJECT: 9/11 Proclamation

BACKGROUND:

The September 11 attacks, commonly known as 9/11, were four coordinated Islamist suicide terrorist attacks carried out by al-Qaeda against the United States on Tuesday, September 11, 2001.

DISCUSSION:

On behalf of Mayor JB Whitten and the City of Crestview City Council members, we encourage everyone to join us in a moment of silence to honor those who lost their lives so senselessly yet bravely. Let us offer our prayers for the survivors, the soldiers, and the first responders who gave their all. We express our gratitude, pay our respects, and mark this day, September 11, as the day our nation began to rebuild.

GOALS & OBJECTIVES

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Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

No action required.

Attachments

1. signed September 11 proclamation JB Whitten

A PROCLAMATION

September 11

WHEREAS The September 11 attacks, commonly known as 9/11, were four coordinated Islamist suicide terrorist attacks carried out by al-Qaeda against the United States on Tuesday, September 11, 2001, and

WHEREAS 19 terrorists hijacked four commercial airliners and crashed the first two planes into the Twin Towers of the World Trade Center in New York City and aimed the next two flights toward targets in or near Washington, D.C., in an attack on the nation's capital, and

WHEREAS The third team succeeded in crashing into the Pentagon, the headquarters of the U.S. Department of Defense in Arlington County, Virginia, the fourth plane crashed in rural Pennsylvania following a passenger revolt, and

WHEREAS the attacks killed nearly 3,000 people, injured thousands more, and gave rise to substantial long-term health consequences while also generating at least \$10 billion in infrastructure and property damage, instigating the multi-decade global war on terror and

WHEREAS It has been described by many as the deadliest terrorist act in human history and remains the deadliest incident for both firefighters and law enforcement personnel in the history of the United States, killing a substantial amount of people from each organization and

WHEREAS on the day of the attacks, New York City Mayor Rudy Giuliani declared, "We will rebuild and emerge even stronger, both politically and economically. The skyline will be restored." and

WHEREAS Every year in New York City, a solemn ceremony is held to honor the victims who lost their lives. Their names are read aloud while mournful music plays in the background. The President of the United States attends a memorial service at the Pentagon and urges Americans to observe Patriot Day in silence.

AND SO, THEREFORE, On behalf of Mayor JB Whitten and the City of Crestview council members, we encourage everyone to join us in a moment of silence to honor those who lost their lives so senselessly yet bravely. Let us offer our prayers for the survivors, the soldiers, and the first responders who gave their all. We express our gratitude, pay our respects, and mark this day, September 11, as the day our nation began to rebuild.




JB Whitten, Mayor

9/11/23
Date



Staff Report

CITY COUNCIL MEETING DATE: September 11, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jerry Whitten, Mayor
DATE: 9/8/2023
SUBJECT: American Heritage Girl Troop Proclamation

BACKGROUND:

The American Heritage Girl program was developed in 1995 by a group of parents who wanted a Christ-centered program for their daughters. There are troops in all 50 states.

DISCUSSION:

Mayor JB Whitten will present a proclamation to the American Heritage Girl Troop for the National Day of Service.

GOALS & OBJECTIVES

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Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

No action required.

Attachments

1. signed AHG proclamation 2023

A PROCLAMATION

WHEREAS The American Heritage Girl program was developed in 1995 by a group of parents who wanted a Christ-centered program for their daughters and

WHEREAS today, there are troops in all 50 states and girls being served in 15 countries around the globe.

WHEREAS all biological girls of any color, race, national origin, and socioeconomic status who agree to live according to the standards of the AHG Oath and the AHG Creed are eligible for membership and

WHEREAS AHG brings together girls aged 5 to 18 in a single Troop, who then split into Units based on Levels. This provides AHG girls with valuable opportunities to socialize with friends and godly mentors of different ages. Members also learn leadership skills in a group setting, and

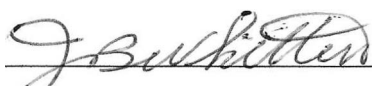
WHEREAS The American Heritage Girl program emphasizes life skill enhancement, developing teamwork & building confidence, social development, girl leadership, character development, spiritual development, and

WHEREAS The American Heritage Girls Troop has been active in Crestview since January 2021, with approximately 60 girls participating in various community events. Together, they have amassed over 1000 service hours for the 2022-2023 year, and

WHEREAS, upon swearing into the program, these young ladies promise to love God, cherish their families, honor their country, and serve in their community.

Therefore, As the Mayor of Crestview, Florida, I, JB Whitten, am here today to urge you to join me in supporting a wonderful organization that empowers young women of faith. Let us come together and celebrate these young women, reminding them that they were created with a unique purpose and are destined for greatness. Together, we can uplift and inspire these girls to be the confident, capable leaders they were meant to be.




JB Whitten, Mayor


Date



Staff Report

CITY COUNCIL MEETING DATE: September 11,
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, Tim Bolduc, City Manager
DATE: 9/8/2023
SUBJECT: Presentation of 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:

This quarter's winners are Ronnie Owens and Captain Corey Winkler.

Mr. Owens is a mechanic with the Fleet Division. He has been with the City of Crestview for eight years. His dedication, skill, and commitment to ensuring that our city vehicles are restored to proper working condition did not go unnoticed. When our grapple truck encountered mechanical issues, we were concerned about the impact it could have on our waste management operations. His prompt response and thorough diagnosis quickly put our minds at ease. Ronnie's expertise in identifying the root causes of the problems and his adeptness in executing the necessary repairs were truly impressive. Ronnie's attention to detail and meticulous approach were evident in every aspect of his work. From diagnosing the complex hydraulic system to addressing electrical malfunctions, he demonstrated a level of expertise that exceeded our expectations. His dedication to quality as well as safety is a testament to the professionalism and high standards expected in the fleet maintenance profession. Not only did he repair the mechanical issues, but also took the time to educate other employees about preventive maintenance practices that can help extend the lifespan of our trucks. His willingness to share his knowledge and provide valuable insights was greatly appreciated. Our city's grapple truck is now back in service, thanks to his exceptional skills and dedication. Ronnie's work has not only saved us time and money, but has also allowed us to continue providing exceptional municipal services.

Captain Winkler works as a part of the Fire Department's Public Education and Inspections division as a fire inspector. Mr. Winkler has been with the Crestview Fire Department for 15 years. Corey demonstrates that he is a professional and easy to work with in many ways. This year, he's coordinated between line personnel and the Public Services Division to ensure that City employees and Firefighters were able to coordinate at multiple city events. Corey regularly takes the time to ensure that various programs are on track at the fire department, including safety, fire prevention, car seat installations and fire inspections. Corey also coordinated with several outside agencies to host and instruct the CPR, Incident Safety Officer class and others, which involved Firefighters from four different departments and citizens.

GOALS & OBJECTIVES

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Communication- To engage, inform and educate public and staff

FINANCIAL IMPACT

RECOMMENDED ACTION

No action needed.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: September 11, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Tim Bolduc, City Manager
DATE: 9/8/2023
SUBJECT: Tourism Development Council - Tourism Presentation

BACKGROUND:

DISCUSSION:

GOALS & OBJECTIVES

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Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

RECOMMENDED ACTION

No action required.

Attachments

None



Staff Report

CITY COUNCIL MEETING DATE: September 11,
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, Brian McCallum, Major
DATE: 9/8/2023
SUBJECT: Police K9 Purchase Contract

BACKGROUND:

Police canines provide critical tools to enforce and assist with narcotics detection, search and rescue, apprehension, as well as public service through positive community service projects and demonstrations.

The Crestview Police Department currently has two full-time, dual-purpose K9 handlers and dogs.

To provide continuous availability for the resources that police K9s provide, the police department needs 4 full-time K9 teams.

Historically, the department has 4 full-time K9s, but the recent retirements of two dogs, due to age, has left the department with the need to fill the two retired positions.

DISCUSSION:

The attached contract is from K9 Robbyfarm, who the police department has a well-established history with. K9 Robbyfarm has either provided or trained the police department's last 3 police K9s. The health of the K9s the police department has received in the past has been superior. K9 Robbyfarms also provides an excellent level of training. Other larger agencies, such as the Santa Rosa County Sheriff's Office, also utilize their training. In addition to training, K9 Robbyfarm ensures certification through the National Narcotics Dog Detector Association (NNDDAA).

All of the police departments' current K9 handlers have a good working relationship with K9 Robbyfarm and support the continued relationship.

GOALS & OBJECTIVES

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FINANCIAL IMPACT

The attached contract provides a dual purpose K9 dog, training, NNDDAA certification, health guarantee and a work ability guarantee.

The cost is \$15,000.00 and will be funding from residual monies.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the contract and to be sent to the Mayor and City Clerk for signature.

Attachments

1. K9 Robbyfarms Crestview PD



Replacement Provision

If a replacement is necessary for any reason, you must contact our office, in writing, to report your claim.

K9 Robbyfarm LLC, has 45 days to replace any **UNTRAINED** canine.

Replacing **TRAINED** canines will require 45 days, **PLUS** required training time in the discipline for which the canine was purchased. We will do our best to select a suitable replacement from the dogs already in training with K9 Robbyfarm LLC. In most cases, we can provide you a replacement in less than 45 days. However, in extreme cases you may have to wait up to 10 weeks for **Narcotics Detection**, 12 weeks for **Explosive Detection**, and 16 weeks for **Dual Purpose**.

Dispute Resolution

If a dispute arises out of or relates to this Sales Agreement, or the breach thereof, and if the dispute cannot be settled through negotiation, the parties herein agree first to try in good faith to settle the dispute by mediation administered by the American Arbitration Association under its Commercial Mediation Rules before resorting to arbitration, litigation, or some other dispute resolution procedure.

**** NOTE: Guarantee is VOID if a Doctor of Veterinary Medicine does not perform exam within ten (10) days of purchase.**

**** NOTE: Guarantee is VOID if payment is not received, in full, within 30 days of invoice date.**

This contract is binding by signatures below

I (print name clearly) _____ have read and understood the Terms and Conditions, Health Guarantee, Work Ability Guarantee, Replacement Provision, and Dispute Resolution section of the Robbyfarm LLC, Sales Agreement.

Purchaser Signature: _____

Date: _____

Seller Signature: _____

Date: 8/24/23

K9 Robbyfarm Training Facilities
www.robbfarm.com
(850) 380-1651
(850) 450-6900
3171 Russell Wade Road
Jay, FL 32565



Staff Report

CITY COUNCIL MEETING DATE: September 11, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director
DATE: 9/8/2023
SUBJECT: Tidal Wave Auto Spa Traffic MOU

BACKGROUND:

Staff received the initial application submittal for the Tidal Wave Auto Spa project, a proposed car wash facility with 28 service stalls, at 1650 S Ferdon Blvd, on March 23, 2023. For commercial projects, staff reviews each project's traffic study or report and any transportation related improvements proposed, to determine what improvements or contributions need to be made by the developer resulting from the impact of their proposed development, via a Memorandum of Understanding (MOU).

DISCUSSION:

For the Tidal Wave Auto Spa project, staff reviewed the traffic study provided resulting in the attached MOU. In this specific case, the MOU provides for the developer to participate in costs not to exceed the total amount of \$22,500.00 to be held in escrow by the City of Crestview for proposed offsite roadway improvements that the City is constructing to mitigate traffic impacts. This cost was determined by an established per-trip cost based on the total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued. This MOU, if approved, also needs to be signed by the Mayor and the City Clerk.

GOALS & OBJECTIVES

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Mobility – Provide safe, efficient and accessible means for mobility.

FINANCIAL IMPACT

This MOU will provide funds to the City to construct improvements that will mitigate the traffic impact resulting from this development.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the attached Memorandum of Understanding to be sent to the Mayor and City Clerk for signature.

Attachments

1. Tidal Wave - Traffic MOU

MEMORANDUM OF UNDERSTANDING

August 29, 2023

Subject: **Tidal Wave Auto Spa (S. Ferdon Ave) (the Development)**
City of Crestview, Florida & OLP RW Properties, LLC (the Developer)

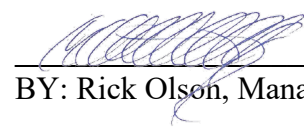
Based upon the City of Crestview Engineering Standards Manual Chapter 5.1, this Memorandum of Understanding is in reference to the proposed **Tidal Wave Auto Spa (S. Ferdon Ave)** (the Development) and has been provided with the following acknowledgements:

- The Development generates significant traffic capacity impacts (*395 trips*) to the surrounding roadway network and no offsite roadway improvements are proposed as part of the Development.
- The City of Crestview is constructing offsite roadway improvements to mitigate traffic impacts.
- The developer shall participate in cost not to exceed the total amount of **\$22,500** (*395 trips x \$56.94/trip*) to be held in escrow by the City of Crestview for these proposed improvements. This cost was determined by an established per trip cost based on total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued.

City of Crestview

OLP RW Properties, LLC

BY: J.B. Whitten, Mayor



BY: Rick Olson, Manager

Maryanne Schrader, City Clerk



Staff Report

CITY COUNCIL MEETING DATE: September 11,
2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director
DATE: 9/8/2023
SUBJECT: DW Josey Plaza Traffic MOU

BACKGROUND:

Staff received the initial application submittal for the DW Josey Plaza project, a 13,000 square foot commercial development and associated site improvements, at 1132 and 1134 Highway 85 N, on March 24, 2023. For commercial projects, staff reviews each project's traffic study or report and any transportation related improvements proposed to determine what improvements or contributions need to be made by the developer resulting from the impact of their proposed development, via a Memorandum of Understanding (MOU).

DISCUSSION:

For the DW Josey Plaza project, staff reviewed the traffic study provided, resulting in the attached MOU. In this specific case, the MOU provides for the developer to participate in costs not to exceed the total amount of \$35,000.00 to be held in escrow by the City of Crestview for proposed offsite roadway improvements that the City is constructing to mitigate traffic impacts. This cost was determined by an established per-trip cost based on the total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued. This MOU, if approved, also needs to be signed by the Mayor and the City Clerk.

GOALS & OBJECTIVES

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Mobility – Provide safe, efficient and accessible means for mobility.

FINANCIAL IMPACT

This MOU will provide funds to the City to construct improvements that will mitigate the traffic impact resulting from this development.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the attached Memorandum of Understanding to be sent to the Mayor and City Clerk for signature.

Attachments

1. DW Josey Plaza MOU

MEMORANDUM OF UNDERSTANDING

July 27, 2023

Subject: **DW Josey Plaza (the Development)**
City of Crestview, Florida & DW Josey Properties Co. (the Developer)

Based upon the City of Crestview Engineering Standards Manual Chapter 5.1, this Memorandum of Understanding is in reference to the proposed DW Josey Plaza (the Development) and has been provided with the following acknowledgements:

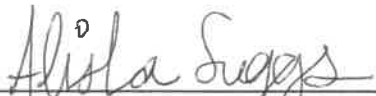
- The Development generates significant traffic capacity impacts to the surrounding roadway network and no offsite roadway improvements are proposed as part of the Development.
- The City of Crestview is constructing offsite roadway improvements to mitigate traffic impacts.
- The developer shall participate in cost not to exceed the total amount of \$35,000 to be held in escrow by the City of Crestview for these proposed improvements. This cost was determined by an established per trip cost based on total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued.

City of Crestview

BY: J.B. Whitten, Mayor

Maryanne Schrader, City Clerk

DW Josey Properties Co.



BY: Alisha Suggs, President



Staff Report

CITY COUNCIL MEETING DATE: September 11,
2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director
DATE: 9/8/2023
SUBJECT: Phillips Energy Truck Stop Traffic MOU

BACKGROUND:

Staff received the initial application submittal for the Phillips Energy Truck Stop project, a new 4,000 square foot convenience store, additional fuel stalls and associated site improvements, at 806 W James Lee Blvd, on January 1, 2022. For commercial projects, staff reviews each project's traffic study or report and any transportation related improvements proposed, to determine what improvements or contributions need to be made by the developer resulting from the impact of their proposed development, via a Memorandum of Understanding (MOU).

DISCUSSION:

For the Phillips Energy Truck Stop project, staff reviewed the traffic study provided resulting in the attached MOU. In this specific case, the MOU provides for the developer to participate in costs not to exceed the total amount of \$39,200.00 to be held in escrow by the City of Crestview for proposed offsite roadway improvements that the City is constructing to mitigate traffic impacts. This cost was determined by an established per-trip cost based on the total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued. This MOU, if approved, also needs to be signed by the Mayor and the City Clerk.

GOALS & OBJECTIVES

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FINANCIAL IMPACT

This MOU will provide funds to the City to construct improvements that will mitigate the traffic impact resulting from this development.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the attached Memorandum of Understanding to be sent to the Mayor and City Clerk for signature.

Attachments

1. Phillips Energy Traffic MOU

MEMORANDUM OF UNDERSTANDING

September 6th, 2023

Subject: **Phillips Energy Truck Stop (the Development)**
City of Crestview, Florida & Phillips Energy, Inc. (the Developer)

Based upon the City of Crestview Engineering Standards Manual Chapter 5.1, this Memorandum of Understanding is in reference to the proposed Phillips Energy Truck Stop (the Development) and has been provided with the following acknowledgements:

- The Development generates significant traffic capacity impacts to the surrounding roadway network and no offsite roadway improvements are proposed as part of the Development.
- The City of Crestview is constructing offsite roadway improvements to mitigate traffic impacts.
- The developer shall participate in cost not to exceed the total amount of \$39,200.00 to be held in escrow by the City of Crestview for these proposed improvements. This cost was determined by an established per trip cost based on total average trips per day generated by the development. The obligation to deposit the money in escrow and participate shall occur before the Development Order is issued.

City of Crestview

BY: J.B. Whitten, Mayor

Maryanne Schrader, City Clerk

Phillips Energy, Inc.



BY: Rupert Phillips, Manager



DEVELOPMENT UTILITY FEES



Name of Project: Phillips Energy Truck Stop

Address: 806 W James Lee Blvd

Nearest Water Line: Old Milligan

Size: 6"

Nearest Sewer Line: Spring Creek Blvd

Size: Forcemain

Fees* to be collected by the Utility Department

	Size	Number	Unit Cost	Total
Water Connections:	6"	1	\$ 4,500.00	\$ 4,500.00
	1.5"	1	\$ 1,500.00	\$ 1,500.00
Irrigation Connections:	1"	1	\$ 1,000.00	\$ 1,000.00
Sewer Connection:	2" FM	1	\$ 1,730.00	\$ 1,730.00
Meter Deposit:	1"	1	\$ 250.00	\$ 250.00
	1.5"	1	\$ 250.00	\$ 250.00
BFP:	1"	1	\$ 40.00	\$ 40.00
	1.5"	1	\$ 40.00	\$ 40.00
Fire Hydrant:	-	0	\$ -	\$ -
Sub-Total:			\$	9,310.00

	# ERU	Unit Cost	Total
Water Impact:	5	\$ 1,575.00	\$ 7,875.00
Sewer Impact:	2	\$ 3,600.00	\$ 7,200.00
Traffic Mitigation:	688	\$ 56.94	\$ 39,200.00
Sub-Total:		\$	15,075.00

Total: \$ 24,385.00

* Fees associated with 2022-2023 Comprehensive Fee Schedule

Notes: 1 ERU reduction for existing development. Traffic mitigation paid prior to DO issuance.

Prepared by: Nicholas Schwendt

Date: 9/6/23



Staff Report

CITY COUNCIL MEETING DATE: September 11, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Maryanne Schrader
DATE: 9/1/2023
SUBJECT: Approval of August 28th CRA/City Council Special Meeting and City Council Regular Meeting Minutes

BACKGROUND:

Routine approval of past minutes.

DISCUSSION:

The draft minutes were distributed prior to the meeting.

GOALS & OBJECTIVES

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

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

Financial Sustainability- Achieve long term financial sustainability

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

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

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

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

n/a

RECOMMENDED ACTION

Staff respectfully requests a motion to approve the August 28, 2023 CRA/City Council Special Meeting minutes and the August 28, 2023 Regular Meeting Minutes.

Attachments

1. 08282023 City Council Regular Minutes Draft
2. 08282023 CRA_CC Special Joint Meeting Minutes Draft

City Council Minutes - DRAFT
August 28, 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

The Invocation and Pledge of Allegiance was led by Pastor Mark Dillman of Airport Road Church of Christ.

2.1. Pastor Mark Dillman of Airport Road Church of Christ

3. Open Policy Making and Legislative Session

Mayor JB Whitten established a quorum was met and reviewed the rules of procedure.

4. Approve Agenda

Mayor JB Whitten called for action.

Motion by Councilmember Joe Blocker and seconded by Mayor Pro-Tem Andrew Rencich to approve the agenda, as presented.

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

5. Presentations and Reports

5.1. Check Presentation - A Bed 4 Me

Councilmember Cynthia Brown presented a check from Council's discretionary fund for \$2,500 to Diane Freeman, Executive Director of A Bed 4 Me Foundation.

Ms. Freeman thanked Councilmember Cynthia Brown stating on behalf of the non-profit she appreciated the assistance from the City Council.

6. Consent Agenda

Mayor JB Whitten called for action.

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

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

Councilmember R. Bullard voiced concern about the traffic MOU's and asked about

revisiting the traffic impact fees, as they need to come up to par.

- 6.1. Home2 Suites Traffic MOU
- 6.2. Texas Roadhouse Traffic MOU
- 6.3. Florida Department of Corrections MOA #A5267
- 6.4. Approval of August 14th City Council Workshop and Regular Meeting Minutes

7. Public Hearings / Ordinances on Second Reading

7.1. Ord. 1938 - Retta Lane Annexation

Planning Administrator Nicholas Schwendt presented Ordinance 1938, Retta Lane Annexation to the City Council stating the item includes the Memorandum of Understanding that provides a six-month window to the applicant before the need to apply for rezoning and amendment to the Comprehensive Plan. He went over the required notices and posting and asked the City Clerk to read the ordinance by title.

City Clerk Maryanne Schrader read Ordinance 1938 aloud: An Ordinance annexing to the City of Crestview, Florida, $\pm$ 29.77 acres of contiguous lands located in section 30, 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 by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Ryan Bullard to adopt Ordinance 1938 on 2nd reading.

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

7.2. Ord. 1941 - Jones Road Annexation

Planning Administrator N. Schwendt presented Ordinance 1941, Jones Road Annexation, to the City Council stating the next three ordinances concern 114 Jones Road. There are no development plans received for the property. He went over the required notices and posting and asked the City Clerk to read the ordinance by title.

City Clerk Maryanne Schrader read Ordinance 1941 aloud: An Ordinance annexing to the City of Crestview, Florida, $\pm$ 1.84 acres of contiguous lands located in section 4, 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 by Councilmember Douglas Capps and seconded by Councilmember Ryan Bullard to adopt Ordinance 1941 on 2nd reading.

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

7.3. Ord. 1942 - Jones Road Comprehensive Plan Amendment

Planning Administrator N. Schwendt presented Ordinance 1942 - Jones Road Comprehensive Plan Amendment to the City Council stating the information is the same as in the previous ordinance. He then asked the City Clerk to read the ordinance by Title.

City Clerk Maryanne Schrader read Ordinance 1942 aloud: 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 Mixed Use (MU) on approximately 1.84 acres, more or less, in Section 4, Township 3 north, Range 23 west; providing for Future Land Use map amendment; providing for severability; providing for scrivener's errors; providing for liberal interpretation; providing for repeal of conflicting codes and ordinances; and providing for an effective date.

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

Motion by Councilmember Cynthia Brown and seconded by Mayor Pro-Tem Andrew Rencich to adopt Ordinance 1942 on second reading.

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

7.4. Ord. 1943 - Jones Road Rezoning

City Attorney Jonathan Holloway swore in Planning Administrator N. Schwendt for the quasi-judicial segments of the meeting.

Planning Administrator N. Schwendt presented Ordinance 1943, Jones Road Rezoning, for second reading. He asked the City Clerk to enter the staff report into

the record: Background: On June 23, 2023, staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 114 Jones Road. The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designations of Mixed Use. The application requests the Mixed-Use zoning designation for the property. The Planning and Development Board recommended approval of the request on August 7, 2023, and the first reading was approved by the City Council on August 14, 2023. Discussion: The property description is as follows: Property Owner: King Larry R & Cynthia S, P O Box 1798, Crestview, FL 32539, Parcel ID: 04-3N-23-1840-0007-0020, Site Size: 1.84 acres, Current FLU: Okaloosa County Mixed Use Current Zoning: Okaloosa County Mixed Use Current Land Use: Private School. The following table provides the surrounding land use designations, zoning districts, and existing uses. Direction: North; FLU: Mixed Use; Zoning: Mixed Use; Existing Use: Vacant; Direction: East; FLU: Commercial & Okaloosa County Mixed Use; Zoning: Commercial Low-Intensity District (C-1) & Okaloosa County Mixed Use; Existing Use: Residential & Commercial; Direction: South; FLU: Commercial; Zoning: Commercial Low-Intensity District (C-1); Existing Use: Residential; Direction: West; FLU: Mixed Use & Okaloosa County Mixed Use; Zoning: Mixed Use & Okaloosa County Mixed Use; Existing Use: Vacant & Residential. The subject property is currently developed for commercial use and a development application has not been submitted. Based on the requested land-use and zoning designations, the property use will continue as a business. 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 July 18, 2023. The property was posted on July 25, 2023. An advertisement ran in the Crestview News Bulletin on July 27 and August 3, 2023.

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

City Clerk Maryanne Schrader read Ordinance 1943 aloud: An ordinance of the City of Crestview, Florida, providing for the rezoning of 1.84 acres, more or less, of real property, located in section 4, Township 3 north, Range 23 west, from the Okaloosa County 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 and the public. In hearing none, he called for action.

Motion by Councilmember Joe Blocker and seconded by Mayor Pro-Tem Andrew Rencich to adopt Ordinance 1943 on 2nd reading.

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

7.5. Ord. 1944- Antioch Road Annexation

Planning Administrator N. Schwendt presented Ordinance 1944 - Antioch Road Annexation. He went over the current zoning and required notices and posting and asked the City Clerk to read the ordinance by title.

City Clerk Maryanne Schrader read Ordinance 1944 aloud: An Ordinance annexing to the City of Crestview, Florida, ± 5.30 acres of contiguous lands located in section 26, Township 3 north, Range 24 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 by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Cynthia Brown to adopt Ordinance 1944 on second reading.

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

7.6. Ord. 1945 - Antioch Road Comprehensive Plan Amendment

Planning Administrator N. Schwendt presented Ordinance 1945, Antioch Road Comprehensive Plan Amendment, stating the information is the same as the previous ordinance. He then asked the City Clerk to read Ordinance 1945 by Title.

City Clerk Maryanne Schrader read Ordinance 1945 aloud: 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 to Mixed Use (MU) on approximately 5.30 acres, more or less, in Section 26, Township 3 north, Range 24 west; providing for Future Land Use map amendment; providing for severability; providing for scrivener's errors; providing for Liberal interpretation; providing for repeal of Conflicting codes and ordinances; and providing for an effective date.

Mayor JB Whitten called for comment from the Council and the public. In hearing

none, he called for action.

Motion by Councilmember Joe Blocker and seconded by Councilmember Ryan Bullard to adopt Ordinance 1945 on second reading.

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

7.7. Ord. 1946 - Antioch Road Rezoning

Planning Administrator N. Schwendt presented Ordinance 1946, Antioch Road Rezoning and asked the City Clerk to enter the staff report into the record:

Background: On July 13, 2023 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at Antioch Road and GMC Lane. The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential and Residential-1, respectively. The application requests the Single and Multi-Family Density Dwelling District (R-3) zoning designation for the property. The Planning and Development Board recommended approval of the request on August 7, 2023, and the first reading was approved by the City Council on August 14, 2023. Discussion: The property description is as follows: Property Owner: RSW Foundation LLC, 308 W James Lee Blvd Crestview, FL 32536, Parcel ID: 26-3N-24-0000-0006-0000, 26-3N-24-0000-0002-002A, 26-3N-24-0000-0002-0090, Site Size: 5.30 acres, Current FLU: Okaloosa County Low Density Residential Current Zoning: Okaloosa County Residential-1 Current Land Use: Vacant. The following table provides the surrounding land use designations, zoning districts, and existing uses. Direction: North, FLU: Mixed Use, Zoning: Single and Multi-Family Density Dwelling District (R-3), Existing Use: Vacant; Direction: East, FLU: Mixed Use & Okaloosa County Low Density Residential, Zoning: Single and Multi-Family Density Dwelling District (R-3) & Okaloosa County Residential-1, Existing Use: Residential & Vacant Direction: South, FLU: Mixed Use & Okaloosa County Low Density Residential, Zoning: Single and Multi-Family Density Dwelling District (R-3) & Okaloosa County Residential-1, Existing Use: Residential & Vacant; Direction: West, FLU: Okaloosa County Agriculture, Zoning: Okaloosa County Agricultural, Existing Use: 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 use can be developed for residential use. Staff reviewed the request for rezoning and finds the following: - The proposed zoning is consistent with the proposed future land use designation. - The uses within the requested zoning district are compatible with uses in the adjacent zoning districts. - The requested use is not substantially more or less intense than allowable development on adjacent parcels. Courtesy notices were mailed to property owners within 300 feet of the subject property on July 18, 2023. The property was posted on July 25, 2023. An advertisement ran in the Crestview News Bulletin on July 27 & August 3, 2023. He then asked the City Clerk to read Ordinance 1946 by Title.

City Clerk Maryanne Schrader read Ordinance 1946 aloud: An Ordinance of the City of Crestview, Florida, providing for the rezoning of 5.30 acres, more or less, of real

property, located in Section 26, Township 3 north, Range 24 west, from the Okaloosa County Residential-1 Zoning District to the Single and Multi-family Density Dwelling District (R-3) Zoning District; providing for authority; providing for the updating of the Crestview zoning map; providing for severability; providing for scrivener's errors; providing for liberal interpretation; providing for repeal of conflicting codes and ordinances; and providing for an effective date.

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

Motion by Councilmember Douglas Capps and seconded by Councilmember Joe Blocker to adopt Ordinance 1946 on second reading.

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

7.8. Ord. 1947 - Price-Gregory Vacation

Planning Administrator N. Schwendt presented Ordinance 1947, Price Gregory Vacation Way. He explained this ordinance will vacate the portion of Price-Gregory Way as right-of-way and grant it to the adjacent property owner. He then asked the City Clerk to read Ordinance 1947 by Title.

City Clerk Maryanne Schrader read Ordinance 1947 aloud: An Ordinance of the City of Crestview, Florida, vacating and abandoning a portion of Price-Gregory Way, located in Section 29, Township 3 north, Range 23 west, more specifically described herein; providing for update of the Crestview base, zoning and land use maps; providing for repeal of conflicting ordinances; providing for filing of this ordinance with the Clerk of Circuit Court of Okaloosa County; providing for severability; and providing for an effective date.

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

Motion by Councilmember Cynthia Brown and seconded by Councilmember Joe Blocker to adopt Ordinance 1947 on second reading.

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

7.9. Ord. 1948 - Comprehensive Plan Amendment - Commercial Density

Planning Administrator N. Schwendt presented Ordinance 1948, Comprehensive Plan Commercial Density. He explained this will solidify recommendations suggested by the consultant to clearly ensure the maximum density allowance be added to the Commercial category in the Future Land Use Element of our Comprehensive Plan. He then asked the City Clerk to read Ordinance 1948 by Title.

City Clerk Maryanne Schrader read Ordinance 1948 aloud: An Ordinance providing for a Comprehensive Plan Amendment; amending Chapter 7, policy 7.A.3.4, Subsection 3, regarding density in the Commercial Future Land Use category;

providing for authority; 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 by Councilmember Douglas Capps and seconded by Councilmember Joe Blocker to adopt Ordinance 1948 on second reading.

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

7.10. Ord. 1949 - Comprehensive Fee Schedule Amendment

Planning Administrator N. Schwendt presented Ordinance 1949, Comprehensive Fee Schedule amendment. He mentioned this is an overall update of the Comprehensive Fee Schedule to coincide with the annual budget process, as well as to allow each department an opportunity to inspect and propose updates and adjust our fees to match the cost of services. He then asked the City Clerk to read Ordinance 1949 by Title.

City Clerk Maryanne Schrader read Ordinance 1949 aloud: An Ordinance of the City of Crestview, Florida, providing for a retroactive twenty percent reduction of building permit fees; providing for a twenty percent reduction of building permit fees for not less than one year; providing for an amendment updating the comprehensive fee schedule; providing for filing of this ordinance with the Clerk of the Circuit Court of Okaloosa County; 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.

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

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Joe Blocker to adopt Ordinance 1949 on second reading.

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

8. **Ordinances on First Reading** – No item brought forward.

9. **Resolutions** – No item brought forward.

10. **Action Items**

10.1. Retirement Ordinance Amendment

City Manager T. Bolduc went over the need for amending the current plan to allow retirement after 25 years of service, regardless of age. The amendment also changes the allocation of 175/185 contributions to the City of Crestview. He mentioned the actuary reviewed the participants, as well as the contributions from the employees. He added the city subsidizes any fluctuation. The plan will increase contributions by 3% increase.

Firefighter David Griggs came forward stating he is the Vice Chair of the Board. One major item is recruitment of personnel, as 70% of the departments surrounding us are already doing it. He said they have polled and received a unanimous vote to move to the new plan.

Major Andrew Schneider came forward stating he is the Chair of the Board. He explained that staff reaching eligibility with service may not reach the age requirement, so this action will rectify that issue.

Discussion ensued.

City Manager T. Bolduc said recruitment is part of the decision as well as rotation of personnel. He added the city is able to offset the expense. It is a good business move and will create incentives for the employees. He added no employees plan to take advantage in this incentive immediately.

There was general consensus of support from the Council.

10.2. Purchase of Property -211 Bowers Avenue West

City Manager T. Bolduc said the purchase price of the property at 211 West Bowers Avenue is \$120,000. The property is adjacent to the properties the city currently owns. This purchase will provide more options for affordable housing. The funding for this purchase and the demolition and clean-up of the properties is in the undesignated fund balance. The intention is to tear down the building on the property adding there is a lot of police enforcement issues at this location.

Mayor JB Whitten called for action.

Motion by Mayor Pro-Tem Andrew Rencich and seconded by Councilmember Joe Blocker to approve the contract for the purchase of the property in the amount of \$120,000.

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

10.3. Approval of Concessionaire Services Bid Submittal

City Manager T. Bolduc stated on August 23, 2023, one sealed bid was received from Hub City Smokehouse. The Finance department reviewed the bid finding the bid met all specifications. He added the current contract sunset on August 1st. He

added we start games on September 1st.

Mayor JB Whitten called for action.

Motion by Councilmember Ryan Bullard and seconded by Councilmember Cynthia Brown to accept the proposal from Hub City Smokehouse and direct the City Attorney to move forward with the contract preparation and permit Mike Carroll to move forward and provide the service during the contract preparation.

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

City Attorney J. Holloway said the contract will be effective immediately.

11. City Clerk Report

11.1. Monthly Update

City Clerk Maryanne Schrader announced that the staff report is attached for the June and July reporting period.

12. City Manager Report

12.1. Financial Update - Finance Director

City Manager T. Bolduc stated he will meet with the County on their mobility fee and discuss a partnership with the County. We will bring back an adoption of a local traffic impact fee or a partnership with the County.

He also went over entrance signs and the partnership with the TDC. The sign will be designed with breakaway walls per FDOT guidelines. The sign is free with the logos from TDC. In response to Mayor Pro-Tem A. Rencich regarding a brick facade instead of the stone, City Manager T. Bolduc said it can be changed. The consensus of the Council was approval for D. Capps to bring the recommendation to the TDC to request approval of four signs.

Finance Director Gina Toussaint mentioned the June and July 2023 check disbursement registers are included in the link on the staff report. The link will also connect to the monthly Unaudited Schedules of Revenues & Expenditures for May and June 2023, as well as the Pooled Cash Carryforward ending June 30, 2023.

12.2. Monthly Report - Police Department Update

Chief Stephen McCosker addressed the City Council with an update on recent community events, the “Guns and Hoses” and “Backpack Drive.” He mentioned the partnership with Baker to hold a basketball skills workshop on September 16th at the Twin Hills Gym.

He said the corporal eligibility list will be conducted the week of September 18th, as

well as going over staffing. He added the K9 contract will be on the next agenda, as he is looking for dual service dogs. We also have foreclosures coming up. The animal control department is working on a “trap and fix” program, mentioning the Police Academy alumni will sponsor obtaining grants for the program.

Next, Chief Stephen McCosker presented a draft ordinance regarding convicted sexual offender/predator residency restrictions. The city has 88 registered sexual offenders and 8 registered sexual predators. He added the proposed ordinance is 1,500 feet which will include bus stops. He mentioned the current team efforts by the city are the sexual predator/offender residential enforcement and Internet crimes against children.

Discussion ensued on restrictions, Romeo and Juliet laws and homelessness of offenders.

Councilmember D. Capps said he has been pushing this ordinance as he wants to protect the children. He added pedophile behavior is a repetitive compulsion.

Consensus was reached 4 - 1, as Councilmember R. Bullard had concerns on creating homelessness for the offenders. Mayor Whitten added he wanted clearer definitions on the exceptions.

13. Comments from the Mayor and Council

Mayor JB Whitten called for comment from the Council.

Councilmember R. Bullard asked about the status of the project for Main Street, and City Manager T. Bolduc said we are scheduled to go for bid next month.

In response to Councilmember R. Bullard on when the red-light camera contract ends, stating it is government overreach, Chief McCosker replied the contract is up next January.

Councilmember C. Brown agreed with the need to review the red-light camera program. She mentioned the “Race for the Rhein” event at Spanish Trail Park is this Friday and Saturday.

Mayor Whitten said the Florida legislature is returning in September and plans to contact representatives. He mentioned that Casey Cook, lobbyist, advised that bills are coming back that we will need to monitor. The Overdose Awareness Summit is this Thursday. On Saturday night a USO dance will be held at 7 p.m. at Old Spanish Trail. The Ambassadors are having a market at the Bush House on September 9th with the proceeds going toward hosting the kids from France.

14. Comments from the Audience

Mayor JB Whitten called for comment from the public.

Kenny Siler voiced concern on the city purchasing land and giving it away. He mentioned the city should ensure repayment of the money.

Shannon Hayes commented on the poor condition of property on Bay Street and Spring Hill, adding it is city property. He commented that it is a junk haven and asked that it be cleaned up. City Manager T. Bolduc said he will have it cleaned when they are working on clearing another property on Bay.

Mike Carroll said there are a few obstacles before he opens and said he is hiring now.

15. Adjournment

Mayor JB Whitten adjourned the meeting at 7:45 p.m.

Minutes approved this __ day of __, 2023.

JB Whitten
Mayor

Maryanne Schrader
City Clerk
Proper Notice having been duly given

City Council/CRA Joint Special Meeting
Minutes - DRAFT
August 28, 2023
5:00 p.m.
Council Chambers

1. Call to Order

The CRA/City Council Special Joint Meeting was called to order at 5:00 p.m. by Mayor JB Whitten. Members present: Doug Capps, Andrew Rencich, Cynthia Brown, Joe Blocker, Ryan Bullard, CRA Chair Nathan Boyles, Margareth Larose, and Linda Parker. Also present were City Manager Tim Bolduc, City Clerk Maryanne Schrader, CRA Director Elizabeth Roy, City Attorney Jonathan Holloway, and staff members.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Board member Linda Parker.

3. Approve Agenda

Mayor JB Whitten called for action.

Motion by Board member Douglas Capps and seconded by Board member Joe Blocker to approve the agenda, as presented.

Roll Call: Andrew Rencich, Douglas Capps, Cynthia Brown, Joe Blocker, Ryan Bullard, Margareth Larose, and Linda Parker. All ayes. Motion carried.

4. Action Items

4.1. Presentation by Purvis Gray - Audited Financial Statements

Purvis Gray auditors Ryan Tucker and Meagan Camp provided a presentation to the CRA and City Council to go over the results of the September 30, 2022 Audited Financial Statements for the City of Crestview and the Crestview Redevelopment Agency.

Mr. Tucker stated the audit went well. He thanked the staff for the progress in implementing their suggestions.

Meagan Camp, Senior Auditor, reviewed the summary of auditor's results. There was an unmodified opinion with no significant deficiencies. There were no reportable deficiencies.

She mentioned a material weakness with the fixed assets, mentioning the meter readers were not depicting the usefulness of the service or the depreciation. The near year-end suggestion is to assess the invoices that are outstanding. She noted the services being implemented to rectify. She stated that GASB-87 was implemented regarding leases, and the GASB-96 on IT subscription-based reporting will be required. She mentioned the Local Government Cybersecurity Act does not permit ransom payments. This Act begins January 1, 2024. Enhanced security to prevent the attacks is necessary and recommended penetration tests and cybersecurity training.

Ms. Camp went over the general fund financial highlights depicting the good financial position. She went over the grants and state-funded revenue sharing.

Next, Ms. Camp went over the CRA documents adding the \$474,000 fund balance is good. She went over the grants utilized added the balance was about \$2.2 million.

Ms. Camp went over the impact fees that are driving the costs in the Enterprise and Utility Funds. She mentioned the absorption of the Crestview Unlimited costs. She reviewed the pension funds noting the plan has been the best funded she has seen in the last ten years.

Mayor Whitten commented on the great job Purvis Gray has provided.

City Manager Tim Bolduc commented on the management suggestions and comments Purvis Gray has given the city to ensure we do a better job. The software implementation has had a positive outcome.

CRA Chair Nathan Boyles said the city is doing a great job in utilizing the funding.

In response to Board member Margareth Larose about the money being carried over in the fund balance, City Manager Tim Bolduc replied that the funds are directly related to operating expenses with Ms. Roy's contract being the sole operational component. The fund balance is kept ensuring it is there in case it is needed, but it is lean.

4.2. Discussion/approval of CRA Grant Policy Exception

CRA Director Elizabeth Roy mentioned the ribbon cutting for the new Main Street location on Wednesday at 9:00 a.m.

City Manager Tim Bolduc explained that at the August 14th meeting, City Council gave consensus to review the grants policy. He reviewed how an applicant can apply. He mentioned 3rd Planet Brewing is taking over the old hardware store. Normally, grants are once every 6 months for each property. He requested a one-time policy exception for a Code Compliance Grant for 3rd Planet not to exceed \$50,000, a one-time Beautification Grant for 3rd Planet not to exceed \$30,000 and a one-time Code Compliance Grant for the building owner not to exceed \$25,000. He added that Ms. Roy and he reviewed the program mentioning the program has a 100% Return on Investment. He went over a tiered system instead of the current process for future projects.

CRA Director Elizabeth Roy said the applicant is ready to start using \$70,000 for the fire suppression and code compliance. The bathrooms and wiring will need to be upgraded and become code compliant, as well.

City Manager T. Bolduc explained the upgrades to the facade and landscaping.

Mayor asked for comments.

CRA Chair N. Boyles said the objectives of the grants have evolved. The support comes from the economic impact with the improvements and suggested writing the economic component into the program.

CRA Director E. Roy went over the business concept the applicant proposes.

In response to Board member R. Bullard, City Manager T. Bolduc replied that a granting these policy exceptions would speed the process of development of a new business on Main Street adding it would require an agreement that the property would not be eligible to reapply for additional grants at the end of the six-month period which is a part of the normal grant process.

Mayor JB Whitten called for action.

Motion by Board member Ryan Bullard and seconded by Board member Cynthia Brown to approve the one-time CRA Grant policy exception.

Roll Call: Andrew Rencich, Douglas Capps, Cynthia Brown, Joe Blocker, Ryan Bullard, Margareth Larose, and Linda Parker. All ayes. Motion carried.

City Manager T. Bolduc said this will create the diversity of uses in the downtown area as we want to incentivize the diversity of businesses. He will create a matrix to create the incentives and display the cap related to the project. He asked whether the Board is in favor of creating inside the grant program a way to incentivize the uses to bring people downtown and the City Council concurred.

In response to Board member Margareth Larose on what the maximum would be for eligibility, City Manager Tim Bolduc replied the maximum is \$100,000, based on available funds. The value to the city is to create commerce. He added we want to retain the character of the older buildings.

Board member Margareth Larose voiced concern regarding having enough money available to assist small business ventures, and City Manager T. Bolduc replied we could create a pot for smaller investments and will add that to the plan.

Board member Andrew Rencich said we can always make changes, as needed.

5. Comments from the Audience

Mayor JB Whitten called for comments from the public.

6. Comments from the Mayor and Council

Mayor JB Whitten called for comments from the Council.

7. Adjournment

The meeting was adjourned by Mayor JB Whitten at 5:55 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: September 11, 2023

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Stephen McCosker, Police Chief
DATE: 9/8/2023
SUBJECT: Ordinance 1950 - Sexual Offender and Predator Residency Restrictions

BACKGROUND:

The City of Crestview is deeply concerned about recent occurrences in our state and elsewhere, whereby convicted sexual offenders and sexual predators who have been released from custody repeat unlawful acts against children. The City is continually becoming an increasingly attractive place of residence for families with children, increasing the need to improve methods to protect them. Currently, § 775.215 and 947.1405, Florida Statutes, provides that certain sexual offenders and sexual predators may not establish a residence within one thousand (1,000) feet of specified locations. The City Council of the City of Crestview has expressed an interest in prohibiting sexual offenders and sexual predators from establishing a residence within one thousand five hundred (1,500) feet of certain locations within the City.

DISCUSSION:

The high level of threat that sexual predators and offenders present to the public safety, and the long-term effects suffered by victims of sex offenses, provide the city with sufficient justification to implement a strategy. Repeat sexual offenders, sexual offenders who use physical violence, sexual offenders who prey on children, and sexual predators present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.

It is the intent of this Ordinance 1950 to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the citizens and visitors by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from loitering, prowling or establishing temporary or permanent residence.

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.

RECOMMENDED ACTION

Staff respectfully requests a motion to adopt Ordinance 1950 - Sexual Offender and Predator Residency Restrictions on 1st Reading.

Attachments

1. Ordinance Draft - Sexual Offenders & Predators 9-7-23

ORDINANCE: 1950

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, ESTABLISHING CHAPTER 55 – SEXUAL OFFENDERS AND SEXUAL PREDATORS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Crestview is deeply concerned about recent occurrences in our state and elsewhere, whereby convicted sexual offenders and sexual predators who have been released from custody repeat the unlawful acts for which they were originally convicted; and

WHEREAS, the City is becoming an increasingly attractive place of residence for families with children; and

WHEREAS, § 775.215 and 947.1405, Florida Statutes, provides that certain sexual offenders and sexual predators may not establish a residence within one thousand (1,000) feet of specified locations; and

WHEREAS, the City Council of the City of Crestview desires to prohibit sexual offenders and sexual predators from establishing a residence within one thousand five hundred (1,500) feet of certain locations within the City.

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

SECTION 1 – AUTHORITY. The City Council of the City of Crestview has authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes.

SECTION 2 – A new Chapter 55 of the Code of Ordinances of the City of Crestview, Florida is hereby adopted as follows:

Chapter 55

SEXUAL OFFENDERS AND SEXUAL PREDATORS

Sec. 55-1. Findings and intent.

(1) The high level of threat that sexual predators and offenders present to the public safety, and the long-term effects suffered by victims of sex offenses, provide the city with sufficient justification to implement a strategy.

(2) Repeat sexual offenders, sexual offenders who use physical violence, sexual offenders who prey on children, and sexual predators present an extreme threat to public safety. Sexual offenders are likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.

(3) It is the intent of this article to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the citizens and visitors by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are

prohibited from loitering, prowling or establishing temporary or permanent residence.

Sec. 55-2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Child care facility means any building or shelter in which custodial care is rendered to children, and for which compensation is received in the form of a payment, fee, grant, goods or services in kind for any of the children receiving care, whether or not operating for profit or which is held out to the public to be an establishment which regularly provides child custodial care. The term also refers to the child care operation associated with the building or shelter, and also includes specialized child care facilities for the mildly ill. A child care facility includes the parking lot, curtilage, yards, landscaped areas, playgrounds, accessory buildings and all outdoor areas of the facility.

City police department means the City of Crestview Police Department.

Community shall mean any city where the sexual predator resides or otherwise establishes or maintains a temporary or permanent residence.

Community center means a single general-purpose structure represented as a community center owned and operated by the city or any private, nonprofit organization and used predominantly for educational, literary, scientific, religious, or charitable purposes relating to children.

Conviction means a determination of guilt which is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld. A conviction for a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction. A sanction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

Designated school bus stop means all locations established by F.S. § 1006.22 where public school students are for the purpose of transporting students to and from school located within the boundaries of the City of Crestview.

Park means and includes all public and private property specifically designated as being used for park and recreational purposes, including but not limited to aquatic centers, linear parks, athletic fields and racquetball, basketball and tennis courts where children regularly congregate.

Permanent residence shall mean a place where a person abides, lodges, or resides for five or more consecutive days.

Playground means an established or dedicated outdoor area for recreation and play, including, by way of example and not limitation, soccer fields, baseball diamonds, football fields and locations with outdoor equipment, such as, by way of example and not limitation, swing sets, climbing apparatus and slides.

Police chief means the chief law enforcement officer of the City of Crestview.

Sexual offender is defined herein by the criteria, designation and registration set forth in F.S. § 943.0435.

Sexual predator is defined herein by the criteria, designation and registration set forth in F.S. § 775.21.

Out of state sexual offender or sexual predator means any person who resides in the City of Crestview who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender in another state or jurisdiction and is, as a result of such designation, subject to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, and is required to register as a sex offender in the State of Florida.

School means an organization of students for instructional purposes on an elementary, middle or junior high school, secondary or high school, or other public school level authorized under rules of the State Board of Education and includes a "private school" as defined in F.S. § 1002.01, a "voluntary prekindergarten education program" as described in F.S. § 1002.53(3), a "public school" as described in F.S. § 402.3025(1), the Florida School for the Deaf and the Blind, the Florida Virtual School as established in F.S. § 1002.37, and a K-8 Virtual School as established in F.S. § 1002.415, excluding facilities dedicated exclusively to the education of adults.

Temporary residence means a place where the person abides, lodges, or resides for a period of five or more days in the aggregate during any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state.

Sec. 55-3. Sexual offender and sexual predator residency restrictions and prohibition.

(1) It is unlawful for any person who has been convicted of a violation of F.S. §§ 794.011, 800.04, 827.071, or 847.0145, or any amendments thereto, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, or any person who is designated as a sexual predator, sexually violent predator or sexual offender in another state or jurisdiction subject to registration or community notification under Florida law, to establish a permanent residence or temporary residence within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, community center, or other place where children regularly congregate.

(2) For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outermost property line of the permanent residence or temporary residence to the nearest outermost property line of a school, designated public school bus stop, day care center, park, or playground. The distance may not be measured by a pedestrian route or automobile route, but instead shall be measured as the shortest straight line between the two points without regard to any intervening structures or objects. Without otherwise limiting the foregoing measurement instructions, under those circumstances in which the residential dwelling unit of the restricted sexual offender or sexual predator is within a cooperative, condominium, or apartment building, the parcel of real property described in this paragraph shall consist of the parcel or parcels of real property upon which the cooperative, condominium, or apartment building that contains the residential dwelling unit of the restricted sexual offender or sexual predator is located.

(1) Exceptions. A person residing within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, or community center, or other place where children regularly congregate does not commit a violation of this article if any of the following apply:

(a) The person established the permanent residence or temporary residence and reported and registered the residence pursuant to F.S. §§ 775.21, 943.0435 or 944.607, prior to the effective date of this article.

(b) The sexual offender or sexual predator established the permanent residence prior to the effective date of this article, provided however, that at the end of the then current rental term, in the case of a lease, the sexual offender or sexual predator shall be required to abandon that permanent residence and establish a new permanent residence at a location that is not within 1,500 feet of any school, designated school bus stop, child

care facility, park, playground, or community center.

(c) The person was a minor when he/she committed the offense and was not convicted as an adult.

(d) The person is a minor.

(e) The school, designated public designated school bus stop, child care facility, park, playground, or community center within 1,500 feet of the person's permanent residence or temporary residence was opened after the person established the permanent residence or temporary residence and reported and registered the residence pursuant to F.S. §§ 775.21, 943.0435 or 944.607.

Sec. 55-4. Temporary emergency shelter; sexual predators and offenders notification requirements.

(1) Any person who is required by Florida law to register with law enforcement as a sexual predator or sexual offender and who utilizes or intends to utilize a temporary shelter provided by any public or private entity and established as a result of any emergency or incident or threatened emergency or incident shall, immediately upon entering the shelter, notify the individual or individuals operating the shelter that he or she is a registered sexual predator or sexual offender. The sexual predator or sexual offender shall be assigned to a temporary shelter specifically designated for use by sexual predators and sexual offenders.

(2) The police chief may designate a public building or a jail or other correctional facility, within his or her authority, as a temporary shelter to be utilized by sexual predators and sexual offenders.

Sec. 55-5. Loitering or prowling by persons convicted of certain sex offenses.

It shall be unlawful for any person who has been convicted of a violation of F.S. § 787.01, F.S. § 787.02, F.S. § 794.011, F.S. § 800.04, F.S. § 827.071, or F.S. § 847.0145, or any amendments thereto, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, or any person who is designated as a sexual predator, sexually violent predator, or sexual offender in another state or jurisdiction subject to registration or community notification under Florida law to loiter or prowl as proscribed in F.S. § 856.021 within 300 feet of the parcel border of any place where children regularly congregate, including a school, designated public school bus stop, child care facility, playground, or park.

Sec. 55-6. Property owners prohibited from renting real property to certain sexual offenders and sexual predators; penalties.

(1) It shall be a violation of this Code for a landlord or owner of residential property in the city to let or rent a residence to any person prohibited from establishing such permanent residence or temporary residence pursuant to sections 55-3 and 55-4 above, if such residence is located within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, or community center, or other place where children congregate.

(2) A property owner's failure to comply with provisions of this section shall constitute a violation of this section, and shall subject the property owner to the code enforcement provisions and procedures as provided in this Code.

(3) A landlord shall not be liable under the provisions of this section if they can demonstrate they made a good faith effort to ascertain whether the proposed tenant or any persons who will reside with the tenant are prohibited from establishing residence pursuant to sections 55-3 and 55-4. If the landlord receives an affidavit from the tenant that the people who reside with them are not on the list and the landlord checks the registration list based on the identifications of tenants and residents proposed to be living in the rental unit to confirm the persons are not on the list. Receipt of such affidavit and efforts of confirmation shall demonstrate that a landlord has exercised good faith in ascertaining whether they were renting to a sexual predator or sexual offender, even if it is ultimately determined that a sexual predator or sexual offender did reside in their rental unit.

Sec. 55-7. Applicability.

This chapter shall apply only within the boundaries of the City of Crestview.

Sec. 55-8. Application of ordinance; existing contracts.

The provisions of this article shall not be applied to persons residing at a prohibited location on the effective date of this article such that it is not the intent of this article to impair valid, existing and bona fide contract rights; provided, however, that the provisions of this article shall apply upon termination of any leasehold relationship arising from a landlord tenant relationship or the expiration of a lease term in an existing lease. When a person who is the subject of this article changes residences, this article shall fully apply to such persons.

Sec. 55-9. Enforcement.

This article is enforceable by all means provided by law, including criminal penalties and civil remedies such as injunctive relief in the circuit court in and for Okaloosa County.

Sec. 55-10. Penalties.

Any violation of any portion of this article shall be punishable as provided by law. A person who violates this article shall be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment; for a second or subsequent conviction of a violation of this section, such person shall be punished by a fine not to exceed \$1,000.00 dollars or imprisonment for a term not exceeding 12 months, or by both such fine and imprisonment. Any person violating any of the provisions of this article may be prosecuted in the same manner as misdemeanors are prosecuted. Additionally, if the offender is supervised by the department of corrections under conditional release, the offender may be charged with a violation of his or her supervision and be returned to state custody.

SECTION 3 - FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of the Circuit Court of Okaloosa County and with the Florida Department of State.

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 to the maximum extent legally permissible in order to effectively carry out the purposes hereof.

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. 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

ORDINANCE NO. 1950

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, ESTABLISHING CHAPTER 55 – SEXUAL OFFENDERS AND SEXUAL PREDATORS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Crestview is deeply concerned about recent occurrences in our state and elsewhere, whereby convicted sexual offenders and sexual predators who have been released from custody repeat the unlawful acts for which they were originally convicted; and

WHEREAS, the City is becoming an increasingly attractive place of residence for families with children; and

WHEREAS, § 775.215 and 947.1405, Florida Statutes, provides that certain sexual offenders and sexual predators may not establish a residence within one thousand (1,000) feet of specified locations; and

WHEREAS, the City Council of the City of Crestview desires to prohibit sexual offenders and sexual predators from establishing a residence within one thousand five hundred (1,500) feet of certain locations within the City.

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

SECTION 1 – AUTHORITY. The City Council of the City of Crestview has authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes.

SECTION 2 – A new Chapter 55 of the Code of Ordinances of the City of Crestview, Florida is hereby adopted as follows:

Chapter 55 **SEXUAL OFFENDERS AND SEXUAL PREDATORS**

Sec. 55-1. Findings and intent.

- (1) The high level of threat that sexual predators and offenders present to the public safety, and the long-term effects suffered by victims of sex offenses, provide the city with sufficient justification to implement a strategy.
- (2) Repeat sexual offenders, sexual offenders who use physical violence, sexual offenders who prey on children, and sexual predators present an extreme threat to public safety. Sexual offenders are likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.
- (3) It is the intent of this article to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the citizens and visitors by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from loitering, prowling or establishing temporary or permanent residence.

Sec. 55-2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Child care facility means any building or shelter in which custodial care is rendered to children, and for which compensation is received in the form of a payment, fee, grant, goods or services in kind for any of the children receiving care, whether or not operating for profit or which is held out to the public to be an establishment which regularly provides child custodial care. The term also refers to the child care operation associated with the building or shelter, and also includes specialized child care facilities for the mildly ill. A child care facility includes the parking lot, curtilage, yards, landscaped areas, playgrounds, accessory buildings and all outdoor areas of the facility.

City police department means the City of Crestview Police Department.

Community shall mean any city where the sexual predator resides or otherwise establishes or maintains a temporary or permanent residence.

Community center means a single general-purpose structure represented as a community center owned and operated by the city or any private, nonprofit organization and used predominantly for educational, literary, scientific, religious, or charitable purposes relating to children.

Conviction means a determination of guilt which is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld. A conviction for a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction. A sanction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

Designated school bus stop means all locations established by F.S. § 1006.22 where public school students are for the purpose of transporting students to and from school located within the boundaries of the City of Crestview.

Park means and includes all public and private property specifically designated as being used for park and recreational purposes, including but not limited to aquatic centers, linear parks, athletic fields and racquetball, basketball and tennis courts where children regularly congregate.

Permanent residence shall mean a place where a person abides, lodges, or resides for five or more consecutive days.

Playground means an established or dedicated outdoor area for recreation and play, including, by way of example and not limitation, soccer fields, baseball diamonds, football fields and locations with outdoor equipment, such as, by way of example and not limitation, swing sets, climbing apparatus and slides.

Police chief means the chief law enforcement officer of the City of Crestview.

Sexual offender is defined herein by the criteria, designation and registration set forth in F.S. § 943.0435.

Sexual predator is defined herein by the criteria, designation and registration set forth in F.S. § 775.21.

Out of state sexual offender or sexual predator means any person who resides in the City of Crestview who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender in another state or jurisdiction and is, as a result of such designation, subject to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, and is required to register as a sex offender in the State of Florida.

School means an organization of students for instructional purposes on an elementary, middle or junior high school, secondary or high school, or other public school level authorized under rules of the State Board of Education and includes a "private school" as defined in F.S. § 1002.01, a "voluntary prekindergarten education program" as described in F.S. § 1002.53(3), a "public school" as described in F.S. § 402.3025(1), the Florida School for the Deaf and the Blind, the Florida Virtual School as established in F.S. § 1002.37, and a K-8 Virtual School as established in F.S. § 1002.415, excluding facilities dedicated exclusively to the education of adults.

Temporary residence means a place where the person abides, lodges, or resides for a period of five or more days in the aggregate during any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state.

Sec. 55-3. Sexual offender and sexual predator residency restrictions and prohibition.

- (1) It is unlawful for any person who has been convicted of a violation of F.S. §§ 794.011, 800.04, 827.071, or 847.0145, or any amendments thereto, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, or any person who is designated as a sexual predator, sexually violent predator or sexual offender in another state or jurisdiction subject to registration or community notification under Florida law, to establish a permanent residence or temporary residence within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, community center, or other place where children regularly congregate.
- (2) For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outermost property line of the permanent residence or temporary residence to the nearest outermost property line of a school, designated public school bus stop, day care center, park, or playground. The distance may not be measured by a pedestrian route or automobile route, but instead shall be measured as the shortest straight line between the two points without regard to any intervening structures or objects. Without otherwise limiting the foregoing measurement instructions, under those circumstances in which the residential dwelling unit of the restricted sexual offender or sexual predator is within a cooperative, condominium, or apartment building, the parcel of real property described in this paragraph shall consist of the parcel or parcels of real property upon which the cooperative, condominium, or apartment building that contains the residential dwelling unit of the restricted sexual offender or sexual predator is located.
- (1) Exceptions. A person residing within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, or community center, or other place where children regularly congregate does not commit a violation of this article if any of the following apply:
 - (a) The person established the permanent residence or temporary residence and reported and registered the residence pursuant to F.S. §§ 775.21, 943.0435 or 944.607, prior to the effective date of this article.
 - (b) The sexual offender or sexual predator established the permanent residence prior to the effective date of this article, provided however, that at the end of the then current rental term, in the case of a lease, the sexual offender or sexual predator shall be required to abandon that permanent residence and establish a new permanent residence at a location

that is not within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, or community center.

- (c) The person was a minor when he/she committed the offense and was not convicted as an adult.
- (d) The person is a minor.
- (e) The school, designated public designated school bus stop, child care facility, park, playground, or community center within 1,500 feet of the person's permanent residence or temporary residence was opened after the person established the permanent residence or temporary residence and reported and registered the residence pursuant to F.S. §§ 775.21, 943.0435 or 944.607.

Sec. 55-4. Temporary emergency shelter; sexual predators and offenders notification requirements.

- (1) Any person who is required by Florida law to register with law enforcement as a sexual predator or sexual offender and who utilizes or intends to utilize a temporary shelter provided by any public or private entity and established as a result of any emergency or incident or threatened emergency or incident shall, immediately upon entering the shelter, notify the individual or individuals operating the shelter that he or she is a registered sexual predator or sexual offender. The sexual predator or sexual offender shall be assigned to a temporary shelter specifically designated for use by sexual predators and sexual offenders.
- (2) The police chief may designate a public building or a jail or other correctional facility, within his or her authority, as a temporary shelter to be utilized by sexual predators and sexual offenders.

Sec. 55-5. Loitering or prowling by persons convicted of certain sex offenses.

It shall be unlawful for any person who has been convicted of a violation of F.S. § 787.01, F.S. § 787.02, F.S. § 794.011, F.S. § 800.04, F.S. § 827.071, or F.S. § 847.0145, or any amendments thereto, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, or any person who is designated as a sexual predator, sexually violent predator, or sexual offender in another state or jurisdiction subject to registration or community notification under Florida law to loiter or prowl as proscribed in F.S. § 856.021 within 300 feet of the parcel border of any place where children regularly congregate, including a school, designated public school bus stop, child care facility, playground, or park.

Sec. 55-6. Property owners prohibited from renting real property to certain sexual offenders and sexual predators; penalties.

- (1) It shall be a violation of this Code for a landlord or owner of residential property in the city to let or rent a residence to any person prohibited from establishing such permanent residence of temporary residence pursuant to sections 55-3 and 55-4 above, if such residence is located within 1,500 feet of any school, designated school bus stop, child care facility, park, playground, or community center, or other place where children congregate.
- (2) A property owner's failure to comply with provisions of this section shall constitute a violation of this section, and shall subject the property owner to the code enforcement provisions and procedures as provided in this Code.
- (3) A landlord shall not be liable under the provisions of this section if they can demonstrate they made a good faith effort to ascertain whether the proposed tenant or any persons who will reside with the tenant are prohibited from establishing residence pursuant to sections 55-3 and 55-4. If the landlord receives an affidavit from the tenant that the people who reside with them are not on the list and

the landlord checks the registration list based on the identifications of tenants and residents proposed to be living in the rental unit to confirm the persons are not on the list. Receipt of such affidavit and efforts of confirmation shall demonstrate that a landlord has exercised good faith in ascertaining whether they were renting to a sexual predator or sexual offender, even if it is ultimately determined that a sexual predator or sexual offender did reside in their rental unit.

Sec. 55-7. Applicability.

This chapter shall apply only within the boundaries of the City of Crestview.

Sec. 55-8. Application of ordinance; existing contracts.

The provisions of this article shall not be applied to persons residing at a prohibited location on the effective date of this article such that it is not the intent of this article to impair valid, existing and bona fide contract rights; provided, however, that the provisions of this article shall apply upon termination of any leasehold relationship arising from a landlord tenant relationship or the expiration of a lease term in an existing lease. When a person who is the subject of this article changes residences, this article shall fully apply to such persons.

Sec. 55-9. Enforcement.

This article is enforceable by all means provided by law, including criminal penalties and civil remedies such as injunctive relief in the circuit court in and for Okaloosa County.

Sec. 55-10. Penalties.

Any violation of any portion of this article shall be punishable as provided by law. A person who violates this article shall be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment; for a second or subsequent conviction of a violation of this section, such person shall be punished by a fine not to exceed \$1,000.00 dollars or imprisonment for a term not exceeding 12 months, or by both such fine and imprisonment. Any person violating any of the provisions of this article may be prosecuted in the same manner as misdemeanors are prosecuted. Additionally, if the offender is supervised by the department of corrections under conditional release, the offender may be charged with a violation of his or her supervision and be returned to state custody.

SECTION 3 - FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of the Circuit Court of Okaloosa County and with the Florida Department of State.

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 to the maximum extent legally permissible in order to effectively carry out the purposes hereof.

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. This ordinance shall take effect immediately upon its adoption.

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

ATTEST:

Maryanne Schrader
City Clerk

Approved by me this ____ day of _____, 2023.

J. B. Whitten
Mayor



Staff Report

CITY COUNCIL MEETING DATE: September 11, 2023

TYPE OF AGENDA ITEM: Ordinance

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Jessica Leavins, Administrative Services Director
DATE: 9/7/2023
SUBJECT: Ordinance 1951 - Police and Firefighters' Retirement

BACKGROUND:

The City of Crestview offers employees a defined benefit retirement plan. We currently offer two plans; General Employees' Retirement Plan and Police Officers' & Firefighters' Retirement Plan. Our Police Officers' and Firefighters' Retirement Plan allows for vesting at ten years of service and retirement at age 55 or 52 with 25 years of service.

In the 1950s, the State of Florida enacted provisions that required municipalities to certify compliance with Florida state law chapter 175/185 by having an organized fire or police department which owned or used equipment valued at a specified dollar amount. Upon receipt of the certification, the Department of Insurance remitted tax premiums. We continue to receive 175/185 insurance tax premiums, which are currently distributed to members upon retirement.

DISCUSSION:

This item was brought before the Council on August 28th, 2023 for action. Council voted to bring the ordinance to first reading.

During a survey of local departments, it was discovered that four out of seven surrounding jurisdictions offer a 25 years to retirement program where, regardless of age, after 25 years of service, an employee is eligible for retirement. While exploring the option of transitioning to a 25 years to retirement option, the Police Officers and Firefighters retirement board ordered an actuarial study of the risk to our plan.

The actuarial report indicated if a transition to a 25-year to retirement program occurred, there would be a need for an increased contribution from the city of three percent of gross payroll. However, the actuary noted that the increased contribution would be offset if the members vote to redirect the 175/185 plan contributions to the city. 175/185 plan contributions are the result of a percentage assessed on homeowners insurance and automobile insurance.

These have increased year over year for the past several years and are expected to continue to rise.

The ordinance for discussion amends the current plan to allow retirement after 25 years of service, regardless of age. The amendment also changes the allocation of 175/185 contributions to the City of Crestview. Current DROP participants will not be impacted by this ordinance. The fire and police departments will conduct a vote of all participants in the Police Officers' and Firefighters' pension plan.

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 will be no impact on the current year's budget or any in the foreseeable future.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve Ordinance 1951 on 1st Reading and move to 2nd Reading for final adoption.

Attachments

None

ORDINANCE: 1951

**AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA;
AMENDING THE CITY OF CRESTVIEW POLICE OFFICERS' AND
FIREFIGHTERS' RETIREMENT PLAN, ADOPTED BY ORDINANCE
NO. 780, AS SUBSEQUENTLY AMENDED; AMENDING AND
RENUMBERING SECTION 6 BENEFIT AMOUNTS AND ELIGIBILITY
AND SUPPLEMENTAL BENEFIT; AMENDING SECTION 30 PRE-
RETIREMENT DEATH; PROVIDING FOR INCLUSION IN THE
CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A
REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Crestview Police Officers' and Firefighters' are currently provided pension and certain other benefits under Ordinances of the City of Crestview;

WHEREAS, the Board of Trustees of the Plan has recommended amending the Plan as set forth below;

WHEREAS, amending the normal retirement date as set forth below is in the best interests of the employees and citizens of the City of Crestview;

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

SECTION 1: That the City of Crestview Police Officers' and Firefighters' Retirement Plan Section 6, Subsection 6, is hereby amended to read:

SECTION 6. BENEFIT AMOUNTS AND ELIGIBILITY

1. Normal Retirement Date.

A Member's normal retirement date shall be the first day of the month coincident with, or next following the earlier of the attainment of age fifty-five (55) and the completion of ten (10) years of Credited Service or the attainment of age fifty-two (52) and the completion of twenty-five (25) years of Credited Service regardless of age. A Member may retire on his normal retirement date or on the first day of any month thereafter, and each Member shall become 100% vested in his accrued benefit on the Member's normal retirement date. Normal retirement under the System is Retirement from employment with the City on or after the normal retirement date.

SECTION 2: That the City of Crestview General Employees Retirement Plan Section 30, Subsection 3, is hereby amended to read:

**SECTION 30. SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS;
CHAPTER 185 AND 175 SHARE ACCOUNTS**

* * *

3. Allocation of Monies to Share Accounts

A. Allocation of Chapter 185 or 175 Contributions.

* * *

2. Effective as of September 30, 2017 valuation date, the amount of any premium tax monies allocated to the share plan (other than the initial allocation) shall be allocated to individual Member Share Accounts as provided for in subsection 3, below. Members retiring (or entering DROP) on or after October 1, 2016 and prior to September 30, 2017 shall receive an allocation. In addition, all premium tax monies allocated to the Share Plan in any subsequent Plan Year shall also be allocated as provided for in this Subsection. Available premium tax monies shall be allocated to individual Member Share Accounts at the end of each Plan Year on September 30 (a “valuation date”). Notwithstanding the foregoing, effective with the premium tax monies received for calendar year 2022, all premium tax monies shall be used to offset the City’s contribution.

* * *

SECTION 3: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Crestview.

SECTION 4: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5: If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 6: That this Ordinance shall become effective upon adoption.

PASSED ON FIRST READING, this ____ day of _____, 2023.

PASSED AND ADOPTED on the second reading, this ____ day of _____, 2023.

JB WHITTEN, MAYOR

ATTEST:

MARYANNE SCHRADER
CITY CLERK



Staff Report

CITY COUNCIL MEETING DATE: September 11,
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: 9/8/2023
SUBJECT: Authorization to Proceed with the Foreclosures of Code Compliance Liens

BACKGROUND:

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 following properties remain non-compliant as of the date of this report and authorization is sought to initiate foreclosure proceedings:

498 N. Spring Street	602 E. Griffith Avenue
124 S. Booker Street	355 Walden Street
108 S. Booker Street	207 W. Cobb Avenue
215 w. Cobb Avenue	798 S. Wilson Street
292 Ratliff Street	218 Stillwell Boulevard
409 Wingard Street	282 Bracewell Street
293 Patton Street	298 Stillwell Boulevard
638 Reed Avenue	578 S. Wilson Street

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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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 per Florida State Statute. Under the magistrate's order, the staff further requests permission to abate these noncompliant properties during foreclosure.

Attachments

1. 21-1020 292 Ratliff
2. 22-328 282 Bracewell
3. 22-1362 578 S Wilson
4. 21-386 124 S Booker
5. 23-104 215 W Cobb
6. 22-161 218 Stillwell
7. 21-1131 293 Patton
8. 21-1026 409 Wingard
9. 21-1464 355 Walden
10. 21-1298 638 Reed
11. 22-52 207 W Cobb
12. 19-813 498 N Spring
13. 22-105 798 S Wilson
14. 21-1072 602 E Griffith Ave
15. 21-1131 293 Patton St
16. 21-391 108 S Booker

Case # 21-1020**292 Ratliff**

Owner of Record: Heirs of Maxie Jackson 552 Brock Ave, Crestview, FL 32536

Origination Date: 05/14/2021 Origination Code: Proactive

Violations: Chapter 38 Section 18 (k), (d)- Vegetation, Demolition of structure.

Corrective Action Required: a.) Remove all overgrown vegetation from the property.

b.) Obtain a building permit and demolish 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.

Notice Sent: 5/27/2021 Signed: 6/28/2021 Compliance Date: 6/11/2021

Inspected: 6/15/2021 Results: In Violation

Notice Sent: 6/11/2021 Signed: 7/15/2021 Compliance Date: 6/24/2021

Inspected: 7/9/2021 Results: In Violation

Public Hearing Notice Sent: 7/8/2021 Signed: 07/15/2021

Hearing Date: 8/17/2021

Structures demolished December 2021.

Order Recorded: 8/24/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 9/17/2021

Daily fine: \$250 Start: 9/17/2021

Fines: \$19,250 **as of August 23, 2023 (not including interest)**

Property Value: \$7,462

Case # 21-1020

292 Ratliff

Related Cases: 23-614 Originated: 5/16/2023

Violations: Ch. 38-70 Unsightly conditions Ch. 38 Sec. 18 (11) Overgrown Vegetation
LDC Ch. 6.01.02, 7.05.03 Rec Camps/Tents

Scheduled for Public Hearing October 2023

Related Properties:

290 Ratliff St 20-3N-23-2390-0013-0010 Maxie M Jackson

Case # 21-1019

Found in violation, no order recorded. Presented at public hearing August 2021.

CASE 21-1020
292 RATLIFF STREET
TUESDAY, AUGUST 17, 2021
EXHIBIT 5

290 RATLIFF



292 RATLIFF ST

EXHIBIT # 5

BUILDING OFFICIAL STRUCTURAL DETERMINATION

5/25/21

DATE

290 RATLIFF ST

ADDRESS/LOCATION OF VIOLATION

21-1019

2 Burnt structures

NATURE OF VIOLATION(S) OBSERVED

Removal from property recommended

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: 1 structure completely burned and 2nd structure a major portion burnt. Recommend removal of structures from property. 1 structure unreparable. The other structure will require structural evaluation by an engineer prior to permitting approval, if it were to be repaired.


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

5/25/21
DATE
EXHIBIT # 5

Case # 21- 1020

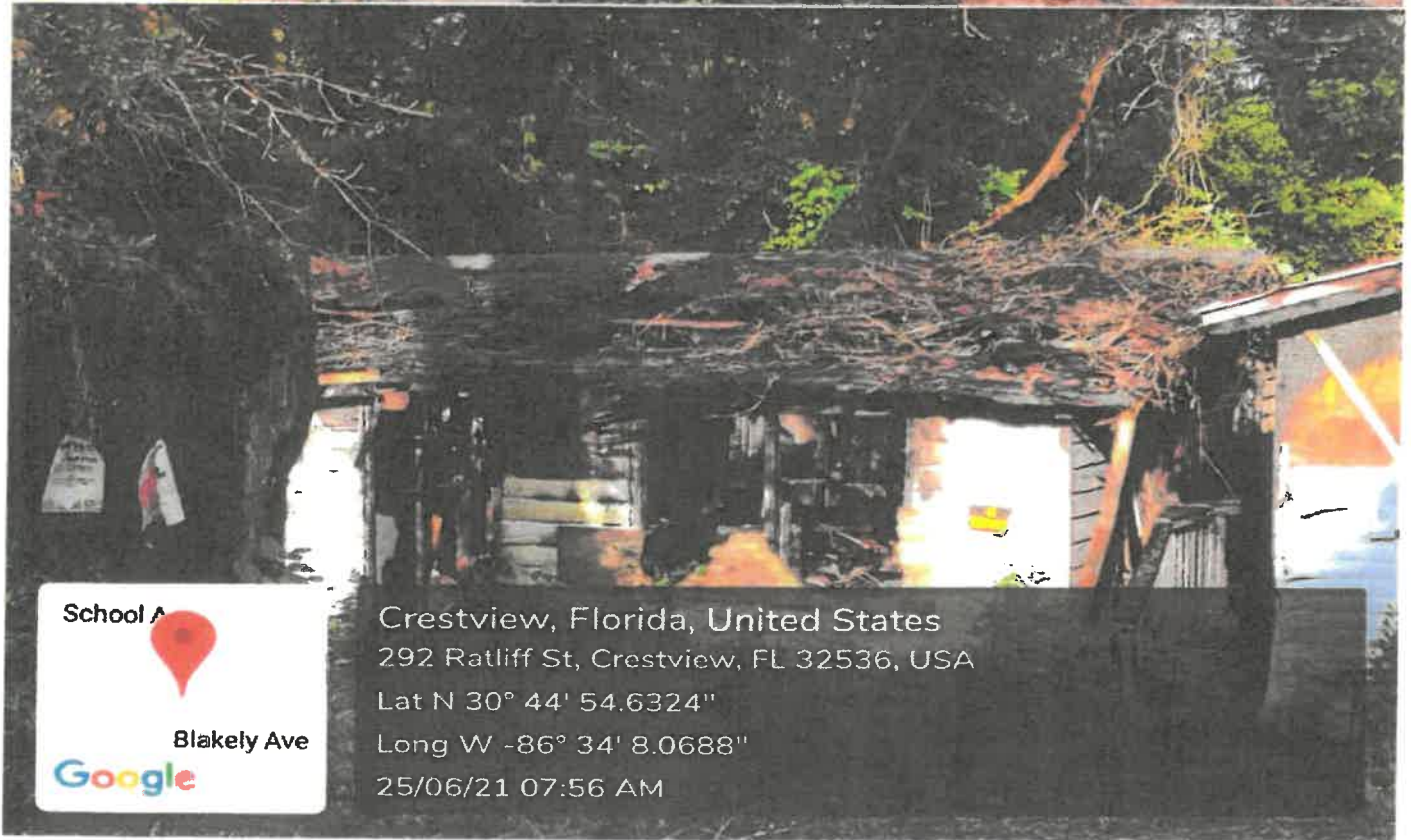
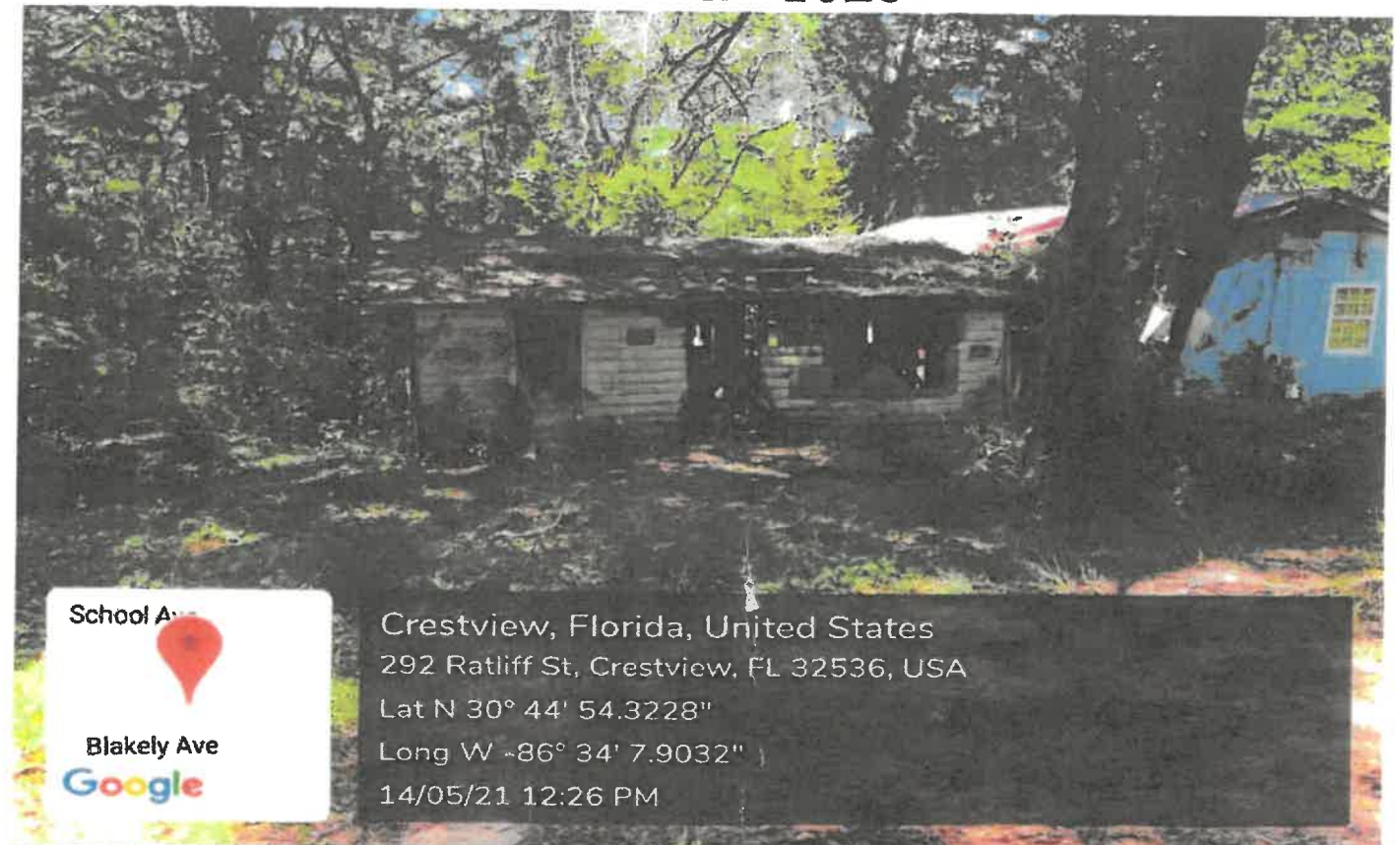


EXHIBIT 5

Case # 21- 1020

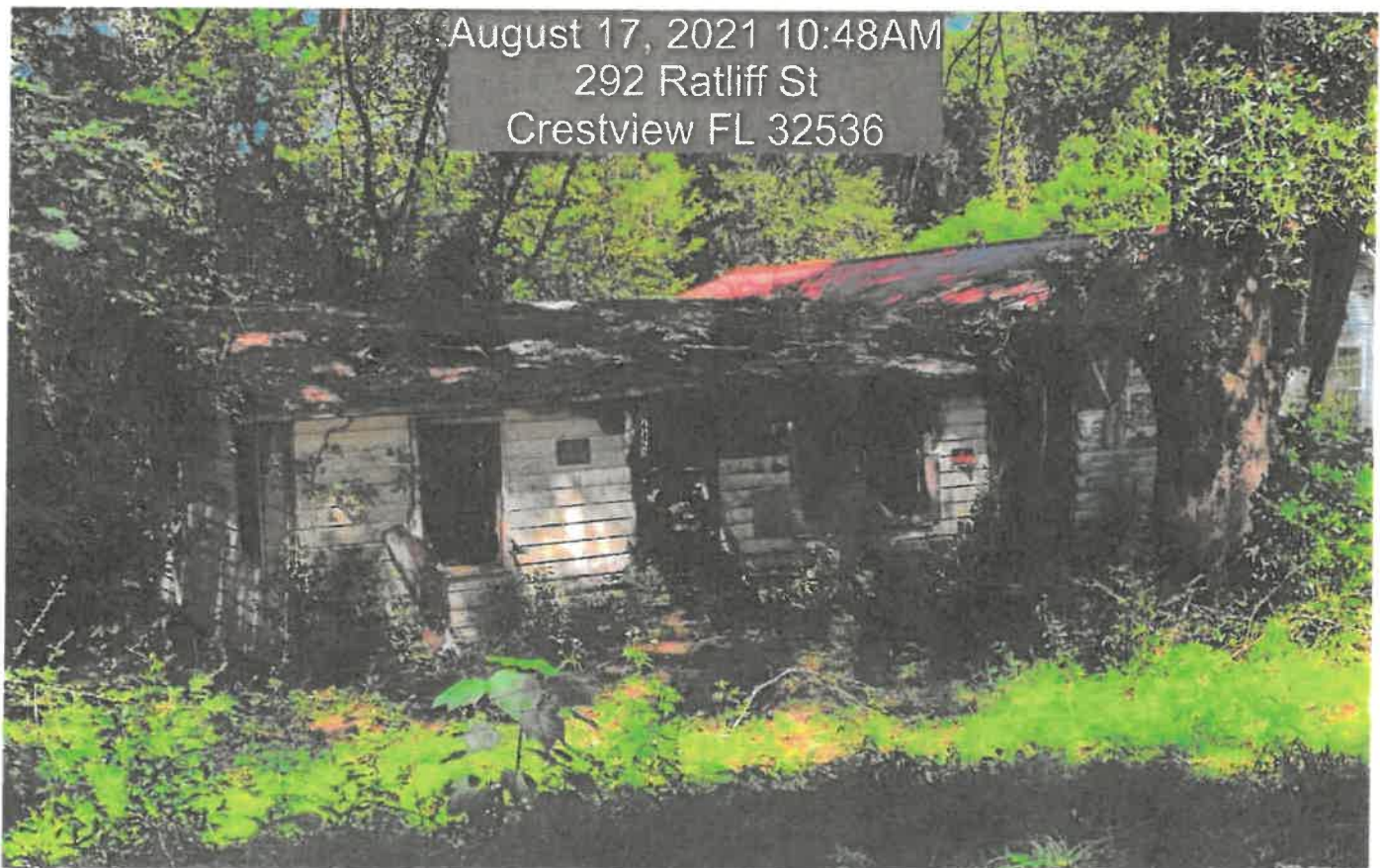


EXHIBIT 5



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 #: 21-00001020

JACKSON MAXIE
PO BOX 1672
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: 292 RATLIFF ST
Tax Identification Number: 20-3N-23-2390-0013-0020
Legal: SULLIVANS ADDN LOT 2 BLK 13, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 11, 2021, this case may be scheduled for a public hearing before the City of Crestview's Special Magistrate.

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

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

Sincerely,

Florina Alcobia
City of Crestview
Code Compliance Officer
850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT #

5

CASE NUMBER 21-00001020
PROPERTY ADDRESS 292 RATLIFF ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/14/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

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

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

CORRECTIVE ACTION REQUIRED :

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

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE 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 (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:

EXHIBIT #

5

CASE NUMBER 21-00001020
PROPERTY ADDRESS 292 RATLIFF ST

ORDINANCE DESCRIPTION :

(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.

EXHIBIT #

5

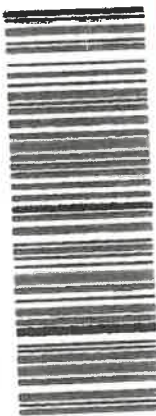


City of Crestview
Community Development Services
P.O. Box 1209
Crestview, Florida 32536

13
4/24

7020 1290 0001 5682 2052
11771C
PO BOX 1672
CRESTVIEW, FL 32536

5/29



CERTIFIED MAIL



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2502 2995 1000 0621 0202

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
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

Sent To
MAXIE GAZDAR
PO BOX 1672
CRESTVIEW, FL 32536

See Reverse for Instructions

UNC
32536>1209

NIXIE 322 DC 1 0006/24/21

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 32536120905 *0238-04334-24-23

32536120905

EXHIBIT # 5

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number: 70201290000156822052****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**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.



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 11, 2021
Case #: 21-00001020

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850-306-3699 (office)
850-612-5872 (cell)
alcobiaf@cityofcrestview.org

EXHIBIT # 5

VIOLATION DETAIL

PAGE 1

CASE NUMBER 21-00001020
PROPERTY ADDRESS 292 RATLIFF ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 5/14/21
LOCATION:

ORDINANCE DESCRIPTION :

38.19 - Duty of Property Owner.

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

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

CORRECTIVE ACTION REQUIRED :

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

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE 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 (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:

EXHIBIT # 5

CASE NUMBER 21-00001020
PROPERTY ADDRESS 292 RATLIFF ST

ORDINANCE DESCRIPTION :

(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.

EXHIBIT # 5

69ET 2895 1000 0621 0202

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®	
Certified Mail Fee	3.60
Extra Services & Fees (please check and fee additional)	2.85
☒ Return Receipt (hardcopy)	
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	0.51
Total Postage and Fees	6.96
21-1020	
JUN 14 2021	
Postmark Here	
USPS	
MAR 13 2021	
MAKIE JACKSON	
P. O. BOX 1672	
CRESTVIEW, FL 32536	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

EXHIBIT # 5

USPS Tracking®[FAQs >](#)**Track Another Package +****Tracking Number: 70201290000156821369****Remove X**

Your item was delivered at 10:44 am on July 15, 2021 in CRESTVIEW, FL 32539.

 **Delivered**July 15, 2021 at 10:44 am
CRESTVIEW, FL 32539

Feedback

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.



**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

Jackson Maxie M.
PO Box 1672
Crestview, FL 32536

RE: CASE# 21- 1020

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 **292 Ratliff Str, Crestview, FL 32536** more particularly described as:

PIN# 20-3N-23-2390-0013-0020 LEGAL DESCRIPTION: SULLIVANS ADDN LOT 2 BLK 13

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 #

5

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

STATEMENT OF VIOLATION

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.

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. 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 Statue 553. For further information, please contact the Permitting Division @ 850-689-1618 ext. 254 or 261.

EXHIBIT #

5

7020 1290 0001 2346 7187

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 if applicable)

☒ 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

MAXIE M JACKSON #2 1019.20

Street and Apt. No., or P.O. Box No.
P.O. BOX 1672

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

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature ☒ <u>Donna Jackson</u> ☐ Agent ☐ Addressee B. Received by (Printed Name) <u>Donna Jackson</u> C. Date of Delivery <u>7/15/2017</u> D. Is delivery address different from item 1? ☐ Yes ☒ No If YES, enter delivery address below:
1. Article Addressed to: MAXIE M JACKSON P.O. BOX 1672 CRESTVIEW, FL 32536  9580 8402 5522 9249 9967 92	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
2. Article Number (Transfer from service label) 7020 1290 0001 2346 7187	

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

Domestic Return Receipt

EXHIBIT # 5



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3483009 Blk: 3569 Pg: 1006
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# 21-1020

Maxie Jackson
PO Box 1672
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, Maxie Jackson, whose last known mailing address is PO Box 1672 Crestview, FL 32536, is the owner of the property located at, 292 Ratliff Street Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0013-0020 , and more particularly described as:

SULLIVANS ADDN LOT 2 BLK 13

2. The conditions on the property consist of an excessive overgrowth and an unsafe structure. The violation(s) were first observed on May 14, 2021. A Notice of Violation was mailed by certified mail June 14, 2021 and received by respondent on July 15, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance conditions, Sec. 18 (d) and (k) of the

City of Crestview's Code of Ordinances and requested correction of the violation by June 24, 2021. Re inspection of the property on June 25th, 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- Sec. 18 (d) and (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 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 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. #3591804 Bk: 3651 Pg: 4478
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# 21-1020

Maxie Jackson
PO Box 1672
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, Maxie Jackson, whose last known mailing address is PO Box 1672 Crestview, FL 32536, is the owner of the property located at, 292 Ratliff Street Crestview, FL 32536, AKA PIN# 20-3N-23-2390-0013-0020 , and more particularly described as:

SULLIVANS ADDN LOT 2 BLK 13
2. The conditions on the property consist of an excessive overgrowth and an unsafe structure. The violation(s) were first observed on May 14, 2021. A Notice of Violation was mailed by certified mail June 14, 2021 and received by respondent on July 15, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance conditions, Sec. 18 (d) and (k) of the

City of Crestview's Code of Ordinances and requested correction of the violation by June 24, 2021. Re inspection of the property on June 25th, 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:

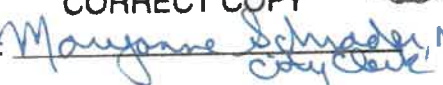
4. The respondent failed to bring the property into a full state of compliance prior to the Notice of Violation deadline and is in violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance conditions, Sec. 38- Sec. 18 (d) and (k) of the City of Crestview's Code of Ordinances.
5. The 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 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.

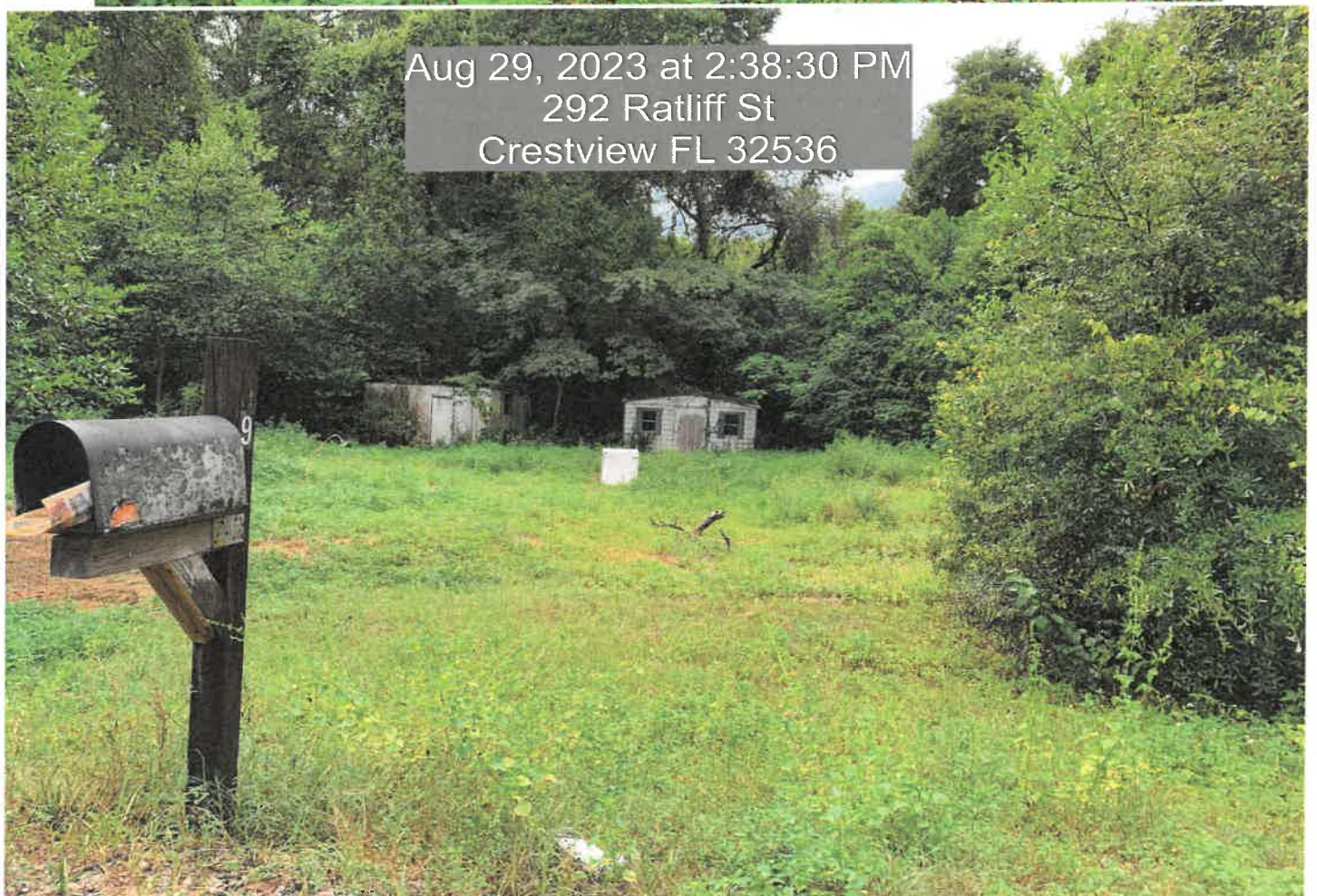
Done and Ordered on the 17th, Day of August, 2021.


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 # 22-328**282 Bracewell**

Owner of Record: Thomas V & Annie Kolmetz Et AL 968 B St. Crestview, FL

Origination Date: 01/03/2022 Origination Code: Proactive

Violations: Chapter 38 Section 65 (f) Windows, (v) Exterior lighting

Corrective Action Required: Obtain the necessary permits and repair or replace the windows and exterior lighting.

Notice Sent: 03/10/2022 Signed: Not received Compliance Date: 03/24/2022

Inspected: 03/28/2022 Results: In Violation

Notice Sent: 03/31/2022 Signed: Not received Compliance Date: 04/12/2022

Inspected: 04/13/2022 Results: In Violation

Public Hearing Notice Sent: 04/14/2022 Signed: 04/15/2022

Hearing Date: 05/17/2022

Property remains in violation.

Order Recorded: 05/23/2022 **Re-recorded with wet stamp 12/1/2022**

Hearing fee: \$250 Due by 06/20/2022

Daily fine: \$250 Start: 06/20/2022

Fines: \$107,250 **as of August 23, 2023 (not including interest)**

Property Value: \$50,344

Related Properties:

620 Shortwell 21-3N-23-1670-0010-0280 Thomas V Kolmetz Jr Et AL

Case # 21-1314 Hearing Date: 09/21/2021 Fines: \$169,000

Violations: Overgrown vegetation, roofs, accessory structures

May 17, 2022

22-328
282 Bracewell
Exhibit 1

BUILDING OFFICIAL STRUCTURAL DETERMINATION

3/3/22

DATE

282 Bracewell St 22-328

ADDRESS/LOCATION OF VIOLATION

Windows not completely secured. Some exterior electrical not secured

NATURE OF VIOLATION(S) OBSERVED

Repair or Remove accessory structure

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: I wouldn't require a permit for any repairs based on what I observed on the exterior of the structure. If windows are replaced instead of boarded up, a permit will be required. Exterior lights need wire nuts to secure the wiring or a fixture installed

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

DATE

EXHIBIT # 1

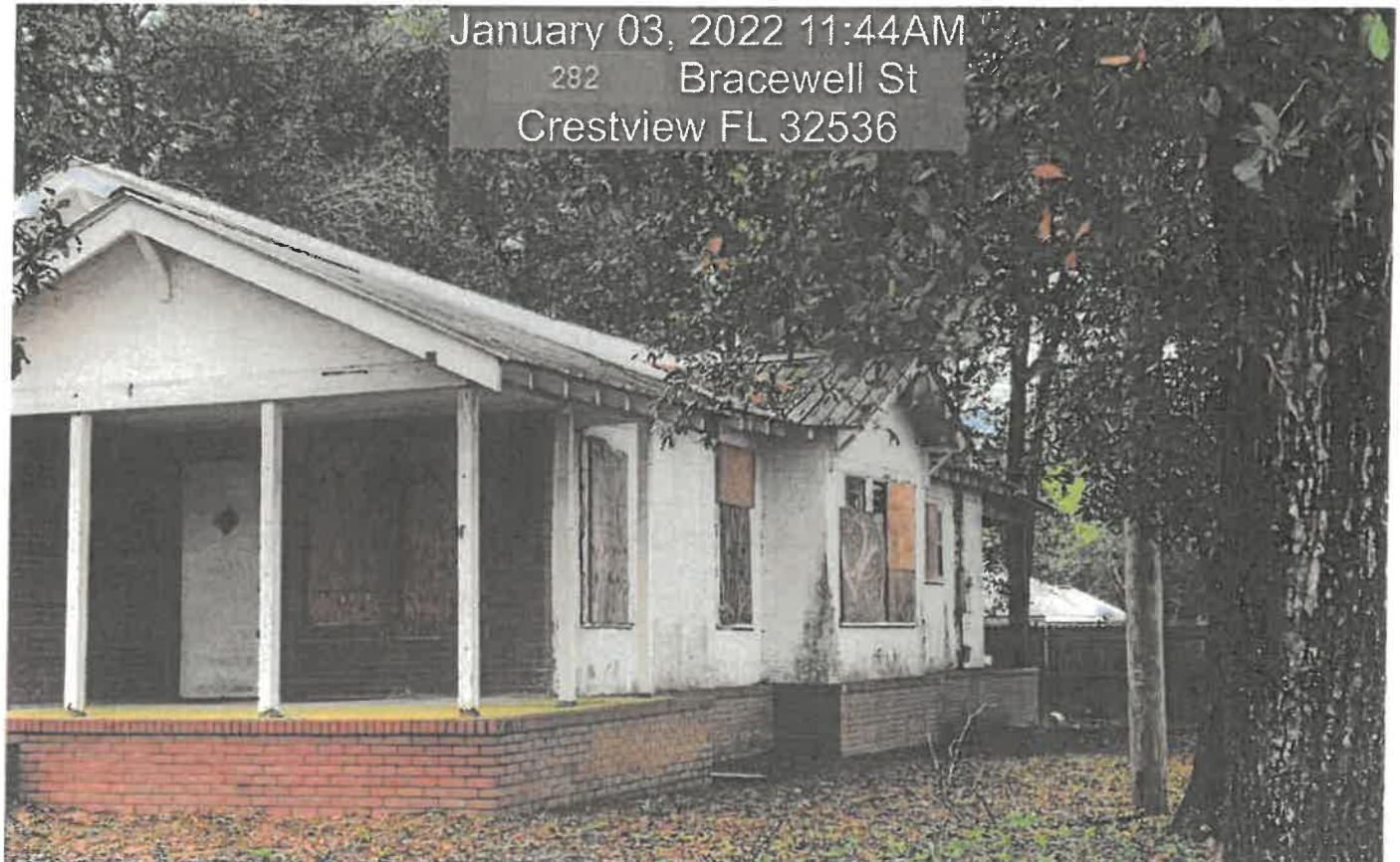
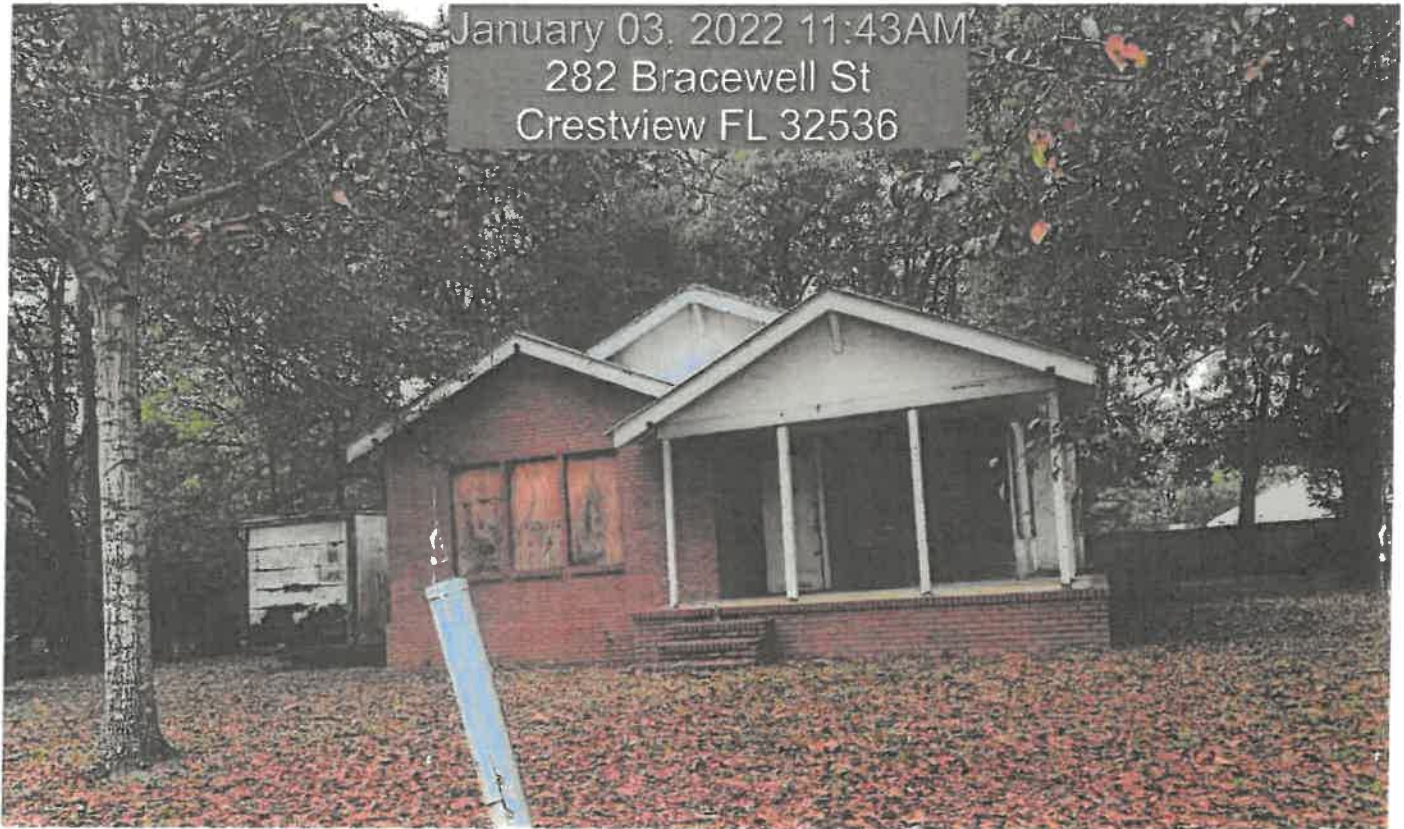


EXHIBIT # 1

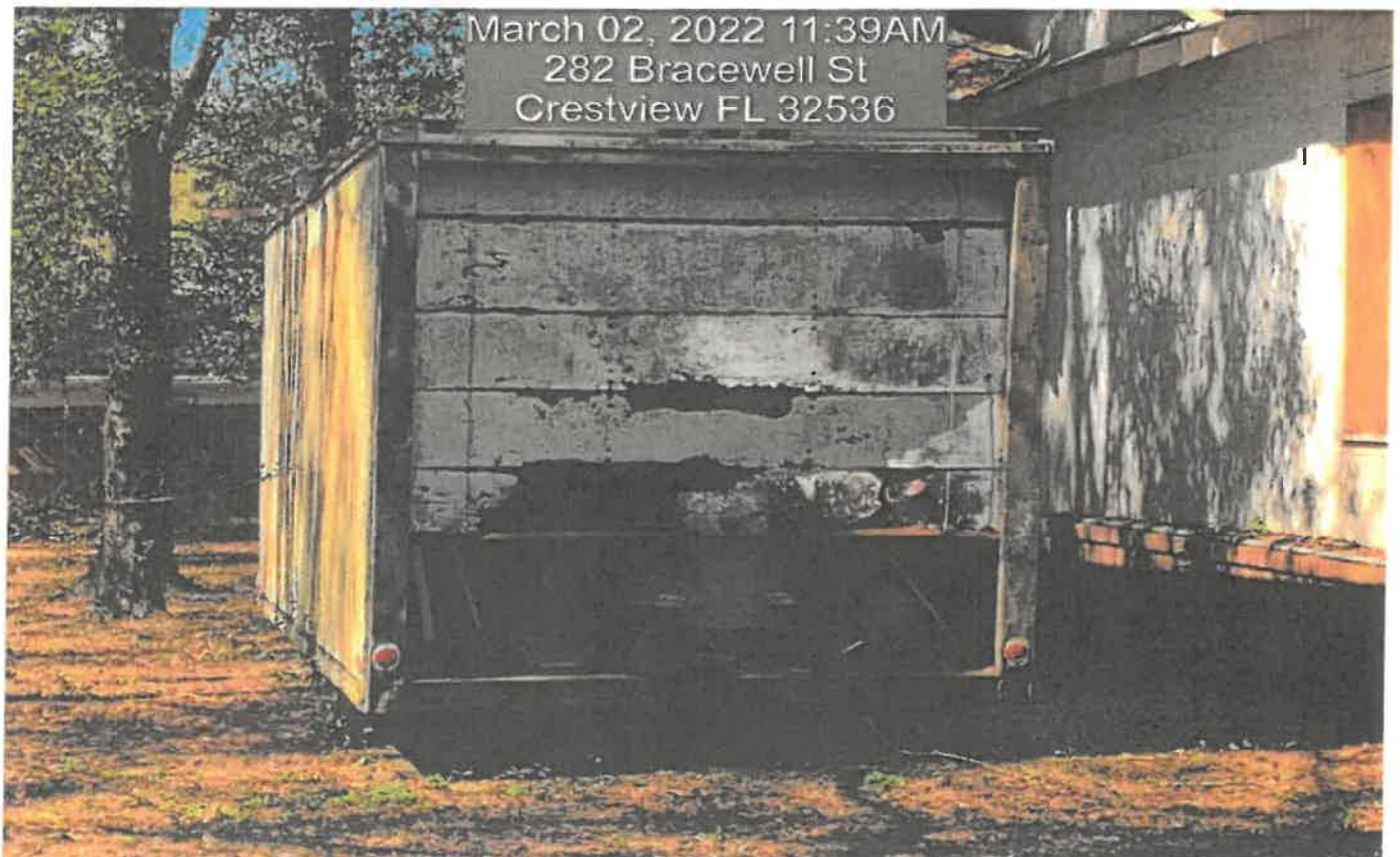
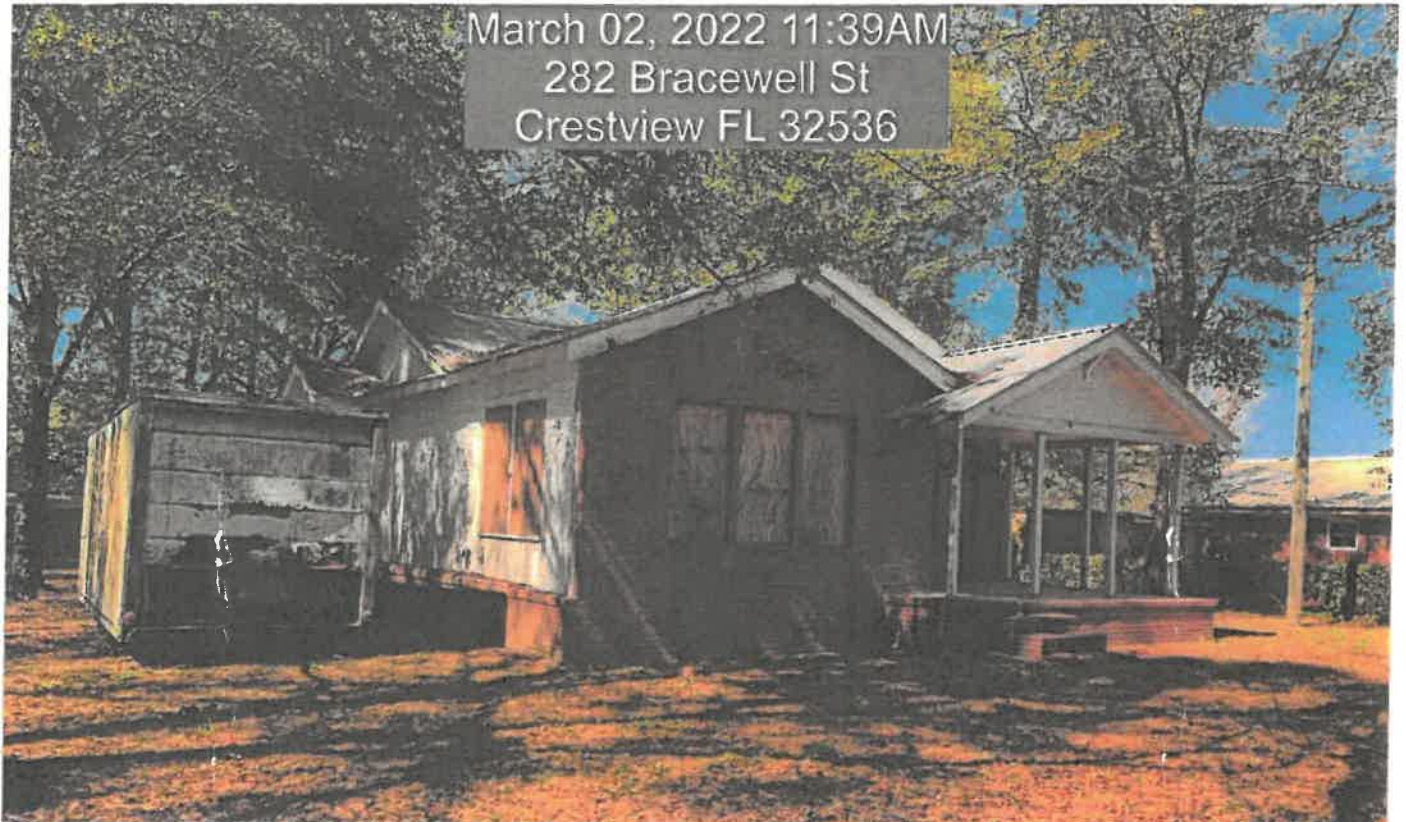
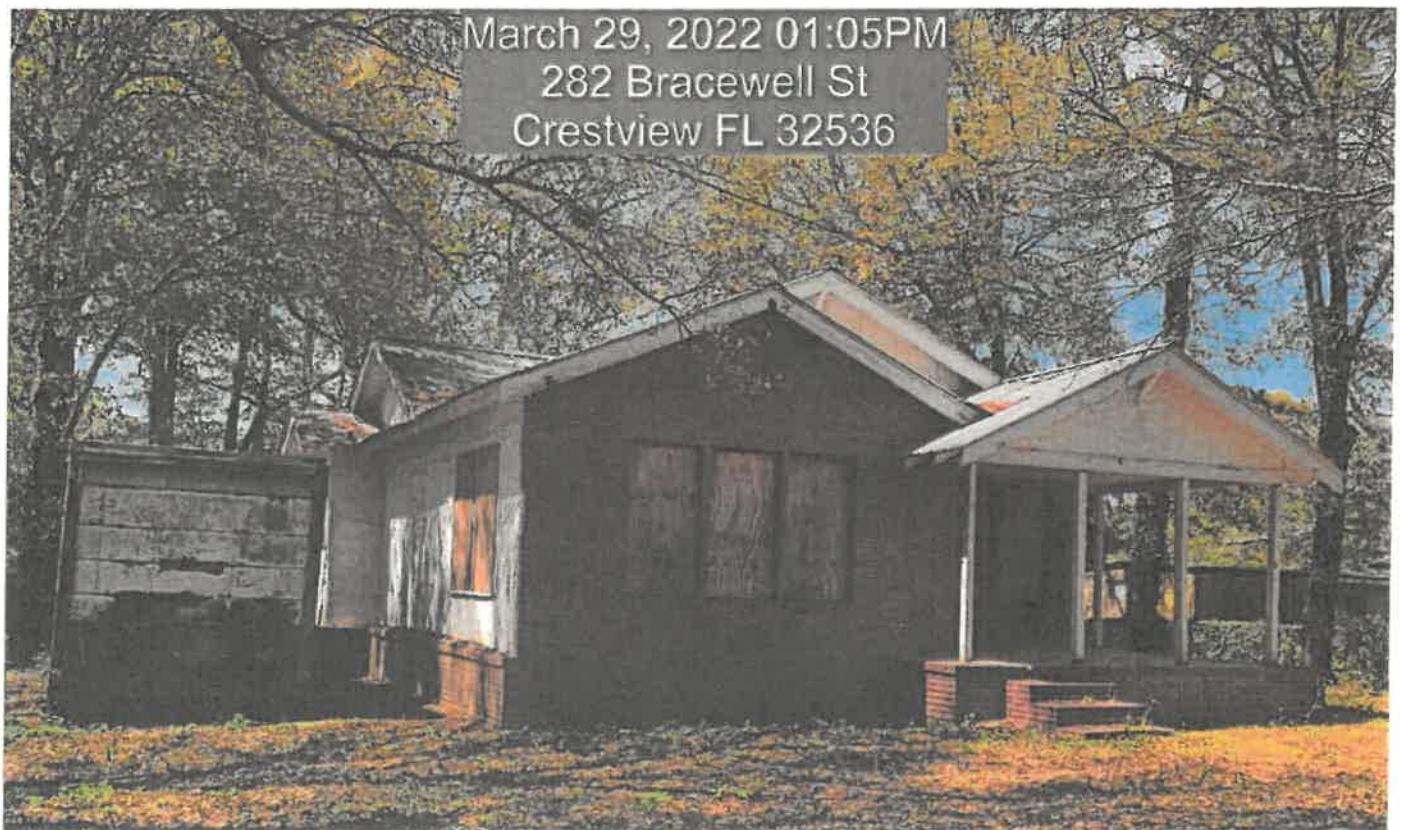
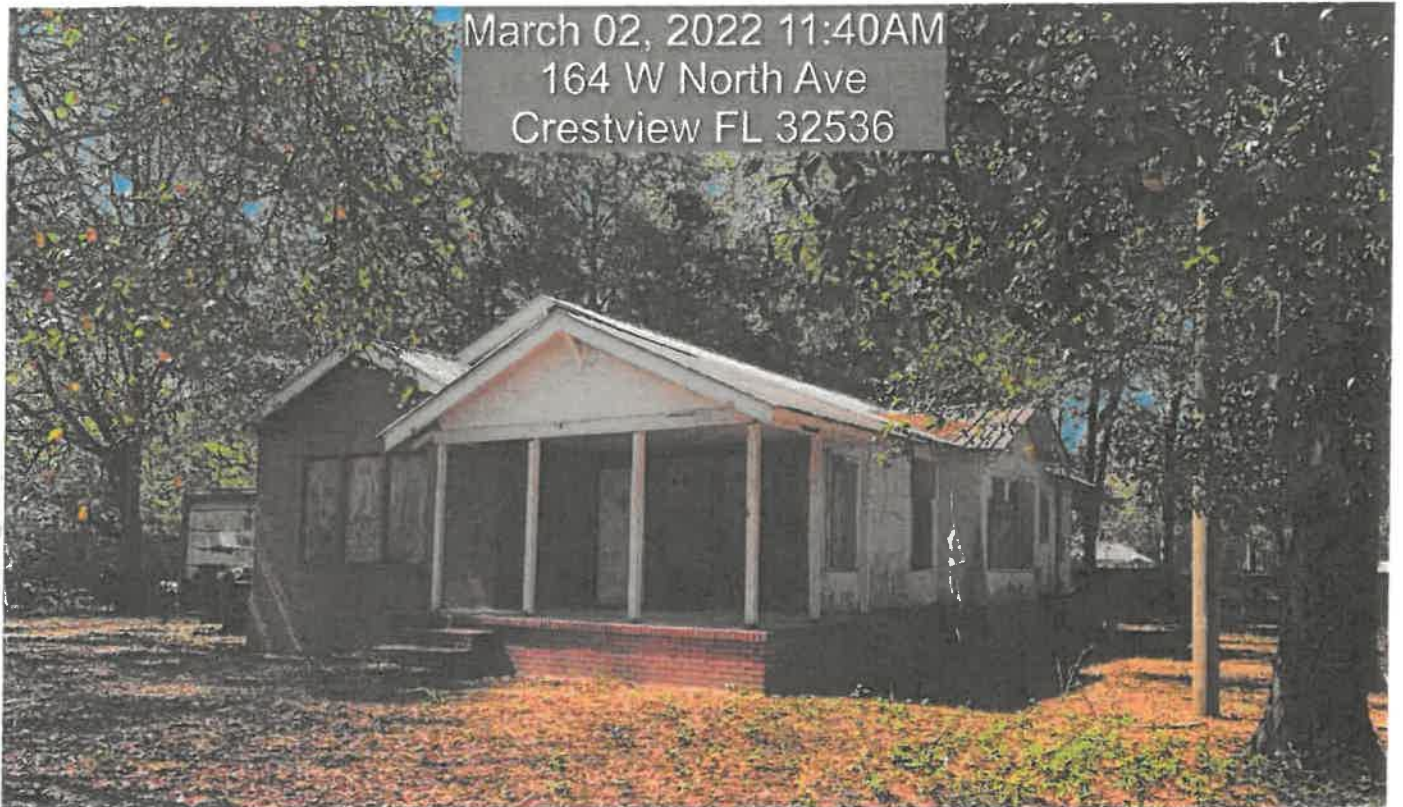
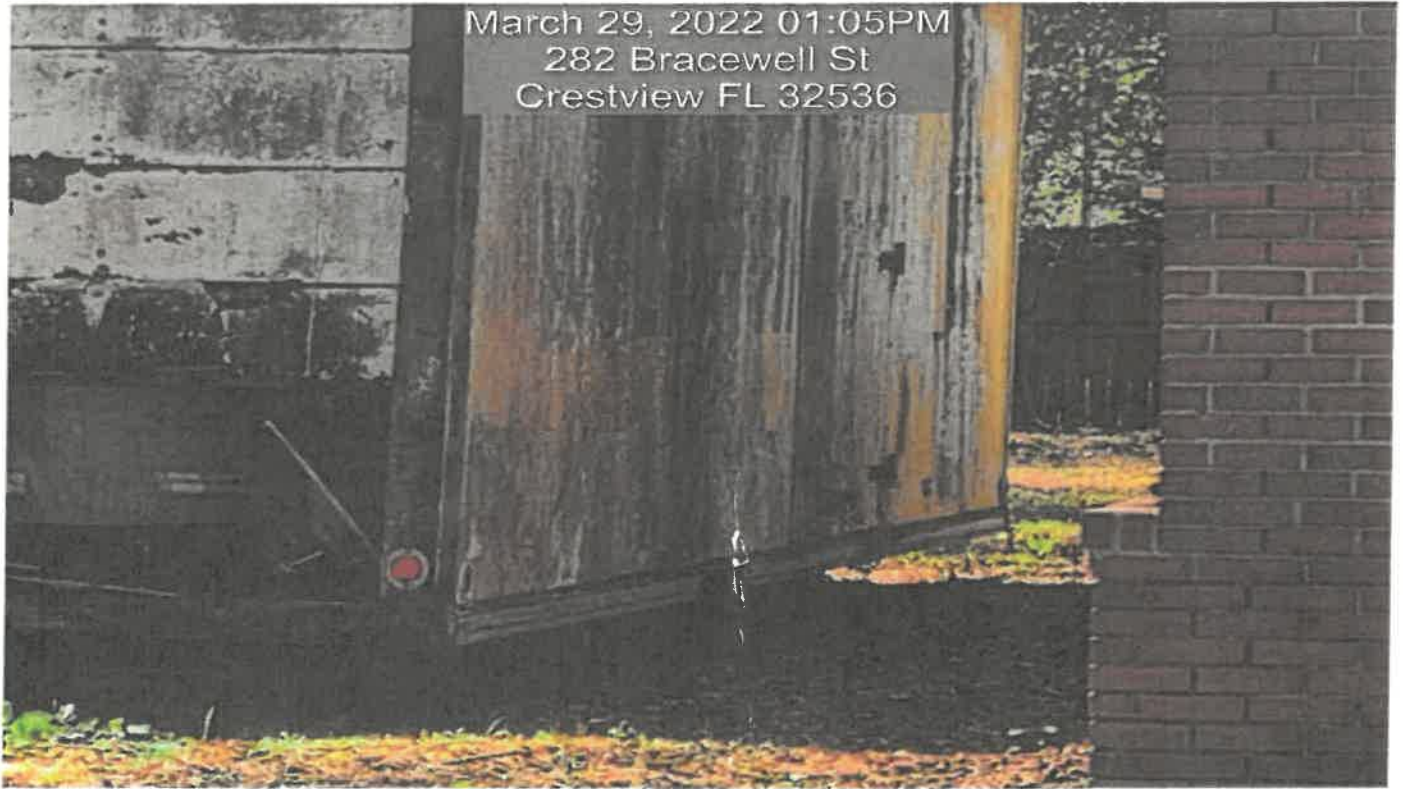


EXHIBIT # 1







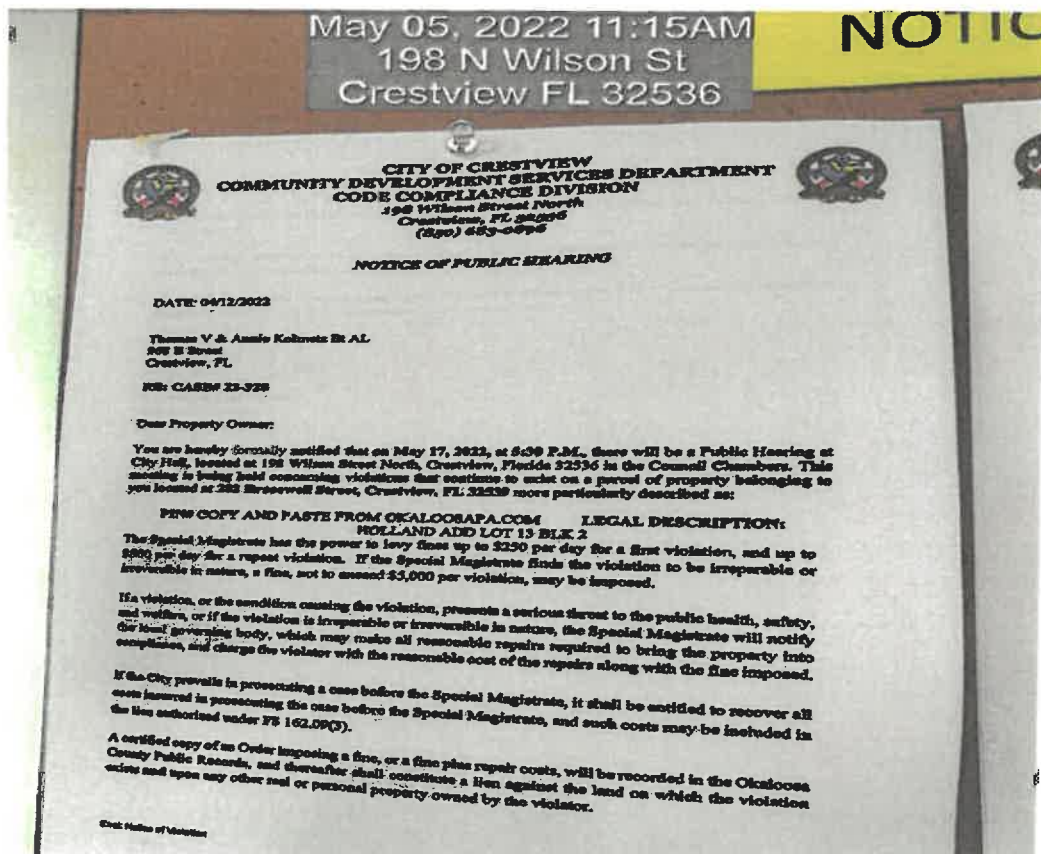
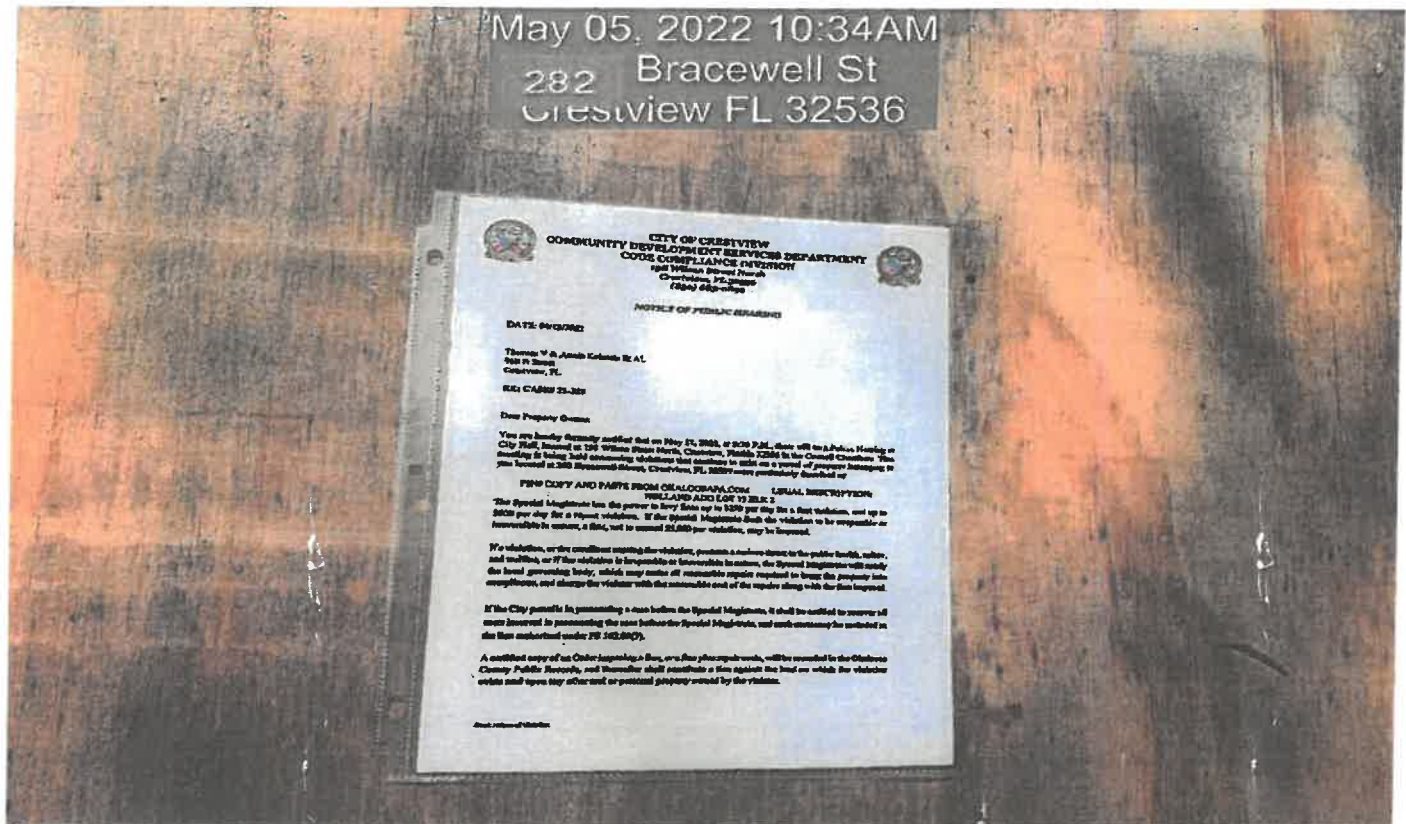


EXHIBIT # 1



EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

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

Date: March 9, 2022
Case #: 22-00000328

THOMAS V & ANNIE KOLMETZ ET AL
968 B 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: 282 BRACEWELL ST
Tax Identification Number: 07-3N-23-1180-0002-0130
Legal: HOLLAND ADD LOT 13 BLK 2 ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by March 24, 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

EXHIBIT # 1

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

VIOLATION: CH 38 SEC 65 ACC STR-POOL QUANTITY: 1
DESCRIPTION: ACC STR-POOLS-SPAS DATE: 3/09/22
LOCATION:

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

EXHIBIT # 1

VIOLATION DETAIL

PAGE 2

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

CORRECTIVE ACTION REQUIRED :

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 property within the city shall allow the accumulation of stagnant water.

VIOLATION: CH 38 SEC 65 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 3/09/22
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 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 3/09/22
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

EXHIBIT # 1

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

ORDINANCE DESCRIPTION :
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.

(1) 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.

EXHIBIT # 1

Track Another Package +

Tracking Number: 70113500000091339073

Remove X

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The tracking number may be incorrect or the status update is not yet available. Please verify your tracking number and try again later.

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Postage	\$.58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.33
Sent To: THOMAS V + ANNIE KOLMEZ ET AL Street, Apt. No., or PO Box No.: 9108 B STREET City, State, ZIP+4: OLESTVIEW, FL 32536	

7011 3500 0000 9133 9073

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#12-328

stions.

EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

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

Date: March 29, 2022
Case #: 22-00000328

THOMAS V & ANNIE KOLMETZ ET AL
968 B 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: 282 BRACEWELL ST
Tax Identification Number: 07-3N-23-1180-0002-0130
Legal: HOLLAND ADD LOT 13 BLK 2, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by April 12, 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,

A handwritten signature in blue ink that reads "Deborah Lawson".

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 1

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

VIOLATION: CH 38 SEC 65 ACC STR-POOL QUANTITY: 1
DESCRIPTION: ACC STR-POOLS-SPAS DATE: 3/09/22
LOCATION:

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

EXHIBIT # 1

VIOLATION DETAIL

PAGE 2

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

CORRECTIVE ACTION REQUIRED :

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 property within the city shall allow the accumulation of stagnant water.

VIOLATION: CH 38 SEC 65 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 3/09/22
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 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 3/09/22
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

EXHIBIT # 1

VIOLATION DETAIL

PAGE 3

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

ORDINANCE DESCRIPTION :
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. 254 or 261, for further information.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 3/29/22
LOCATION:

ORDINANCE DESCRIPTION :

CONTINUED

EXHIBIT # 1

CASE NUMBER 22-00000328
PROPERTY ADDRESS 282 BRACEWELL ST

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, 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.

EXHIBIT # 1

Track Another Package +

Tracking Number: 70113500000091333804

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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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
THOMAS V + ANNIE KUMETZ ET AL Street Apt. No. or PO Box No. 908 B STREET CRESTVIEW, FL 32536	

tions.

EXHIBIT # 1



**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: 04/12/2022

**Thomas V & Annie Kolmetz Et AL
968 B Street
Crestview, FL**

RE: CASE# 22-328

Dear Property Owner:

You are hereby formally notified that on May 17, 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 282 Bracewell Street, Crestview, FL 32539 more particularly described as:

**PIN# COPY AND PASTE FROM OKALOOSAPA.COM LEGAL DESCRIPTION:
HOLLAND ADD LOT 13 BLK 2**

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

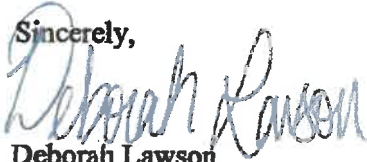
EXHIBIT # 1

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 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".

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 (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 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 inoperable vehicle from the property or bring it into an operable state.

Code of Ordinance Violated: Chapter 38 Section 65 (f), (s), (v)**(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.

(s) Accessory structures: Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.

(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 windows, accessory structure, and exterior lighting.

EXHIBIT # 1

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	\$ 08
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

22-328

7011 3500 0000 9133 3996

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

Postmark: 2022 APR 15

Recd to: THOMAS V + ANNIE KOLMETZ ET AL
 Street, Apt. No.: 908 B STREET
 or PO Box No. CRESTVIEW, FL 32530

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:
 THOMAS V + ANNIE KOLMETZ ET AL
 908 B STREET
 CRESTVIEW, FL 32530

2. Article Number (Transfer from service label)
 7011 3500 0000 9133 3996

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)
 C. Date of Delivery
 4/15

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
☐ Mail Restricted Delivery

☐ Priority Mail Express[®]
☐ Registered Mail[™]
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation[™]
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT # 1

Track Another Package +

Tracking Number: 70113500000091333996

Remove X

Your item was delivered to an individual at the address at 2:45 pm on April 15, 2022 in CRESTVIEW, FL 32536.

USPS Tracking Plus® Available ✓

 **Delivered, Left with Individual**

April 15, 2022 at 2:45 pm
CRESTVIEW, FL 32536

Feedback

Get Updates ✓

Text & Email Updates



Tracking History



USPS Tracking Plus®



Product Information



See Less ^

EXHIBIT # 1

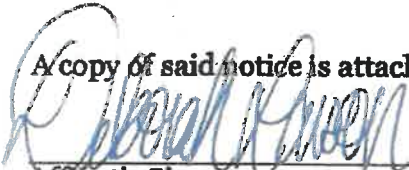
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 22-328

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 5th day of May 2022, I personally posted said Notice of Hearing at: 282 Bracewell Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

5/5/2022
Date

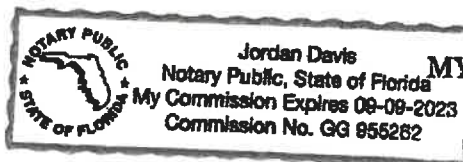
Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 5th day of May 2022.

(SEAL)

NOTARY PUBLIC:





MY COMMISSION EXPIRES:

9/9/23

BUILDING OFFICIAL STRUCTURAL DETERMINATION

3/3/22

DATE

282 Bracewell St 22-328

ADDRESS/LOCATION OF VIOLATION

Windows not completely secured. Some exterior electrical not secured

NATURE OF VIOLATION(S) OBSERVED

Repair or remove accessory structure

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: I wouldn't require a permit for any repairs based on what I observed on the exterior of the structure. If windows are replaced instead of boarded up, a permit will be required. Exterior lights need wire nuts to secure the wiring or a fixture installed

SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

Renee Raybon

DATE

3/8/22

EXHIBIT # 1A



EXHIBIT# 1A



EXHIBIT# 1A



EXHIBIT# 1A



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3551971 Bk: 3623 Pg: 1919
Page 1 of 3 Recorded: 5/23/2022 11:46 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

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

vs.

CASE# 22-328

Thomas V & Annie Kolmetz Et AL
968 B 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 May 17, 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, Thomas V & Annie Kolmetz, whose last known mailing address is 968 B Street, Crestview, FL 32536, is the owner of the property located at, 282 Bracewell Street, Crestview, FL 32536, AKA PIN# 07-3N-23-1180-0002-0130, and more particularly described as: HOLLAND ADD LOT 13 BLK 2.
2. The conditions on the property consist of a deteriorating structure in need of repair. The violation(s) were first observed on January 3, 2022. A Notice of Violation was mailed by certified mail March 10, 2022, and was not received by respondent. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (v). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by March 24,

2022. Re inspection of the property on March 28, 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), (v). - 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 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 June 20, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):

a. Obtain the necessary permits and repair or replace the windows and exterior lighting.

10. If the violation(s) are not corrected by June 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 18th day of May 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.05.20
14:06:23 -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



City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-328

Thomas V & Annie Kolmetz Et AL
968 B Street
Crestview, FL 32536

Inst. #3593593 Bk: 3653 Pg: 763
Page 1 of 3 Recorded: 12/1/2022 11:52 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

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 May 17, 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, Thomas V & Annie Kolmetz, whose last known mailing address is 968 B Street, Crestview, FL 32536, is the owner of the property located at, 282 Bracewell Street, Crestview, FL 32536, AKA PIN# 07-3N-23-1180-0002-0130, and more particularly described as: HOLLAND ADD LOT 13 BLK 2.
2. The conditions on the property consist of a deteriorating structure in need of repair. The violation(s) were first observed on January 3, 2022. A Notice of Violation was mailed by certified mail March 10, 2022, and was not received by respondent. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (v). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by March 24,

2022. Re inspection of the property on March 28, 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), (v). - 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 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 June 20, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):

- a. Obtain the necessary permits and repair or replace the windows and exterior lighting.
10. If the violation(s) are not corrected by June 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 18th day of May 2022.

Samuel B.
Taylor

Digitally signed by
Samuel B. Taylor
Date: 2022.05.20
14:06:23 -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 # 22-1362**578 S Wilson**

Owner of Record: Kenneth J Siler 497 S Wilson St Crestview FL 32536

Origination Date: 08/29/2022 Origination Code: Police Dept Referral

Violations: Chapter 38 Section 18 (k) – Overgrown Vegetation

Corrective Action Required: Remove overgrown vegetation from the property.

Notice Sent: 08/30/2022 Signed: 09/06/2022 Compliance Date: 09/12/2022

Inspected: 09/13/2022 Results: In Violation

Notice Sent: 09/14/2022 Signed: 09/20/2022 Compliance Date: 09/30/2022

Inspected: 10/4/2022 Results: In Violation

Public Hearing Notice Sent: 01/11/2023 Signed: 01/13/2023

Hearing Date: 02/21/2023

Property remains in violation.

Order Recorded: 02/24/2023

Hearing fee: \$250 Due by 03/24/2023

Daily fine: \$250 Start: 03/24/2023

Fines: \$38,250 as of August 23, 2023 (not including interest)

Property Value: \$56,602

Related Properties:

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

221 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

Case # 22-1362**578 S Wilson**

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

311 Oakdale 17-3N-23-2490-0001-007B

Violations: Windows, Exterior Doors, Roofs, Overhang extension

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

Case # 22-1362
578 S Wilson St
February 21, 2023
Exhibit 3



FIBRS Incident Report

CRESTVIEW PD

Report Date / Time 8/23/2022 10:47:02 AM	Report Number CPD22OFF002503 (01)	Report Case/CAD Number CPD22OFF002503 / CPD22CAD021479	Reporting Officer Rank / ID OFC/K9 /	Reporting Officer Name
Originating Agency ORI FL0460100	Reported to Agency Date 8/23/2022 9:18:37 AM	Occur Date Range 08/23/2022 09:18:37 -	Jurisdiction	Status: Clearance:
Offense Description 1400 INFORMATION				

LOCATION(S)

County OKALOOSA	Location Type	Location Description						
Street Number 201	Street STILLWELL BLVD	Apt/Lot/Hldg	City CRESTVIEW	State FL	Zip Code	Phone Number	Ext.	

Person: OTHER PERSON

First Name KEVIN	Middle Name TYRONE	Last Name RUSSELL	Suffix	Race BLACK	Sex MALE	Height 508	Weight 215	Hair BRO	Eyes BRO
MNI # CPD21MNI003863	SSN 424-84-2723	Date of Birth 05/27/1975	Age 47	ID Type E	Drivers License or other ID R240518751870	State FL	OCA / Agency ID		
Place of Birth:		, GA, US							
Addresses • / 578 S WILSON ST, FL 32536 /									

Narrative: INITIAL

Narrative Date/Time 8/23/2022 10:51:00 AM	Narrative Synopsis		
Reporting Officer	Officer Rank OFC/K9	Officer ID No	Officer Org/Unit
Officer Signature	Officer Agency CRESTVIEW PD		

On 8/18/22 at approximately 1808 hours during an investigation regarding a stolen property complaint with Kevin Russell as the suspect, I made contact with Kalani Ashton, the complainant.

During our discussion, Kalani stated to me that Kevin Russell lives in the trailer located on 587 S Wilson St. She stated he "rents it from Kenny Siler". When asked to confirm she had direct knowledge that Kevin Russell lives in the trailer she stated yes.

On 8/23/22 I, K9 Ofcs C. Rawles and T. Dean assisted Florida Department of Corrections Probation Officer J. Theis with a home visit of 578 S. Wilson St. which is the listed probation address for Kevin Russell per Ofc Theis. During the probation walkthrough it was discovered power services are active in the trailer as evidenced by lights being on inside the trailer. I did not observe any indications that a generator was present and running during my time on location.

Report Date / Time 8/23/2022 10:47:02 AM	Report Number CPD22OFF002503 (01)	Report Case/CAD Number CPD22OFF002503 / CPD22CAD021479	Reporting Officer Rank / ID OFC/K9 /	Reporting Officer Name
Originating Agency ORI FL0460100	Reported to Agency Date 8/23/2022 9:18:37 AM	Occur Date Range 08/23/2022 09:18:37 -	Jurisdiction	Status: Clearance:
Offense Description 1400 INFORMATION				

These incidents were captured on my department issued body worn camera.

This report for information purposes.

Officer: Approving Supervisor (Supplement 01)

Officer Name	Officer Rank SGT	Officer ID No	Officer Agency CRESTVIEW PD
Approval Date / Time 8/25/2022 8:50:30 AM	Officer Signature		

Sup #	Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
01	DEAN T. OFC	BACKUP OFFICER	CRESTVIEW PD
01	OFC/K9	REPORTING OFFICER / REPORTING OFFICER	CRESTVIEW PD
01	OFF C. RAWLES OFC/K9	BACKUP OFFICER	CRESTVIEW PD
01	THEIS, JACOB	OTHER	FLORIDA DEPARTMENT OF CORRECTIONS PROBATION OFFICER
01	SGT	APPROVING SUPERVISOR	CRESTVIEW PD

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the narratives associated with this report:

Officer: Reporting Officer (Supplement01)

Officer Name	Office Rank OFC/K9	Officer ID No	Sworn and subscribed before me, the undersigned authority This the _____ day of _____ DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency CRESTVIEW PD			
Officer Signature			

BUILDING OFFICIAL STRUCTURAL DETERMINATION

1/10/23
DATE

22-1362

578 S Wilson

ADDRESS/LOCATION OF VIOLATION

South side of accessory structure missing roofing material
NATURE OF VIOLATION(S) OBSERVED

Remove south portion or get permit and replace roofing on south side
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

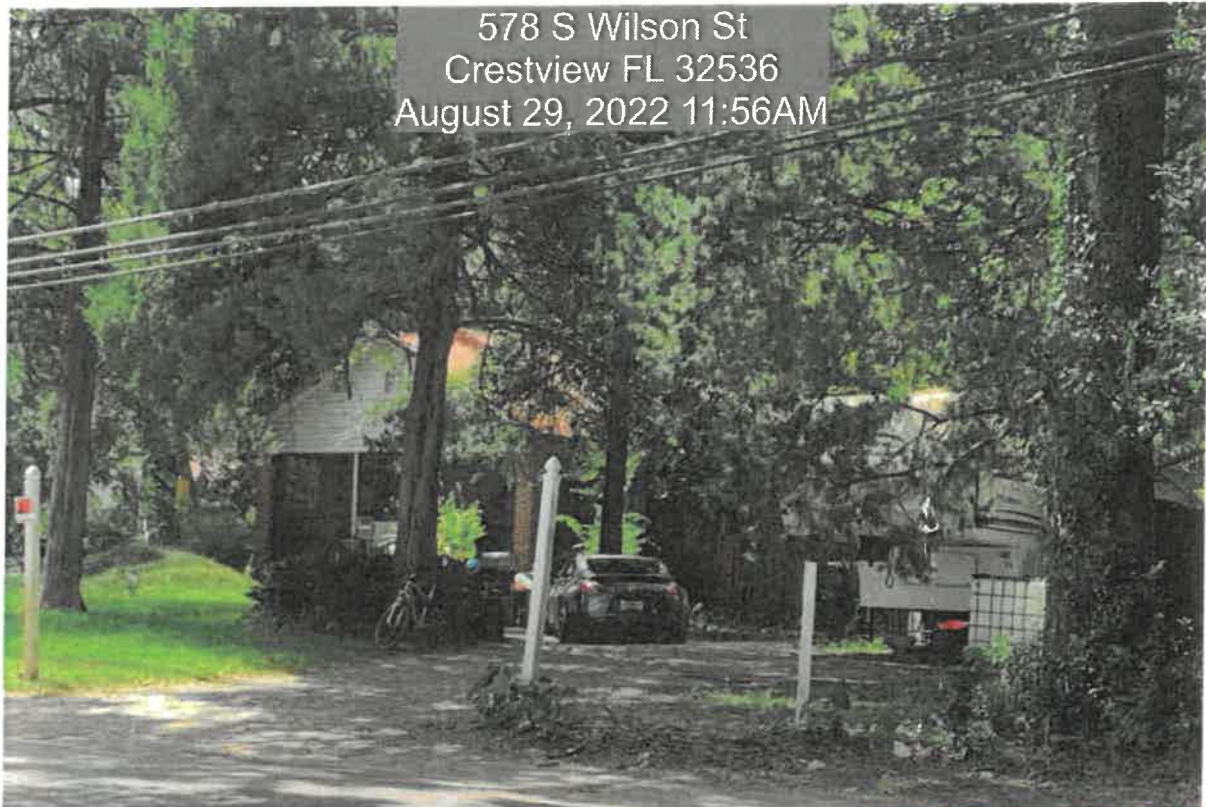
COMMENTS: Met owner (Kenny Siler) at property. He acknowledged that he saw the same violation I saw from the Right of Way. He stated he would remove it but not until he received a letter from code enforcement.

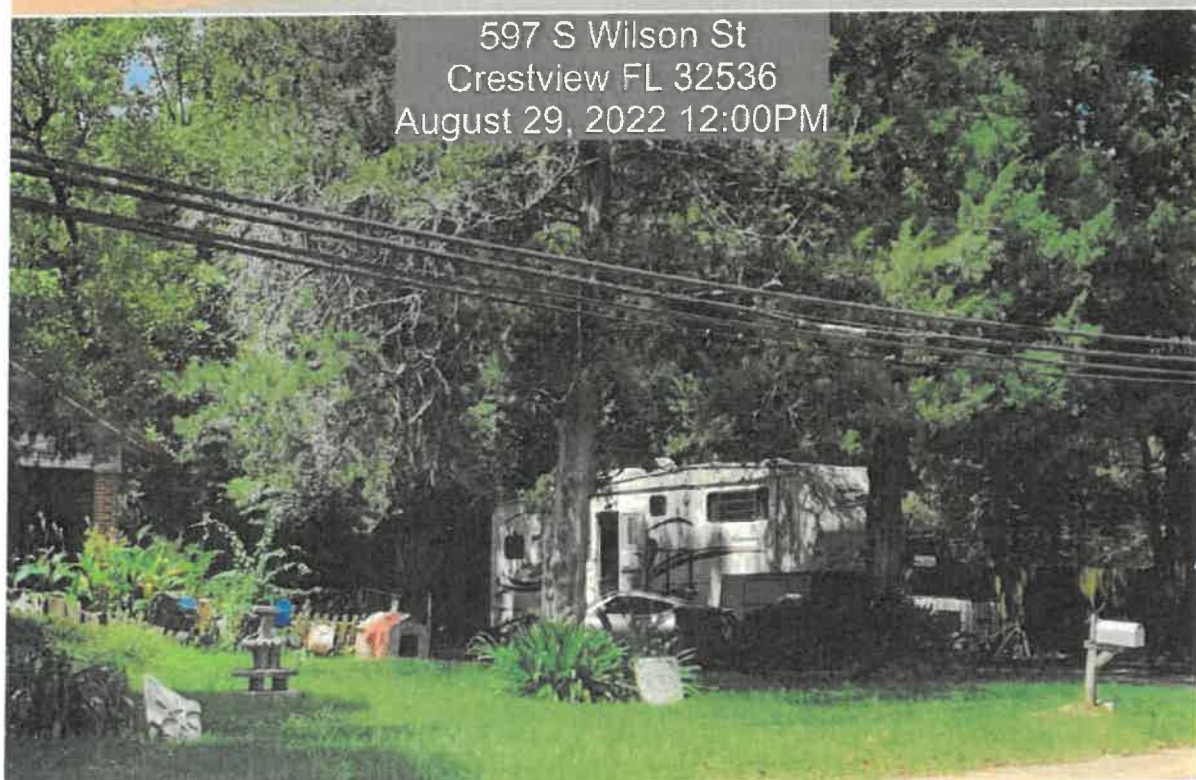

SIGNATURE OF BUILDING OFFICIAL

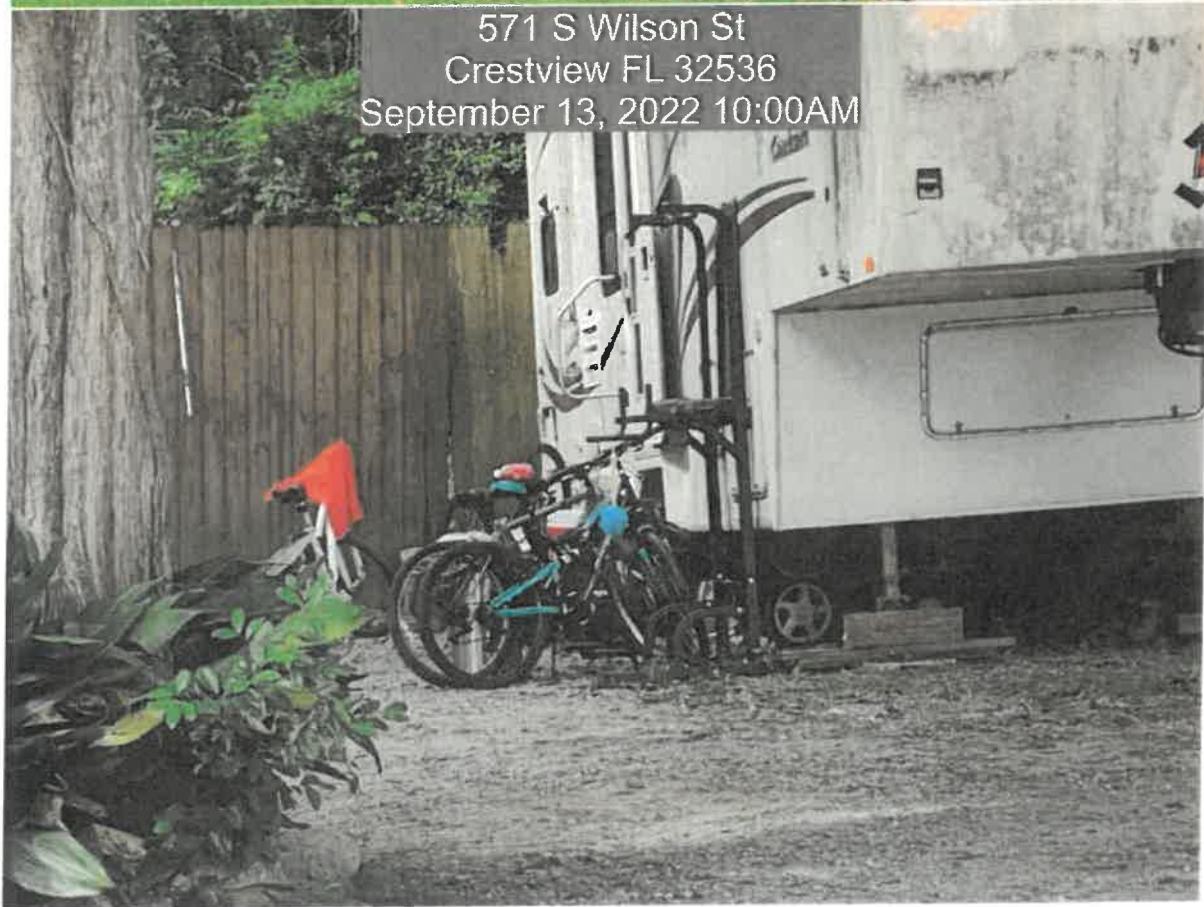
Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

1/10/23
DATE

EXHIBIT # 3







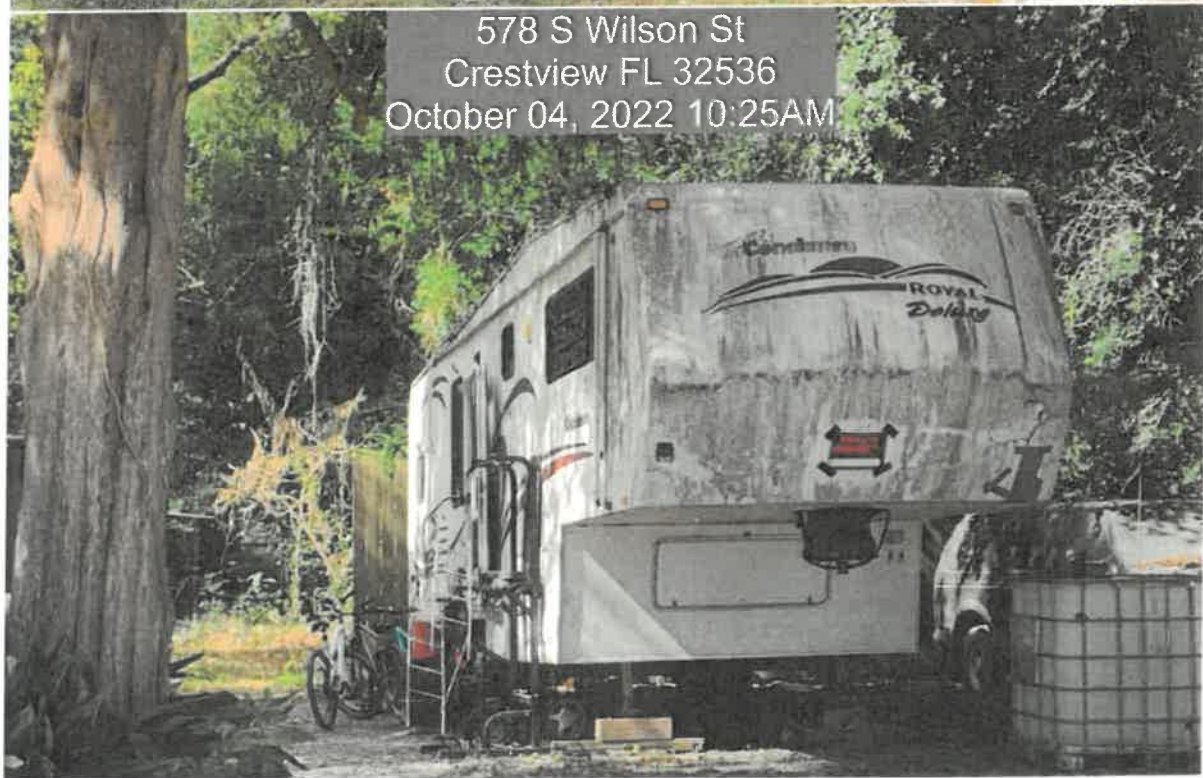
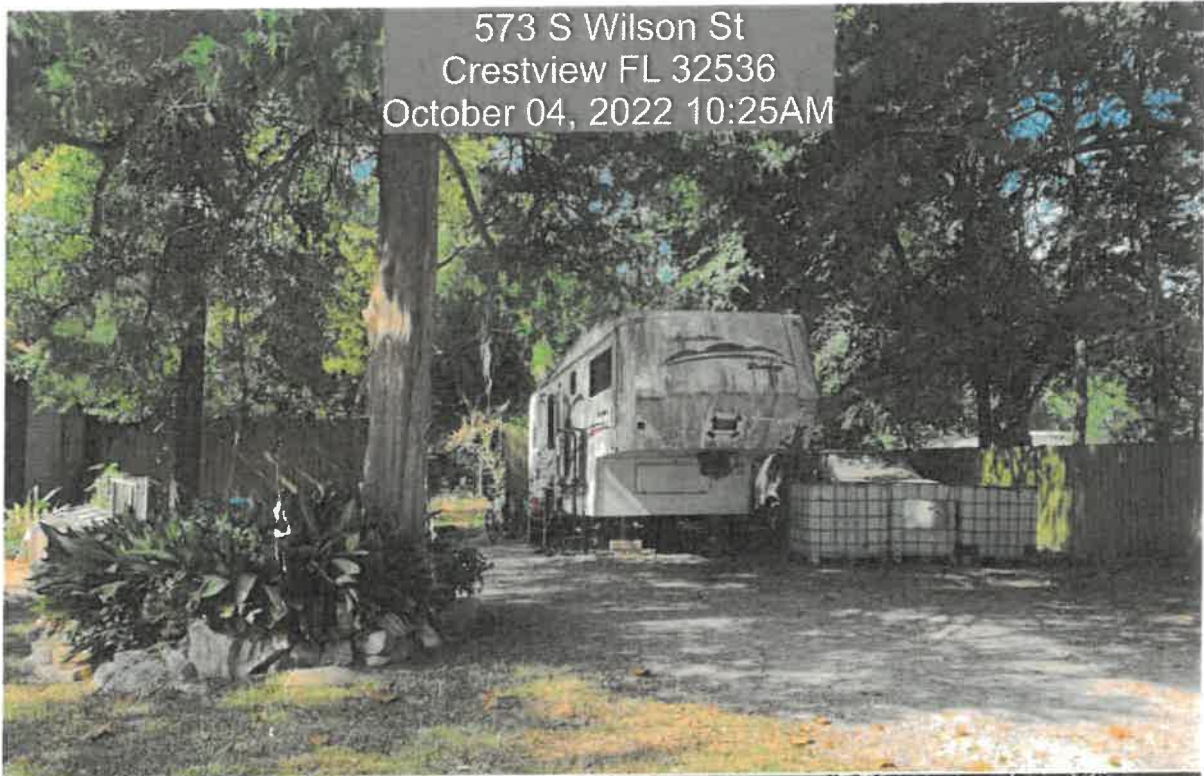
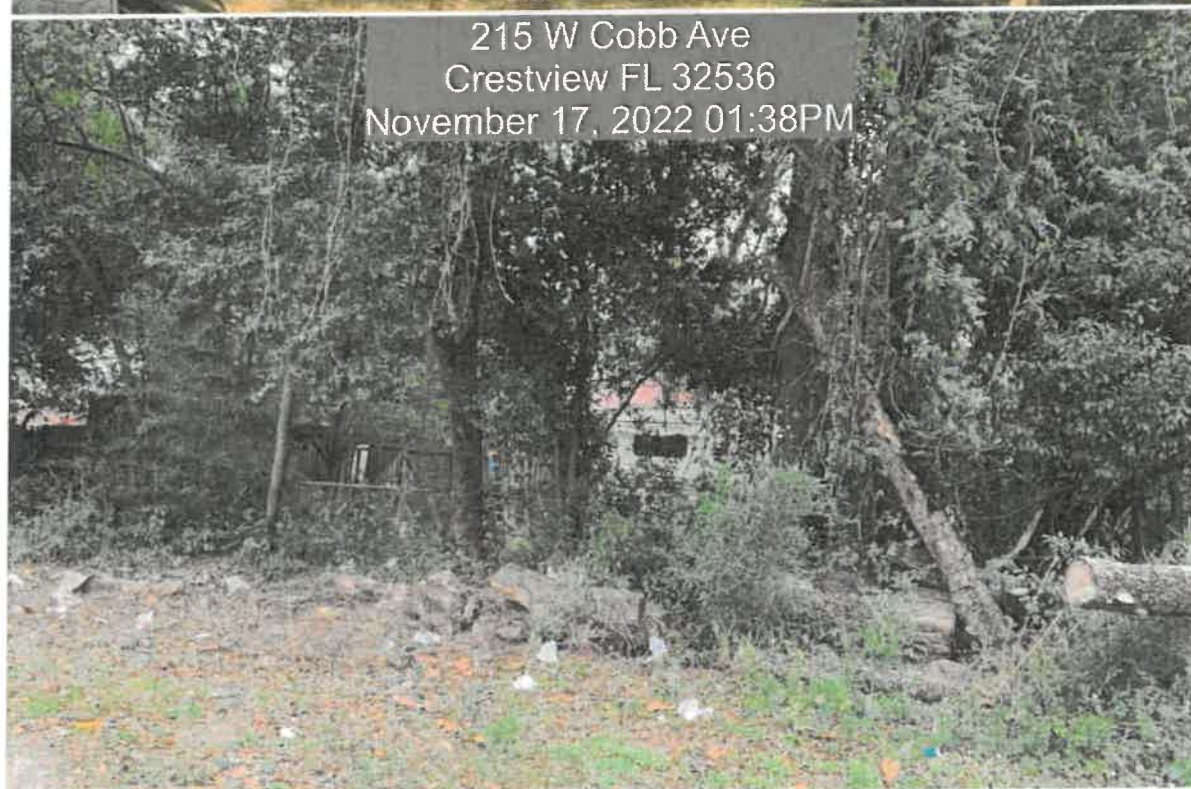
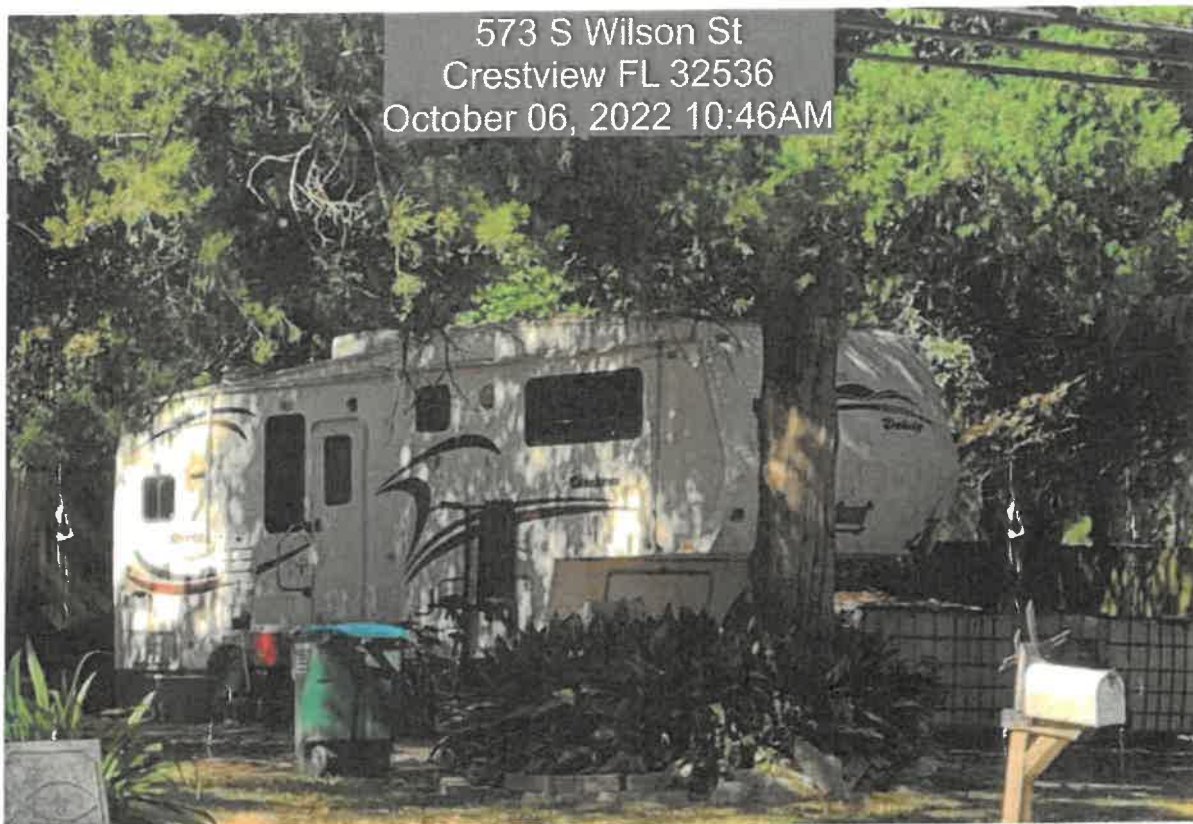
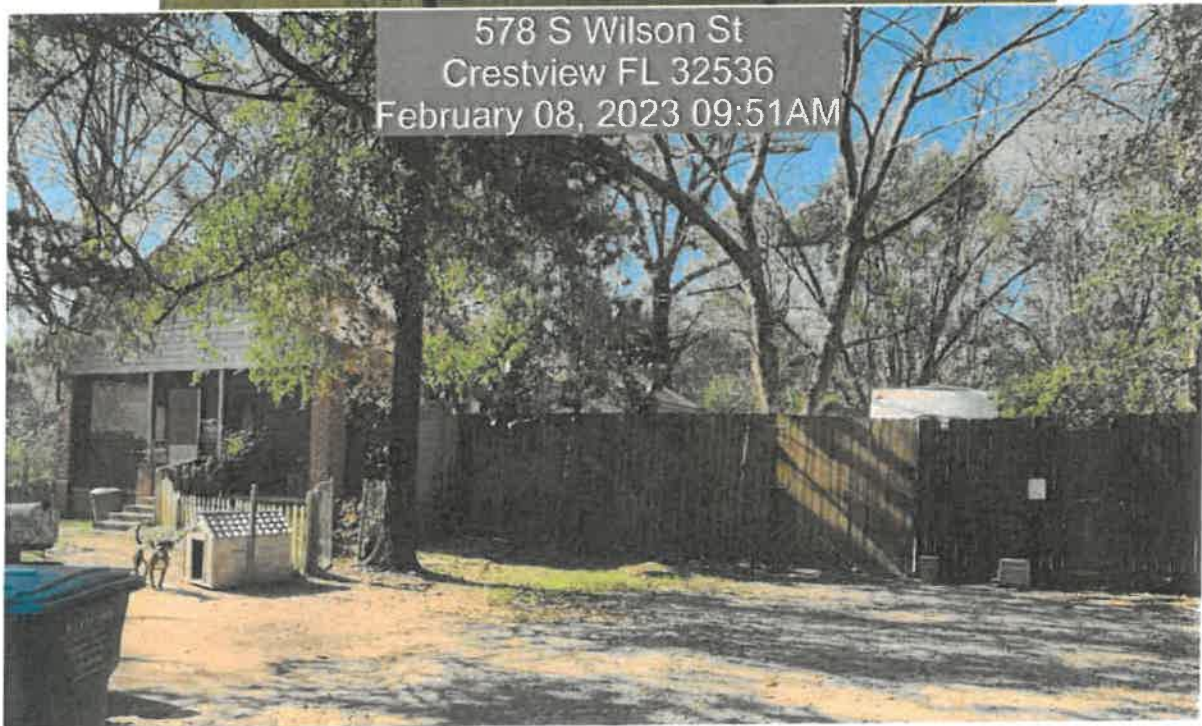
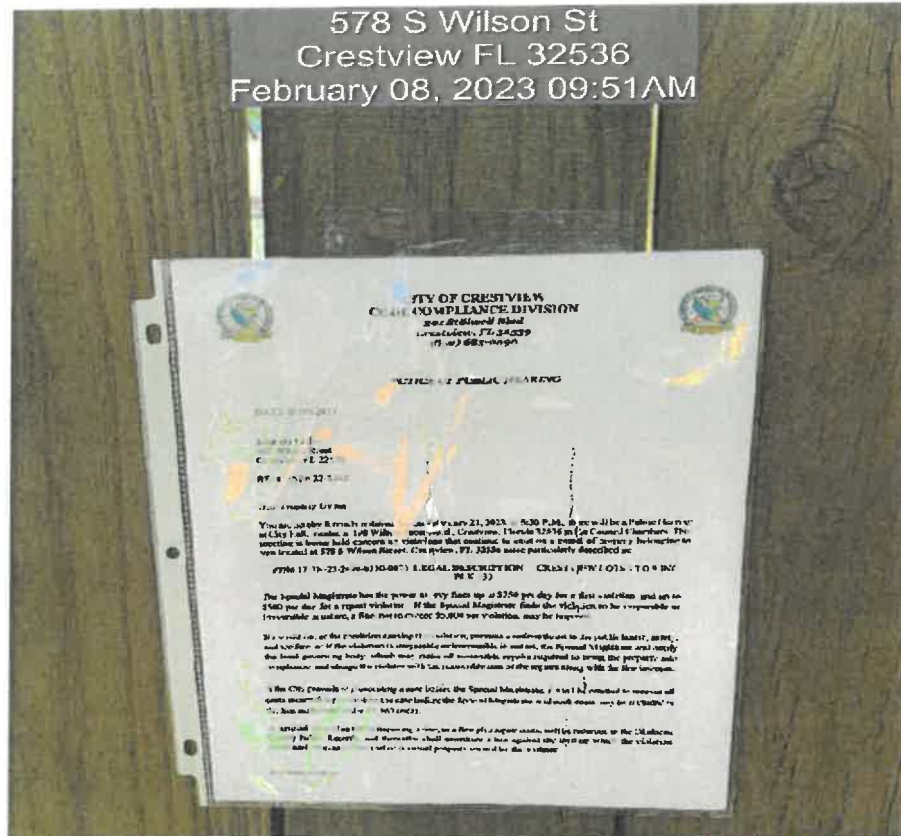


EXHIBIT # 3







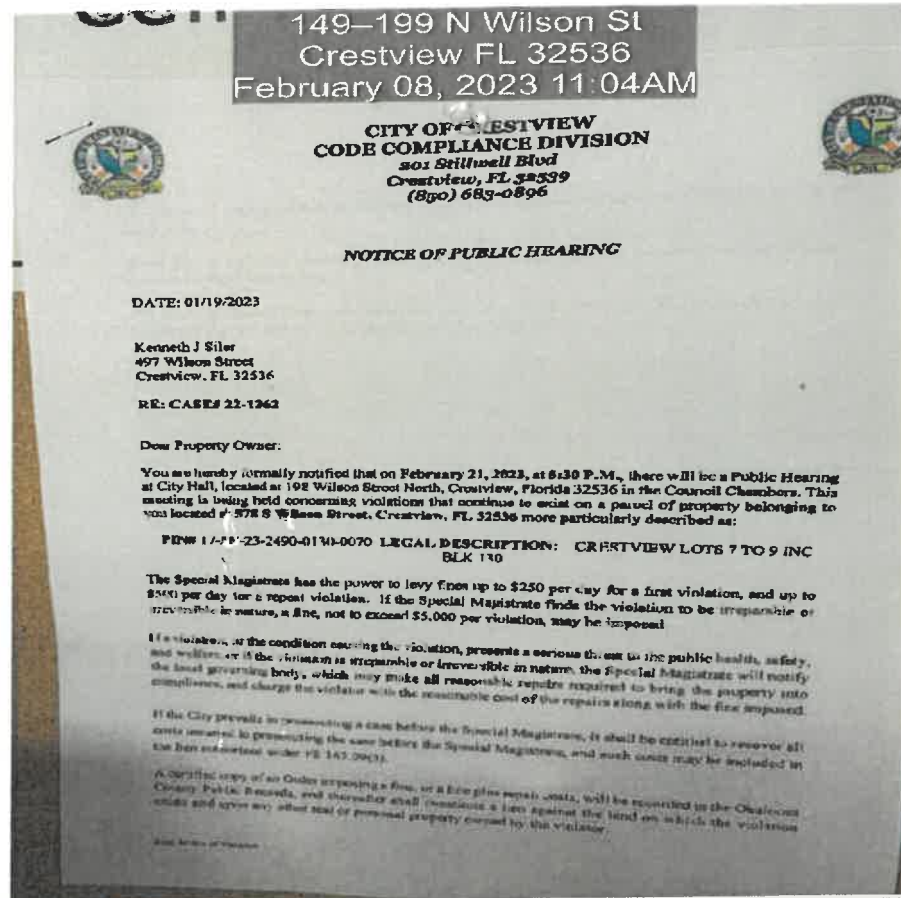
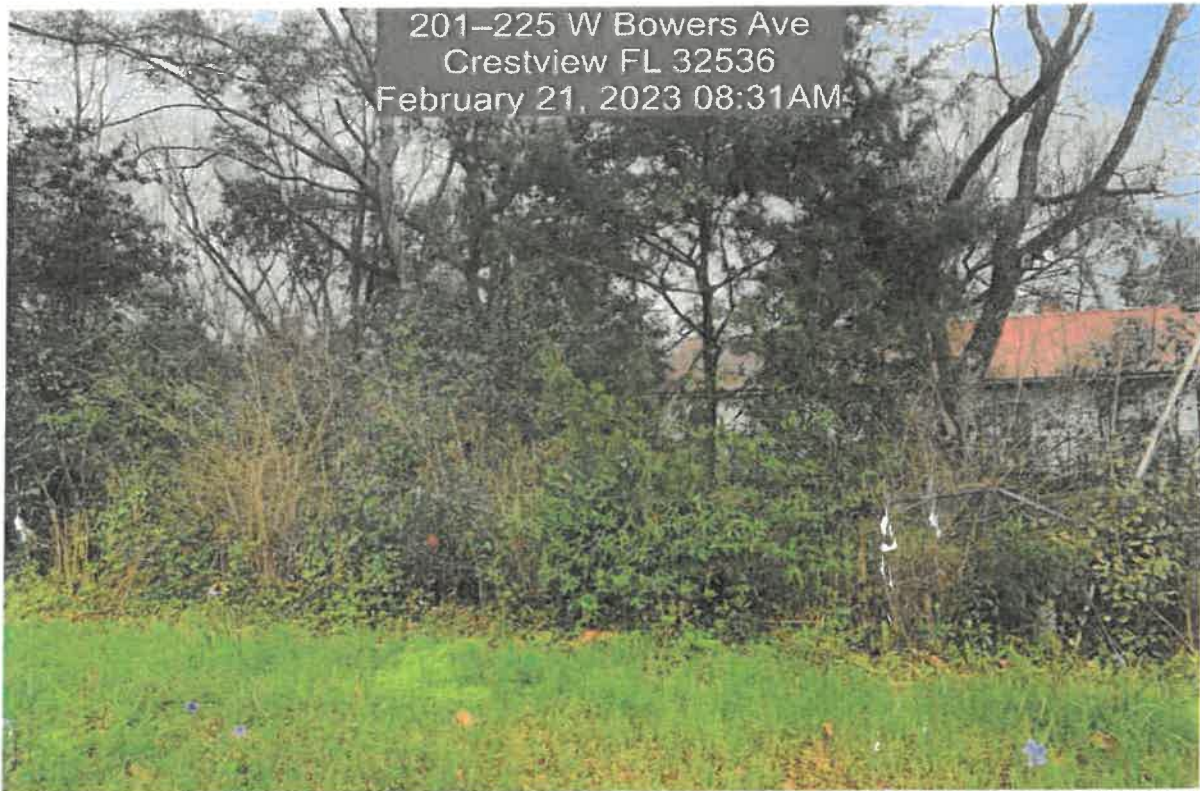


EXHIBIT # 3



EXHIBIT # 3



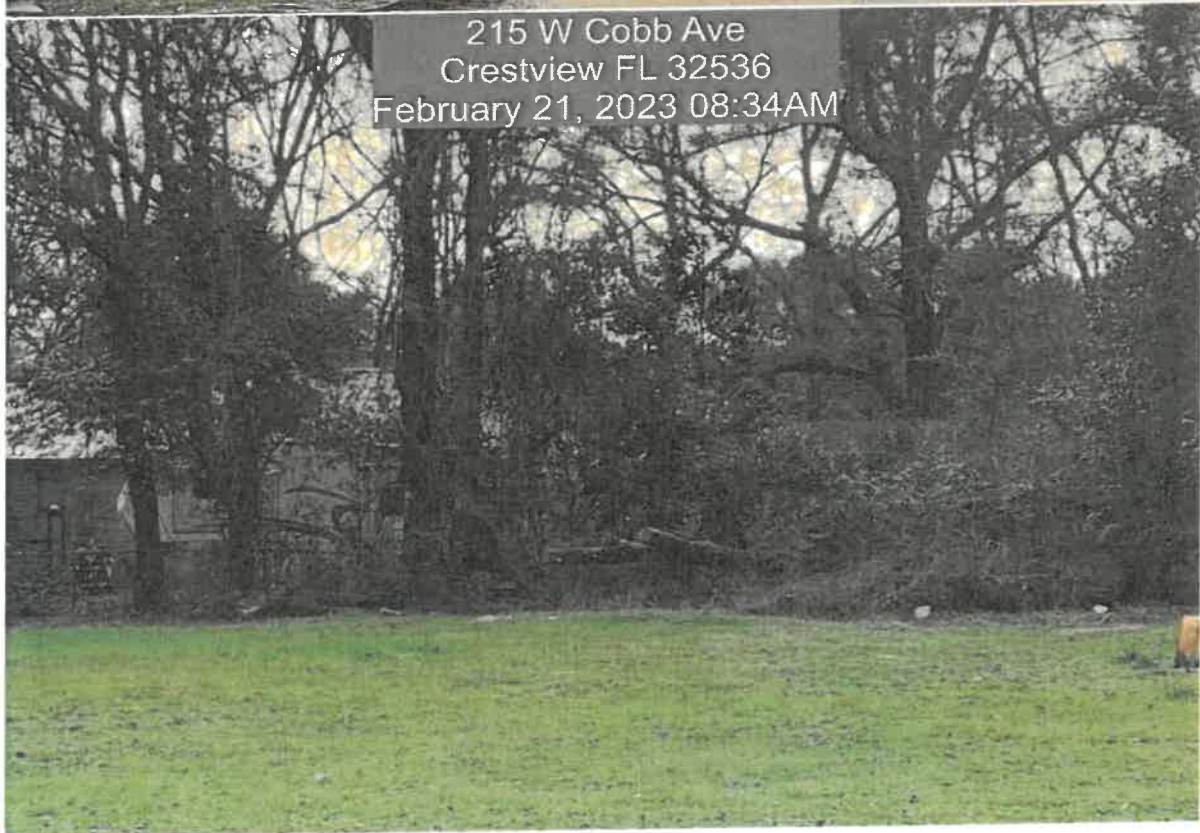
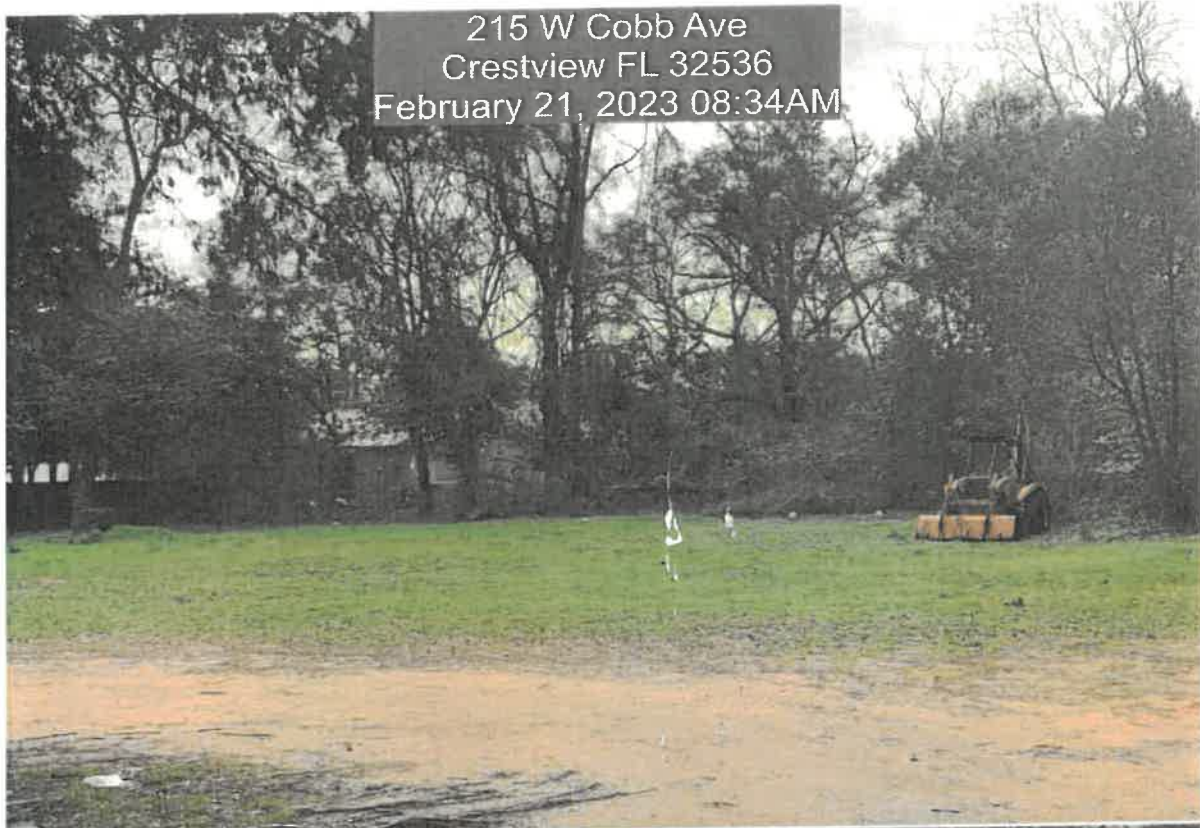


EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: August 29, 2022

Case #: 22-00001362

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: 578 S WILSON ST

Tax Identification Number: 17-3N-23-2490-0130-0070

Legal: CRESTVIEW LOTS 7 TO 9 INC BLK, 130,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **September 12, 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,

A handwritten signature in blue ink that reads "Deborah Lawson".

Deborah Lawson

Code Compliance Officer

850.306.3702/850.612.9714

EXHIBIT # 3

CASE NUMBER 22-00001362
PROPERTY ADDRESS 578 S WILSON ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 8/29/22
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.

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 8/29/22
LOCATION:

ORDINANCE DESCRIPTION :

LAND DEVELOPMENT CODE CHAPTER 7 SECTION 7.05.03 - RECREATIONAL CAMPS

Recreational camps are allowed by special exception in the MU, C-1, C-2 and E districts in accordance with the City of Crestview s LDC, SECTION 7.05.03 - RECREATIONAL CAMPS.

You may abate the violation by removing the building(s), structure(s), tent(s), trailer(s), or vehicle(s), from the property.

Please contact Planning & Zoning @ 850-682-1560 ext 203, for further information.

CORRECTIVE ACTION REQUIRED :

PROHIBITED

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.

Tracking Number:

Remove X

70191120000196048074

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Delivered, Individual Picked Up at Post Office

CRESTVIEW, FL 32539

September 6, 2022, 2:02 pm

See All Tracking History

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☐ Return Receipt (hardcopy)	\$
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☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$.57
Total Postage and Fees	\$ 4.57
KENNETH J SIVER	
477 S WILSON ST	
CRESTVIEW, FL 32536	
PS Form 3800, April 2015 PSN 7500-02-000-9047 See Reverse for Instructions	

22-1302 NI

Feedback

Text & Email Updates



USPS Tracking Plus®



EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: September 14, 2022
Case #: 22-00001362

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: 578 S WILSON ST
Tax Identification Number: 17-3N-23-2490-0130-0070
Legal: CRESTVIEW LOTS 7 TO 9 INC BLK, 130,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **September 30, 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

EXHIBIT # 3

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00001362
PROPERTY ADDRESS 578 S WILSON ST

VIOLATION: CH 6 DEVELOPMENT STANDARD QUANTITY: 1
DESCRIPTION: RV'S CAMPER'S CAMP TRAILERS DATE: 9/14/22
LOCATION:

ORDINANCE DESCRIPTION :

CHAPTER 6 DEVELOPMENT STANDARDS 6.01.02 - RESIDENTIAL DESIGN STANDARDS

4N-Recreational Vehicles, Campers, Camp Trailers, or mobile dwelling vehicles that are not regulated by the Florida Building Code, Residential, are not permitted for use as dwellings.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the RV, Camper, Camp Trailer, or Mobile Dwelling Vehicle from the property.

EXHIBIT # 3

Tracking Number:

70191120000196048289

Remove X

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Your item was picked up at the post office at 3:00 pm on September 20, 2022 in CRESTVIEW, FL 32539.

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CRESTVIEW, FL 32539

September 20, 2022, 3:00 pm

[See All Tracking History](#)

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Extra Services & Fees (check box, and fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	0.57
Total Postage and Fees	4.57

Postmark Here

KENNETH J SILVER #22-1362 N2
497 S WILSON ST
CRESTVIEW, FL 325310

PS Form 3800, April 2015 PSN 7530 01 000 5047 See Reverse for Instructions

Feedback

Text & Email Updates

USPS Tracking Plus®

EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: October 6, 2022

Case #: 22-00001362

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: 578 S WILSON ST

Tax Identification Number: 17-3N-23-2490-0130-0070

Legal: CRESTVIEW LOTS 7 TO 9 INC BLK, 130,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **October 25, 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

EXHIBIT # 3

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00001362
PROPERTY ADDRESS 578 S WILSON ST

VIOLATION: CH 6 DEVELOPMENT STANDARD QUANTITY: 1
DESCRIPTION: RV'S CAMPER'S CAMP TRAILERS DATE: 9/14/22
LOCATION:

ORDINANCE DESCRIPTION :

CHAPTER 6 DEVELOPMENT STANDARDS 6.01.02 - RESIDENTIAL DESIGN STANDARDS

4N-Recreational Vehicles, Campers, Camp Trailers, or mobile dwelling vehicles that are not regulated by the Florida Building Code, Residential, are not permitted for use as dwellings.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the RV, Camper, Camp Trailer, or Mobile Dwelling Vehicle from the property.

EXHIBIT # 3

Tracking Number:

Remove X

70191120000196045387

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Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

USPS is now in possession of your item as of 2:53 pm on October 7, 2022 in CRESTVIEW, FL 32539.

Get More Out of USPS Tracking:

USPS Tracking Plus®

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EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 11, 2023
Case #: 22-00001362

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: 578 S WILSON ST
Tax Identification Number: 17-3N-23-2490-0130-0070
Legal: CRESTVIEW LOTS 7 TO 9 INC BLK, 130,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **January 18, 2023**, 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 # 3

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00001362
PROPERTY ADDRESS 578 S WILSON ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 8/29/22
LOCATION:

NARRATIVE :
9/14/2022, 1:27:55 PM CRES DLL
Vegetation has been removed.

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.

VIOLATION: CH 6 DEVELOPMENT STANDARD QUANTITY: 1
DESCRIPTION: RV'S CAMPER'S CAMP TRAILERS DATE: 9/14/22
LOCATION:

ORDINANCE DESCRIPTION :
CHAPTER 6 DEVELOPMENT STANDARDS 6.01.02 - RESIDENTIAL DESIGN
STANDARDS

4N-Recreational Vehicles, Campers, Camp Trailers, or mobile
dwelling vehicles that are not regulated by the Florida
Building Code, Residential, are not permitted for use as
dwellings.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by removing the RV, Camper, Camp
Trailer, or Mobile Dwelling Vehicle from the property.

VIOLATION: CH 38 SEC 65 ACC STR-POOL QUANTITY: 1
DESCRIPTION: ACC STR-POOLS-SPAS DATE: 1/11/23
LOCATION:

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

EXHIBIT # 3

CASE NUMBER 22-00001362
PROPERTY ADDRESS 578 S WILSON ST

ORDINANCE DESCRIPTION :

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 property within the city shall allow the accumulation of stagnant water.

VIOLATION: CH 38 SEC 66
DESCRIPTION: ACCESSORY STRUCTURES
LOCATION:

QUANTITY: 1
DATE: 1/11/23

ORDINANCE DESCRIPTION :

38.66 - Accessory structures.

EXHIBIT # 3

CASE NUMBER 22-00001362
PROPERTY ADDRESS 578 S WILSON ST

ORDINANCE DESCRIPTION :

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 # 3

BUILDING OFFICIAL STRUCTURAL DETERMINATION

1/10/23
DATE

22-1362 578 S Wilson

ADDRESS/LOCATION OF VIOLATION

South side of accessory structure missing roofing material
NATURE OF VIOLATION(S) OBSERVED

Remove south portion or get permit and replace roofing on south side
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: Met owner (Kenny Siler) at property. He acknowledged that he saw the same violation I saw from the Right of Way. He stated he would remove it but not until he received a letter from code enforcement.


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

1/10/23
DATE

EXHIBIT # 3

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KENNETH J SILVER 22-1302 497 S WILSON ST CRESTVIEW, FL 32536	
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EXHIBIT # 3



**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
201 Stillwell Blvd
Crestview, FL 32539
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 01/19/2023

**Kenneth J Siler
497 Wilson Street
Crestview, FL 32536**

RE: CASE# 22-1362

Dear Property Owner:

You are hereby formally notified that on **February 21, 2023, 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 **578 S Wilson Street, Crestview, FL 32536** more particularly described as:

**PIN# 17-3N-23-2490-0130-0070 LEGAL DESCRIPTION: CRESTVIEW LOTS 7 TO 9 INC
BLK 130**

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

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

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

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

Encl: Notice of Violation

EXHIBIT # 3

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

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

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

Sincerely,



Deborah Lawson

Code Compliance Officer

City of Crestview

850.307.3702/850.612.9714

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 in the street and the lot line.

Corrective Action Required: Remove overgrown and uncultivated vegetation from the property.

Code of Ordinance Violated: LDC Chapter 6.01.012 4N

Recreational vehicles, campers, camp trailers, or mobile dwelling vehicles that are not regulated by the Florida Building Code, Residential, are not permitted for use as dwellings.

Corrective Action Required: Remove the RV, camper, camp trailer, or mobile dwelling vehicle from the property.

Code of Ordinance Violated: Chapter 38 Section 65 (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 required permit and repair or replace accessory structures.

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: Obtain the required permit and repair or replace accessory structures.

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Total Postage and Fees	7.82

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JAN 20 2023

22-1342 PHW

SENT TO: KENNETH J SILVER
497 S WILSON ST
CRESTVIEW, FL 32536

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

EXHIBIT # _____

EXHIBIT # 3

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

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 22-1362

I, Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 8th day of February 2023, I personally posted said Notice of Hearing at: 578 S Wilson Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

2/8/23
Date

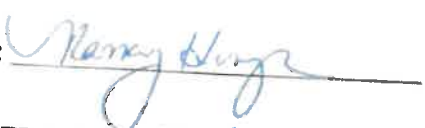
Before me, the undersigned authority personally appeared, Deborah Lawson, who being duly sworn deposes and states that she executed the foregoing affidavit, and it is true and correct.

Sworn to and subscribed before me this 8th day of February 2023.

(SEAL)



NANCY HOUGH
Commission # HH 325870
Expires November 5, 2026

NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 11-5-2026



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



Inst. #3607924 Blk: 3663 Pg: 1623
Page 1 of 3 Recorded: 2/24/2023 11:37 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,
Petitioner,

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

vs.

CASE# 22-1362

Kenneth J 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 February 21, 2023. 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, Crestview, FL 32536, is the owner of the property located at, 578 S Wilson Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0130-0070, and more particularly described as: CRESTVIEW LOTS 7 TO 9 INC BLK 130
2. The conditions on the property consist of overgrown vegetation. The violation(s) were first observed on August 29, 2022. A Notice of Violation was mailed by certified mail August 30, 2022, and received by respondent on September 6, 2022. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (k) . - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by September

12, 2022. Re inspection of the property on September 13, 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 (k). - 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 , 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.
9. On or before March 24, 2023, the Respondent is to correct the violation(s) by conducting the following action(s):

- a. Remove overgrown vegetation from the property.
10. If the violation(s) are not corrected by March 24, 2023, a fine in the amount of \$250 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 21st day of February 2023.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2023.02.23
10:04:15 -06'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schrader, MMC
City Clerk
DATE: 2-24-2023

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 # 21-386**124 S Booker St**

Owner of Record: Hayvard Lee 879 McDonald Street, Crestview, FL 32536

Origination Date: 01/14/2021 Origination Code: Police Dept. Referral

Violations: Chapter 38 Section 18: (a) Nuisance Conditions (b) Trash, debris, garbage
(d) Dilapidated structure (f) Odors and emission of odors Section 19: Trash, debris, vegetation
in right of way Section 48: Property exterior Section 70: Unsightly conditions
Chapter 70 Section 70-27: Refuse not acceptable for collection

Corrective Action Required: Obtain a demolition permit and demolish the structure and remove
all demolition debris. Remove the trash, litter, debris, packing boxes, lumber, construction
material, solid waste, horticulture debris, salvage materials, abandoned appliances, machinery,
equipment, and any furniture specifically not designed for outdoor use.

Notice Sent: 01/15/2021 Signed: 01/16/2021 Compliance Date: 01/21/2021

Inspected: 01/21/2021 Results: In Violation

Notice Sent: 01/22/2021 Signed: 01/23/2021 Compliance Date: 01/23/2021

Inspected: 01/28/2021 Results: In Violation

Public Hearing Notice Sent: 06/17/2021 Signed: 06/18/2021

Hearing Date: July 20, 2021

Property remains in violation

Order Recorded: August 24, 2021 Wet Stamp Recorded: December 1, 2022

Hearing fee: \$250 Due by 08/21/2021

Daily fine: \$250 Start: 08/21/2021

Fines: \$183,000 as of August 24, 2023 Property Value: \$9,150

Related Properties:

108 S Booker St 17-3N-23-2490-0076-0130 Hayvard Lee

Case # 21-391 Hearing Date: May 18, 2021 Fines: \$198,750

Violations: Trash/debris, Inoperable vehicles

Vacant Lot Benjamin St 20-3N-23-0000-0117-0180 Hayvard Lee

No cases found

Vacant Lot McDonald St 20-3N-23-0830-0001-0240 Hayvard Lee

No cases found

879 McDonald St 20-3N-23-0830-0003-0080 Hayvard Lee

Case # 20-416 Hearing Date: November 17, 2020 Fines: \$248,750

Violations: Inoperable vehicles

CASE 21-386
124 S BOOKER STREET
EXHIBIT 3
TUESDAY, JULY 20, 2021

CASE 21-386

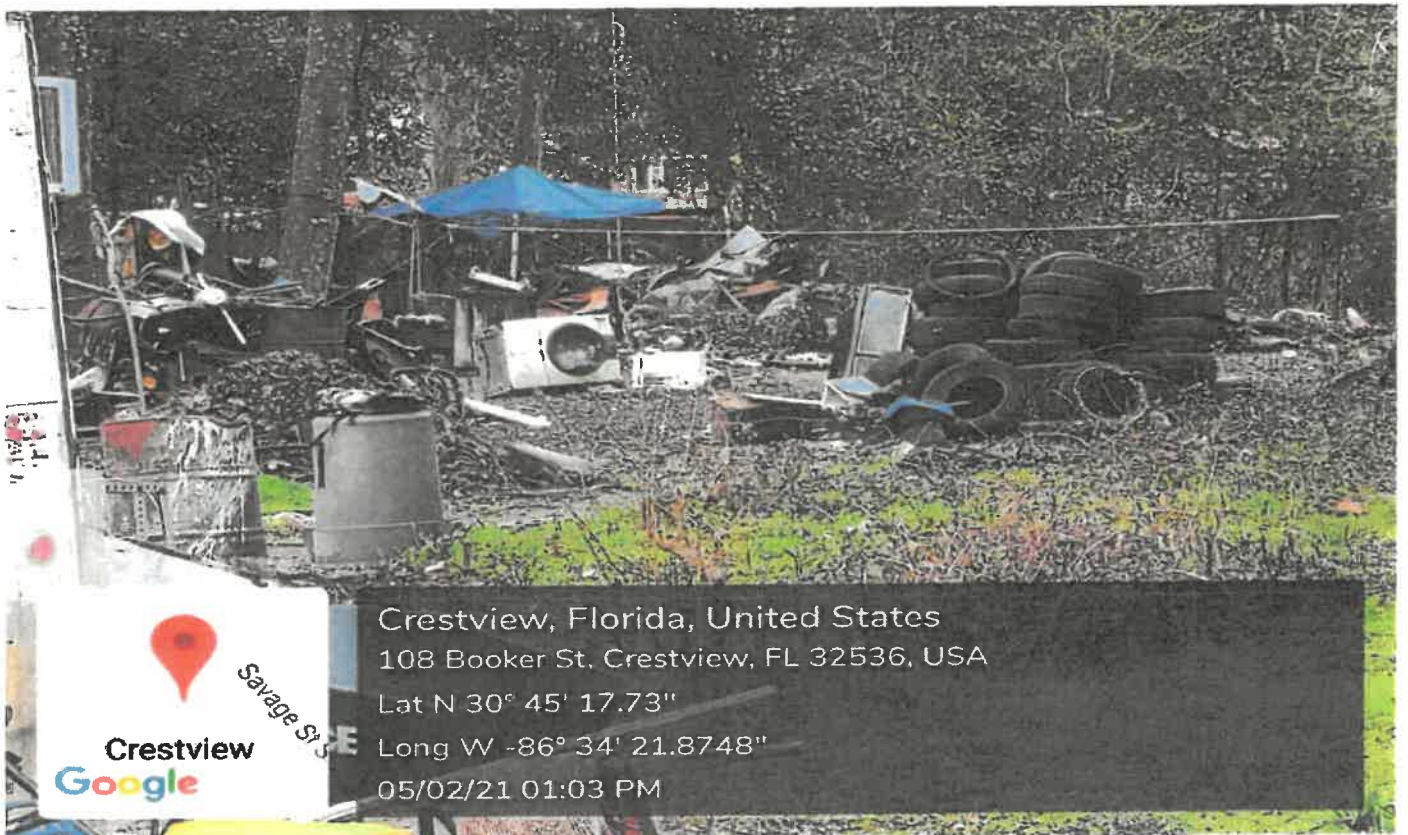
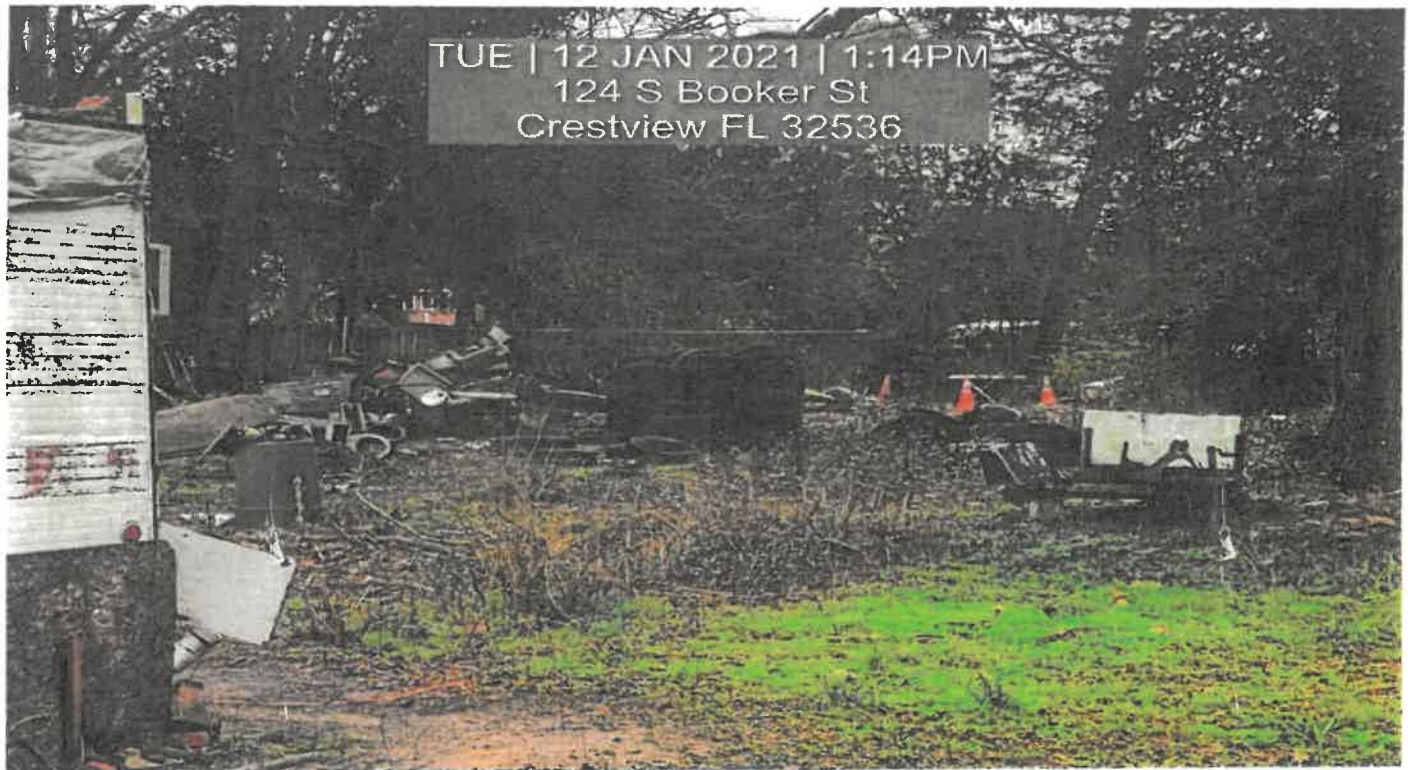


EXHIBIT 3

CASE 21-386

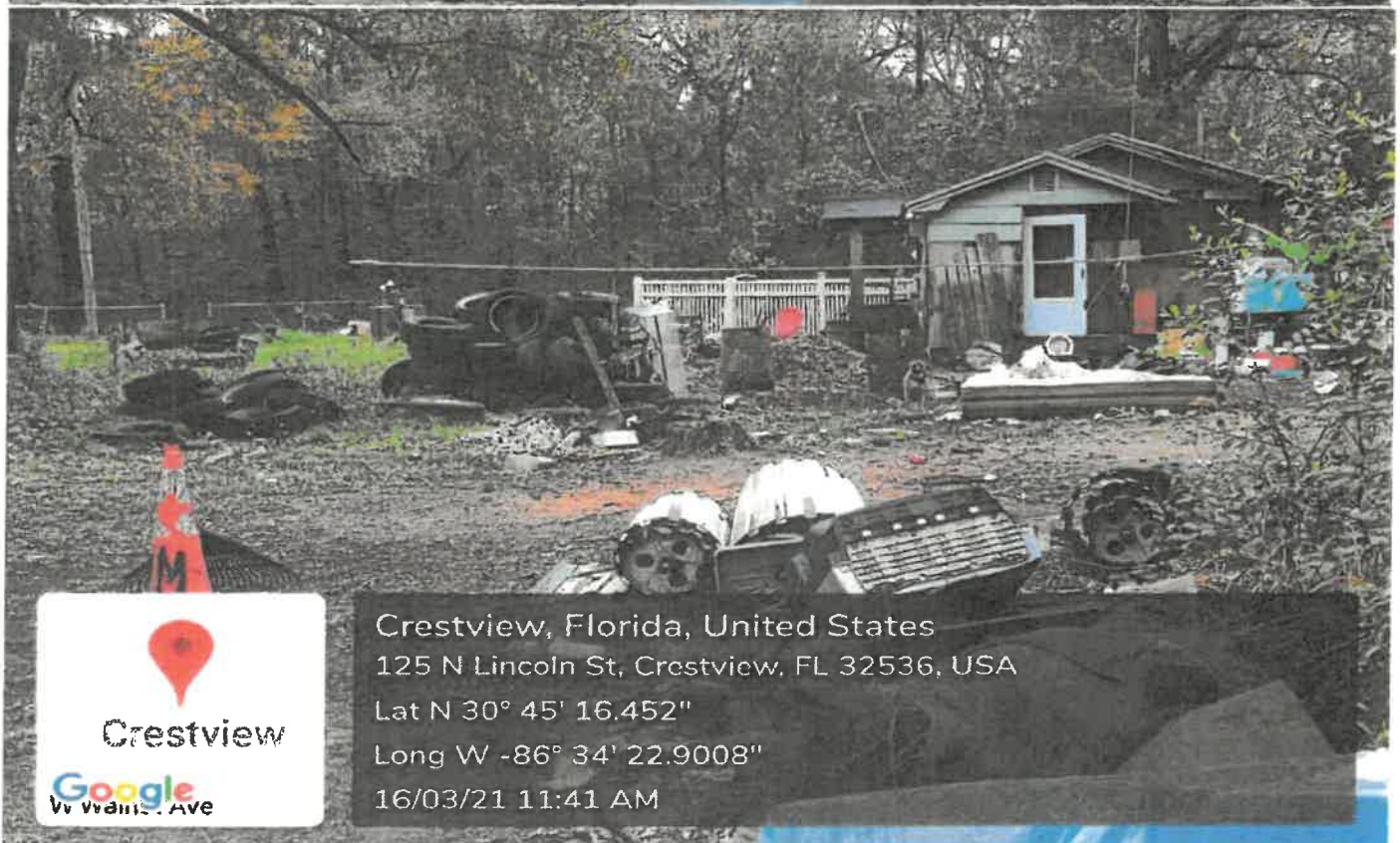
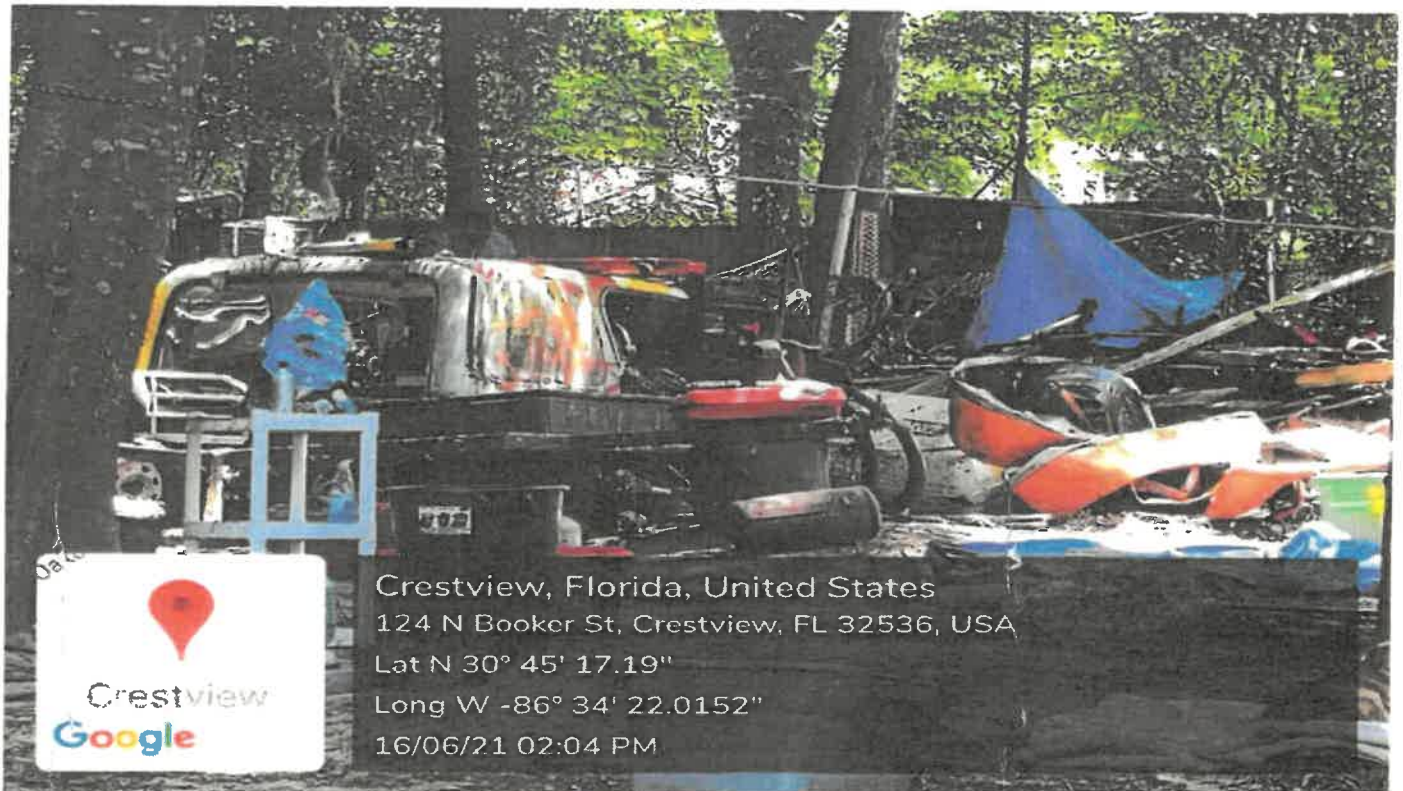


EXHIBIT 3

CASE 21-386

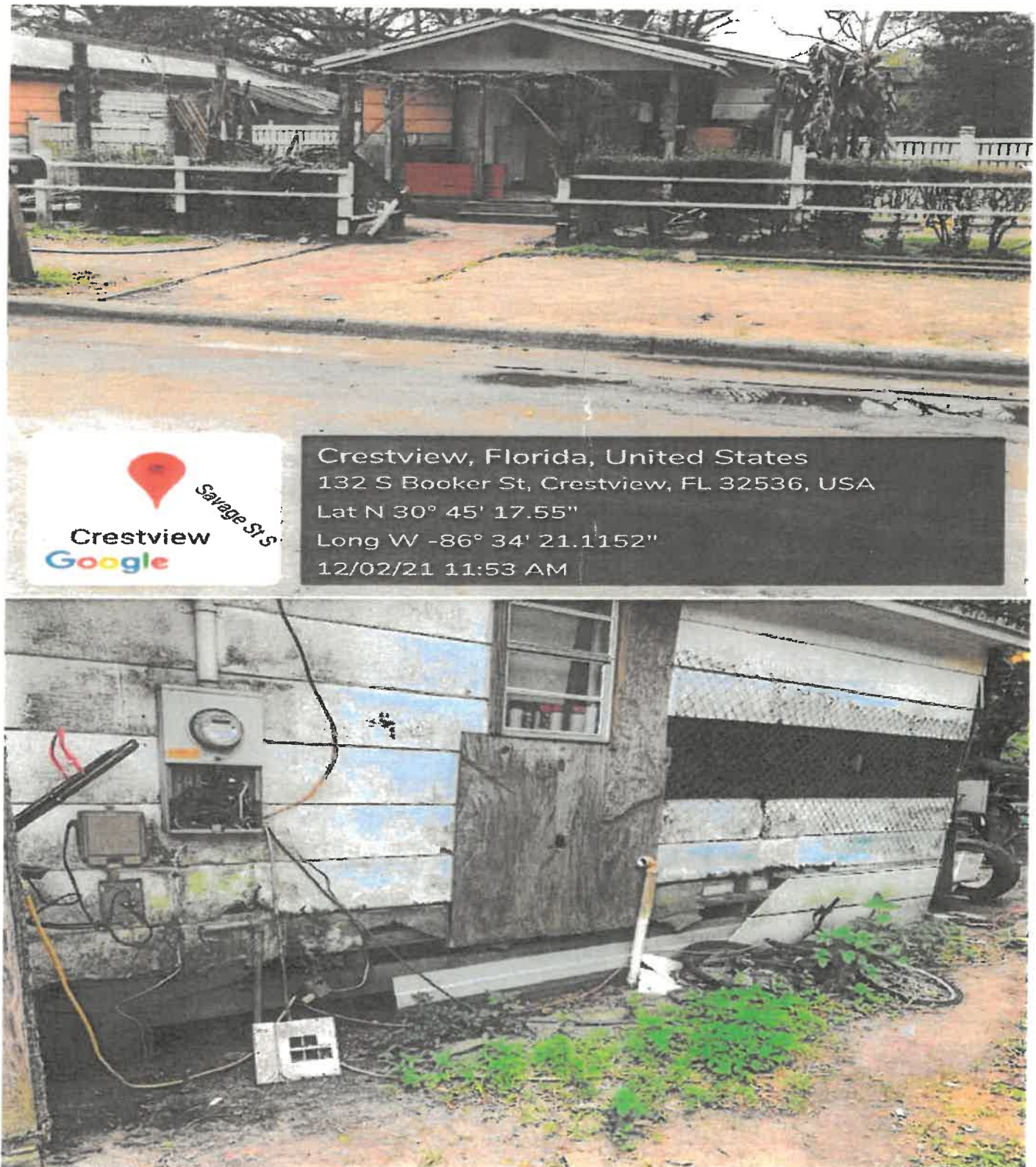


EXHIBIT 3

CASE 21-386



EXHIBIT 3

CASE 21-386

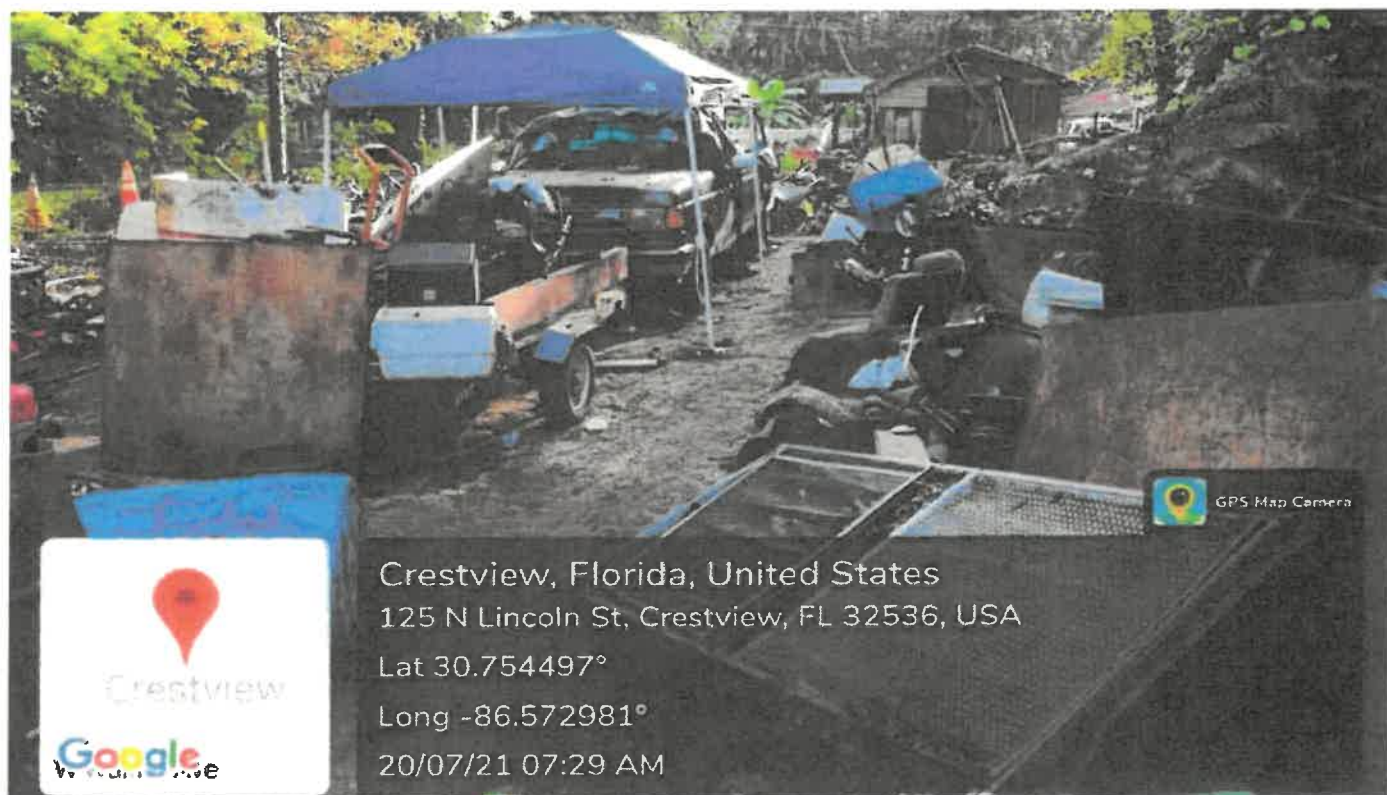
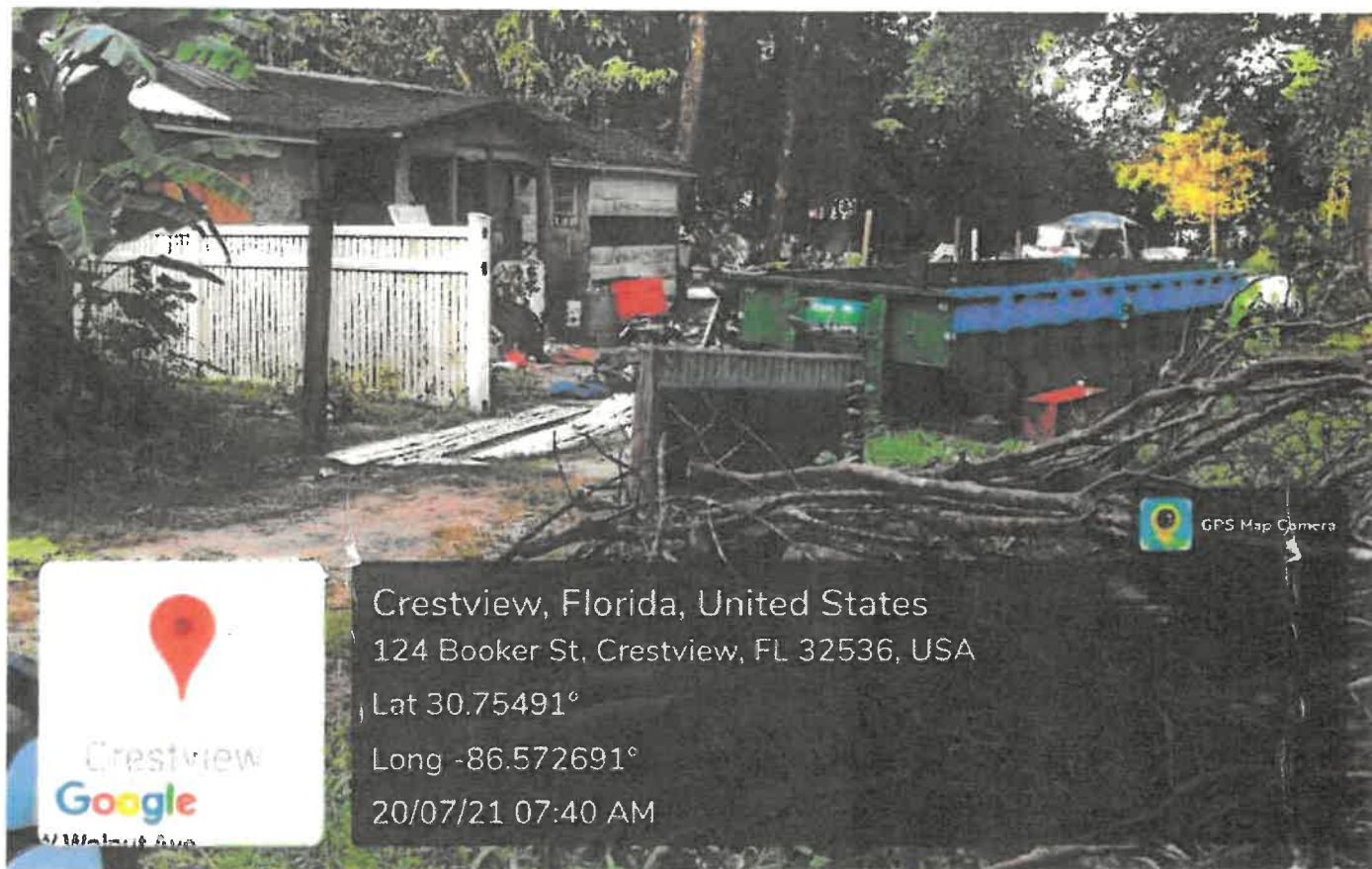


EXHIBIT 3



EXHIBIT 3

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

5/18/2021

DATE

124 S Booker St

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): At this time I recommend removal of
structure from property. Significant structural damage observed on
foundation/wood sub floor supports, Exterior walls, overhangs, and Roof system.
Stairs and porches falling apart. Electrical is unsafe. Signs on
structure say Eviction notice June 1, 2021. I spoke with a gentleman
on site and explained the electrical concerns. He stated if I would
give him an opportunity to fix it I would be impressed. I told him
I would give him until June 1 and if I wasn't ~~able~~ able
to determine the electrical was safe it will be disconnected,
and the Florida Building Code grants me that authority.


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

5/18/21
DATE

EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 14, 2021

Case #: 21-00000386

LEE HAYVARD
879 MCDONALD ST
CRESTVIEW, FL 325364719

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: 124 S BOOKER ST

Tax Identification Number: 17-3N-23-2490-0076-0150

Legal: CRESTVIEW LOT 15 & S1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **January 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,

Code Compliance Officer

EXHIBIT #

3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/14/21
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 2

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

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: 1/14/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38 - 4
(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT # 3

7019 2970 0000 9142 1266

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Postage and Fees
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 Return Receipt (hardcopy) 0.25
 Return Receipt (electronic) 0
 Certified Mail Restricted Delivery 0
 Adult Signature Required 0
 Adult Signature Restricted Delivery 0

Postage
 Total Postage and Fees 6.90

Sent To: LEE HAYWARD 21.386
 879 McDONALD ST
 CRESTVIEW, FL 32536

PS Form 3811, March 2015 PSN 7530-02-000-9053 See instructions for restrictions and limitations.

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: LEE HAYWARD 879 McDONALD ST. CRESTVIEW, FL 32536  9590 9402 5896 0049 5039 08 2. Article Number (Transfer from service label) 7019 2970 0000 9142 1266	A. Signature X  ☒ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery 1/16 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 ☐ 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 # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 21, 2021

Case #: 21-00000386

LEE HAYVARD
879 MCDONALD ST
CRESTVIEW, FL 325364719

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: 124 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0076-0150
Legal: CRESTVIEW LOT 15 & S1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by January 28, 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 #

3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/14/21
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 2

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

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: 1/14/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38 - 4
(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT # 3

7018 3090 0001 4427 6134

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OFFICIAL USE

Certified Mail Fee 3.55

Return Receipt (hardcopy) 2.85

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage 0.50

Total Postage and Fees 6.90

Sent To LEE HAYWARD 21.386

Street 899 McDONALD ST

City, 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:
LEE HAYWARD
899 McDONALD ST
CRESTVIEW, FL 32536

2. Article Number (Transfer from service label)
7018 3090 0001 4427 6134

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Coris-15 ☐ Agent ☐ Addressee

B. Received by (Printed Name)
H Lee

C. Date of Delivery
1-23-14

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 TM
☐ Certified Mail [®]	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Return Receipt for Merchandise
☐ Collect on Delivery	☐ Signature Confirmation TM
☐ Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery
☐ All Restricted Delivery	

(over 3500)

Domestic Return Receipt

EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: March 9, 2021
Case #: 21-00000386

LEE HAYVARD
879 MCDONALD ST
CRESTVIEW, FL 325364719

Dear LEE HAYVARD,

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: 124 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0076-0150
Legal: CRESTVIEW LOT 15 & S1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **March 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 #

3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/14/21
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 2

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

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: 1/14/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38 - 4
(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT # 3

7538 2346 0001 1290 2020

U.S. Postal Service[™]
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OFFICIAL USE

Certified Mail Fee 3.60

Extra Services & Fees (Indicate additional charges)
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☐ 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

Sent To HAYWARD LEE
879 McDONALD ST.
CRESTVIEW, FL 32536

Postmark 11 MAR -9 7538

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:
HAYWARD LEE
879 McDONALD ST.
CRESTVIEW, FL 32536

2. Article Number (Transfer from service label)
7020 1290 0001 2346 7538

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Con L-19 ☐ Agent ☐ Addressee

B. Received by (Printed Name)
H. Lee

C. Date of Delivery
3-10-11

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
☐ Delivery Restricted Delivery
☐ Registered Mail[™]
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation[™]
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: June 8, 2021
Case #: 21-00000386

LEE HAYVARD
879 MCDONALD ST
CRESTVIEW, FL 325364719

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: 124 S BOOKER ST
Tax Identification Number: 17-3N-23-2490-0076-0150
Legal: CRESTVIEW LOT 15 & S1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 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 #

3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

VIOLATION: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 1/14/21
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

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

CORRECTIVE ACTION REQUIRED :

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

VIOLATION: CH 38 SEC 18 (d) QUANTITY: 1
DESCRIPTION: DEMOLITION OF STRUCTURE 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 (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

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

ORDINANCE DESCRIPTION :

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: CH 38 SEC 65 FOUNDATION QUANTITY: 1
DESCRIPTION: FOUNDATION 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.

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 :

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).

Correct the building foundation system so that it's capable of supporting the load for which it was designed.

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

EXHIBIT #

3

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 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.

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 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

EXHIBIT # 3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

CORRECTIVE ACTION REQUIRED :
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: 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:

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

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

ORDINANCE DESCRIPTION :

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 :

VIOLATION: CH 38 SEC 65 SUPPORTS	QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS	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

EXHIBIT #

3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

ORDINANCE DESCRIPTION :

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: APPLIANCES; ABANDONEMENT QUANTITY: 1
DESCRIPTION: ADANDONED DISCARDED APPLIANCES DATE: 6/04/21
LOCATION:

ORDINANCE DESCRIPTION :

823.07 Iceboxes, refrigerators, deep-freeze lockers, clothes washers, clothes dryers, or airtight units; abandonment, discard.

It is unlawful for any person knowingly to abandon or discard or to permit to be abandoned or discarded on premises under his or her control any icebox, refrigerator, deep-freeze locker, clothes washer, clothes dryer, or similar airtight unit having an interior storage capacity of 11/2 cubic feet or more from which the door has not been removed.

CORRECTIVE ACTION REQUIRED :

You may correct this violation by immediatley removing the doors from the appliance. Once the doors have been removed you may contact Waste Pro @ 850-689-8600 for pick up.

EXHIBIT # 3

VIOLATION DETAIL

PAGE 8

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 6/04/21
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 :

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 70 QUANTITY: 1
DESCRIPTION: UNSIGHTLY CONDITIONS DATE: 6/04/21
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.

38.70 - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are

EXHIBIT #

3

CASE NUMBER 21-00000386
PROPERTY ADDRESS 124 S BOOKER ST

ORDINANCE DESCRIPTION :

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 #

3

7020 1290 0001 5682 2229

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

Postage \$ 0.51

Total Postage and Fees \$ 6.96

Return Receipt (hardcopy) ☒ 2.85

Return Receipt (electronic) ☐

Certified Mail Restricted Delivery ☐

Adult Signature Required ☐

Adult Signature Restricted Delivery ☐

Postmark Here

21.386

Sent To LEE HARVARD

Street 879 McDONALD STR

City CRESTVIEW, FL 32536

PS Form 3800, April 2015 (Rev. 12-15-14) 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:

LEE HARVARD
879 McDONALD STR.
CRESTVIEW, FL 32536

9590 9402 5522 9249 9956 03

2. Article Number (Transfer from service label)

7020 1290 0001 5682 2229

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature X Cond. J ☐ Agent ☐ Addressee

B. Received by (Printed Name) H. Lee C. Date of Delivery 6-10-17

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 ☐ Mail Restricted Delivery

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: 6/11/2021

Lee Hayvard
879 McDonald Str
Crestview, FL 32536

RE: CASE# 21-386

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 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 **124 BOOKER ST, Crestview, FL 32536** more particularly described as:

PIN# 17-3N-23-2490-0076-0150 LEGAL DESCRIPTION: CRESTVIEW LOT 15 & S1/2 OF LOT 14 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).

End: Notice of Violation

EXHIBIT #

3

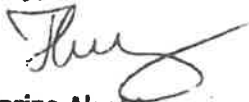
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

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 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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

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

7020 3160 0001 0731 1332

Certified Mail Fee **3.40**

Additional Services & Fees (check box, add fee)

☒ Return Receipt (hardcopy) **2.85**

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage **61**

Total Postage and Fees **64.94**

HAYWARD LEE #21-3816
879 McDONALD ST
CRESTVIEW, FL 32536

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

CRESTVIEW, FL 32536
 JUN 17 2021
 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:
HAYWARD LEE
879 McDONALD ST
CRESTVIEW, FL
32536

9590 9402 5522 9249 9970 27

2. Article Number (Transfer from service label)
7020 3160 0001 0731 1332

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X O C C Y C I G ☒ Agent ☐ Addressee

B. Received by (Printed Name)
H Lee

C. Date of Delivery
6-18

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

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery **09**

Domestic Return Receipt

EXHIBIT # 3

Code of Ordinance Violated: Chapter 38 Section 70 (A-F)- Unsightly Conditions

- A) Structures that are:
 - 1) Partially destroyed; or
 - 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.
- 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: Obtain a building permit and demolish the structure. Remove the abandoned or broken equipment, and household appliances from the property.

Code of Ordinance Violated: Chapter 70 Section 70-27 (1) (2) (3) (4) (5) (7)- Refuse not acceptable for collection.

- 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 the FDER that are commonly referred to as "C & D waste".
- 4) Solid wastes resulting from industrial processes.
- 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 Required: Remove all hazardous materials, construction waste, bricks, tree debris and tires from the property.

EXHIBIT # 3

STATEMENT OF VIOLATION

CASE 21- 386

124 S BOOKER

Code of Ordinance Violated: Chapter 38 Section 18 (A) (B) (D) (F) - Nuisance Conditions

- A) Failure to maintain property in accordance with the standards set forth in this section or Code in general.
- B) Accumulation of 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.
- 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.
- F) All disagreeable or obnoxious odors and stench, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stench.

Corrective Action Required: Remove all trash, debris, equipment, appliances and bricks from the property. Remove the debris causing the odors in and around property. Obtain a building permit and demolish the structure.

Code of Ordinance Violated: Chapter 38 Section 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.

Corrective Action Required: Remove the trash, debris and overgrown vegetation from the right-of-way and easement.

Code of Ordinance Violated: Chapter 38 Section 48 (A) (B) – 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 permitted, caused, allowed or existing in any manner as to be a sanitary nuisance.

Corrective Action Required: Remove all trash, litter, construction material, solid waste, appliances, machinery, and equipment from the property.

EXHIBIT #

3



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



Inst. #3483007 Bk: 3569 Pg: 998
Page 1 of 4 Recorded: 8/24/2021 10:35 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,

Petitioner,

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

vs.

CASE# 21-386

Hayvard Lee
879 McDonald 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 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, Hayvard Lee whose last known mailing address is 879 McDonald Street, Crestview, FL 32536, is the owner of the property located at, 124 Booker Street South, Crestview, FL 32536, AKA PIN#17-3N-23-2490-0076-0150, and more particularly described as:

CRESTVIEW LOT 15 & S1/2 OF LOT 14 BLK 76

2. The conditions on the property consist of several abandoned appliances, a stack of tires, trash solid waste, and an unsafe structure. The violation(s) were first observed on January 12, 2021. A Notice of Violation was mailed by certified mail January 15, 2021 and received by respondent on January 16, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance Conditions – Section 18 (a, b, d, f), Chapter 38 Property Maintenance and Housing Standards - Property Exteriors - Section 48 (a, b), Chapter 38 Property

Maintenance and Housing Standards Section 70 - Unsightly Conditions Section (a-f) and Chapter 70 Solid Waste and Recycling Services Section 27 (1,2,3,4,5,7), of the City of Crestview's Code of Ordinances and requested correction of the violation by August 21, 2021. Re inspection of the property on July 20, 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 – Section 18 (a, b, d, f), Chapter 38 Property Maintenance and Housing Standards - Property Exteriors - Section 48 (a, b), Chapter 38 Property Maintenance and Housing Standards - Section 70 - Unsightly Conditions Section (a-f) and Chapter 70 Solid Waste and Recycling Services - Section 27 (1,2,3,4,5,7), 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):
 - a. Obtain a demolition permit and demolish the structure and removing all demolition debris.
 - b. Remove the trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, abandoned appliances, machinery, equipment, and any furniture, specifically not designed for outdoor use.
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. #3593615 Blk: 3653 Pg: 832
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# 21-386

Hayvard Lee
879 McDonald 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 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, Hayvard Lee whose last known mailing address is 879 McDonald Street, Crestview, FL 32536, is the owner of the property located at, 124 Booker Street South, Crestview, FL 32536, AKA PIN#17-3N-23-2490-0076-0150, and more particularly described as:

CRESTVIEW LOT 15 & S1/2 OF LOT 14 BLK 76

2. The conditions on the property consist of several abandoned appliances, a stack of tires, trash solid waste, and an unsafe structure. The violation(s) were first observed on January 12, 2021. A Notice of Violation was mailed by certified mail January 15, 2021 and received by respondent on January 16, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards – Nuisance Conditions – Section 18 (a, b, d, f), Chapter 38 Property Maintenance and Housing Standards - Property Exteriors - Section 48 (a, b), Chapter 38 Property

Maintenance and Housing Standards Section 70 - Unsightly Conditions Section (a-f) and Chapter 70 Solid Waste and Recycling Services Section 27 (1,2,3,4,5,7), of the City of Crestview's Code of Ordinances and requested correction of the violation by August 21, 2021. Re inspection of the property on July 20, 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 – Section 18 (a, b, d, f), Chapter 38 Property Maintenance and Housing Standards - Property Exteriors - Section 48 (a, b), Chapter 38 Property Maintenance and Housing Standards - Section 70 - Unsightly Conditions Section (a-f) and Chapter 70 Solid Waste and Recycling Services - Section 27 (1,2,3,4,5,7), 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):
 - a. Obtain a demolition permit and demolish the structure and removing all demolition debris.
 - b. Remove the trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, abandoned appliances, machinery, equipment, and any furniture, specifically not designed for outdoor use.
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: 
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.





Aug 29, 2023 at 2:32:49 PM
102 S Booker St
Crestview FL 32536



Aug 29, 2023 at 2:34:46 PM
115 Lincoln St S
Crestview FL 32536

Case # 23-104**215 W Cobb**

Owner of Record: Rodney L EL 596 McDonald St

Origination Date: 11/17/2022 Origination Code: Proactive

Violations: Chapter 38 Section 18 (b) – Trash and debris, Chapter 38 Section 65 (w) – Fences and walls

Corrective Action Required: a.) Remove 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.

b.) Obtain a building permit to repair or replace the fence or remove it from the property.

Notice Sent: 11/17/2022 Signed: 11/23/2022 Compliance Date: 12/12/2022

Inspected: 12/14/2022 Results: In Violation

Public Hearing Notice Sent: 12/14/2022 Signed: 12/16/2022

Hearing Date: 1/17/2023

Property remains in violation.

Order Recorded: 1/30/2023

Hearing fee: \$250 Due by 2/17/2023

Daily fine: \$250 Start: 2/17/2023

Fines: \$47,000 **as of August 23, 2023 (not including interest)**

Property Value: \$38,689

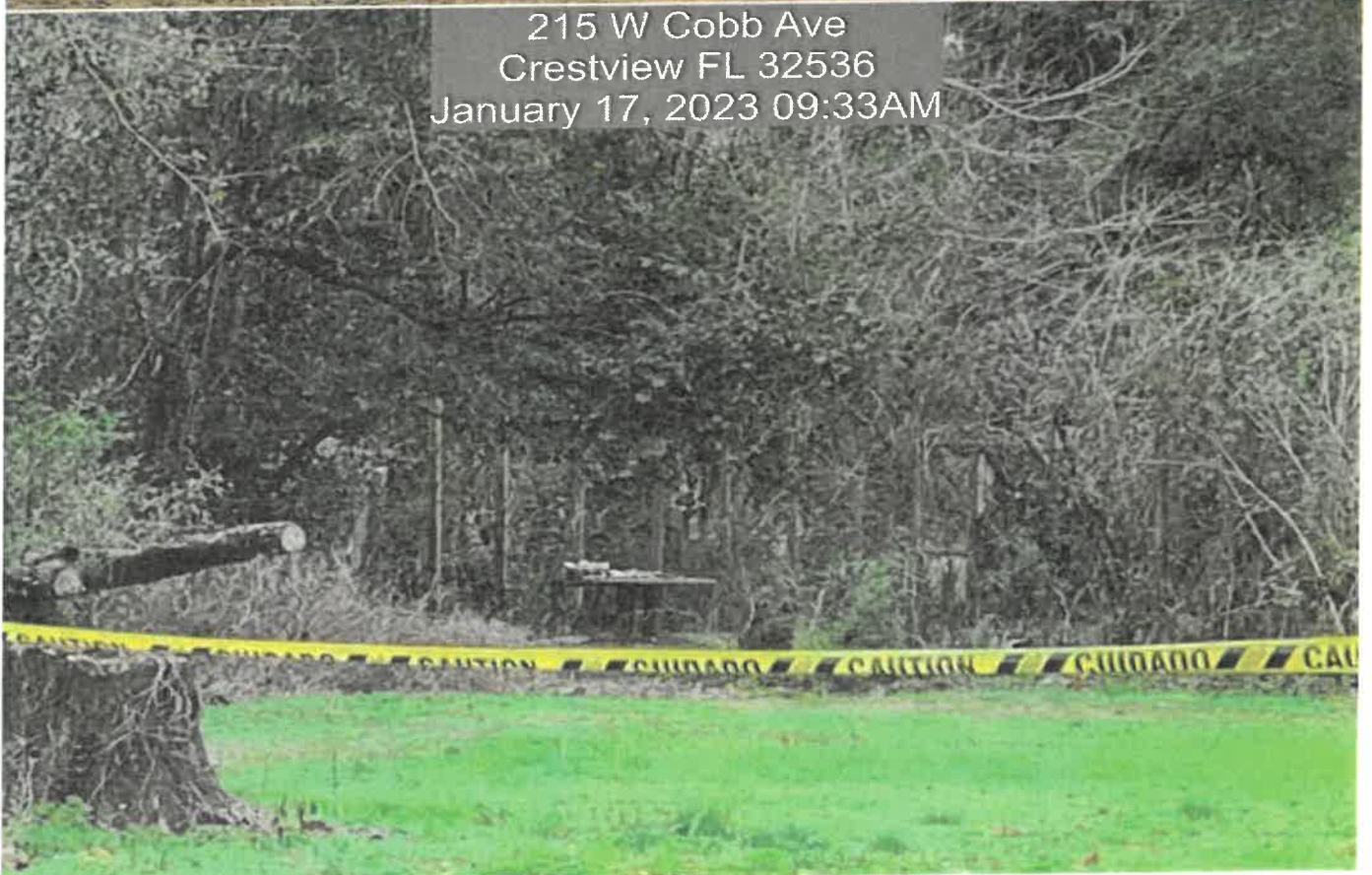
Related Properties:

215 W Cobb 17-3N-23-2490-0130-0040 Rodney L El

Case # 22-50 Hearing Date: February 15, 2022 Fines: \$1,000

Violations: Graffiti, Trash and debris, Unpermitted camps/tents, unsecured vacant structure.

Case # 23-104
215 W Cobb
January 17, 2023
Exhibit 11



Case # 23-104

215 W Cobb

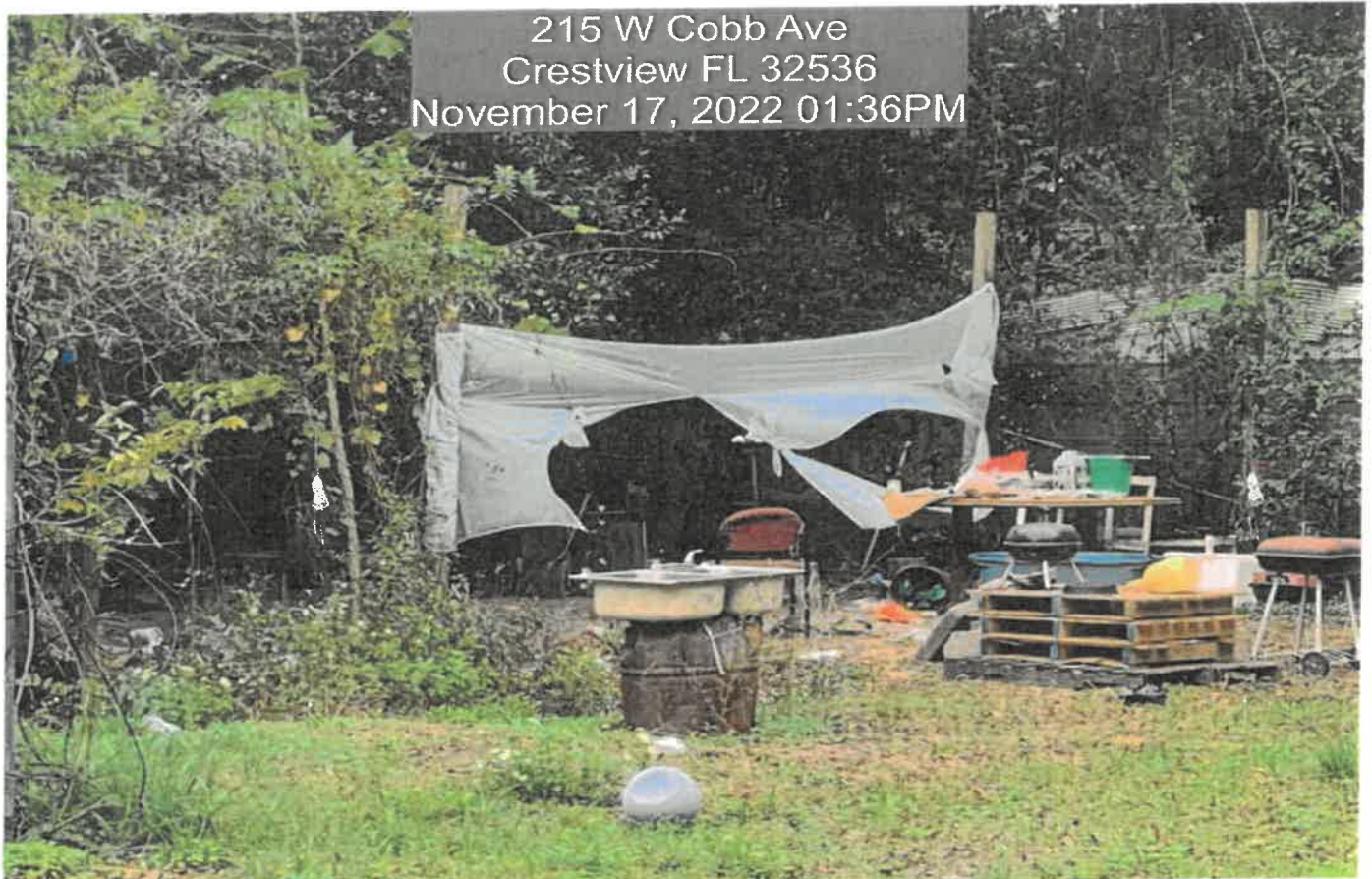


EXHIBIT # 11

Case # 23-104

215 W Cobb



EXHIBIT # 11

Case # 23-104

215 W Cobb

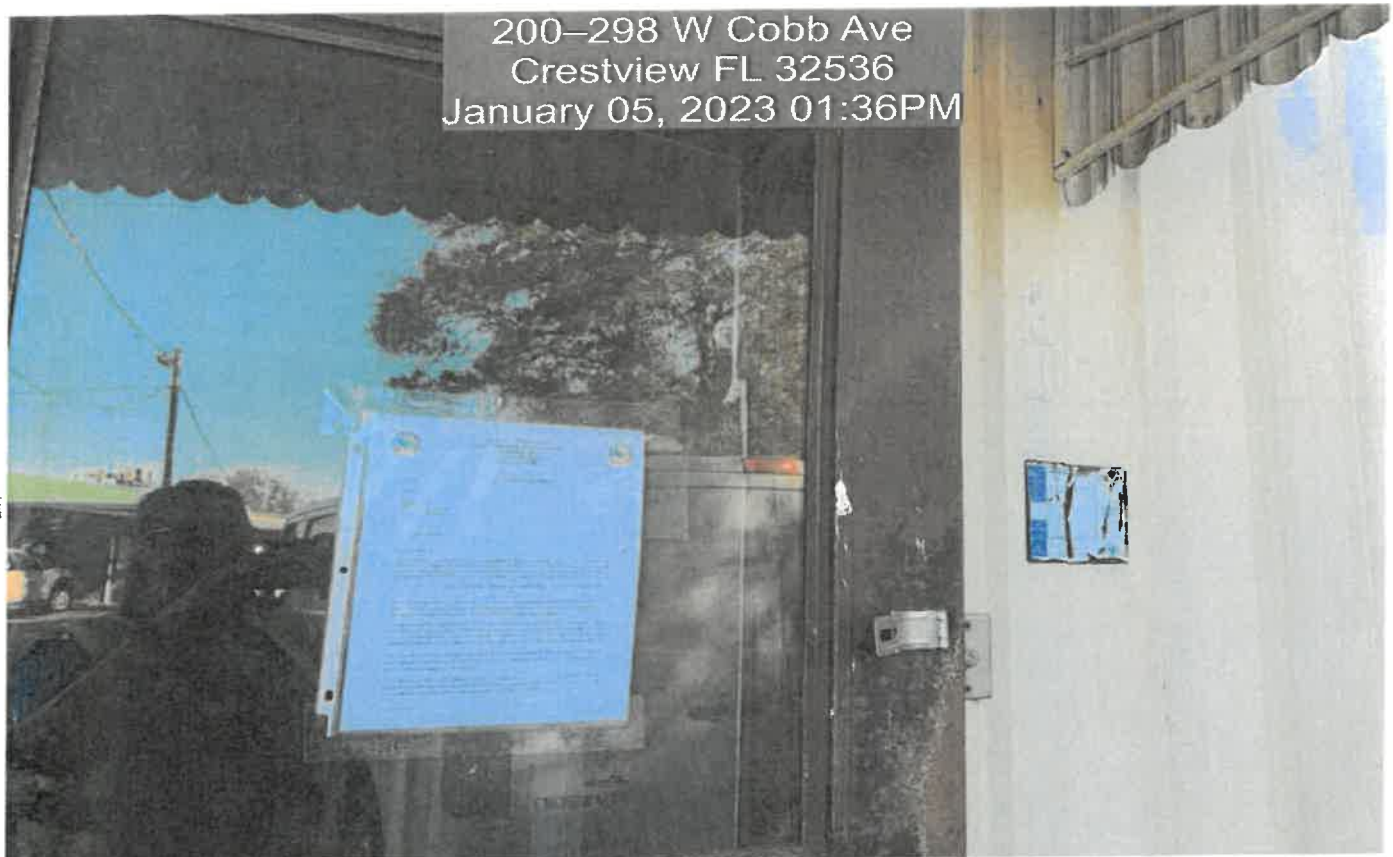


EXHIBIT # 11

Case # 23-104

215 W Cobb

149-199 N Wilson St
Crestview FL 32536
January 05, 2023 02:31PM



**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
201 Stillwell Blvd
Crestview, FL 32539
(850) 683-0896**



NOTICE OF PUBLIC HEARING

12/14/2022

Rodney I. El
596 McDonald Street
Crestview, FL 32536

RE: CASE# 23-104

Dear Property Owner:

You are hereby formally notified that on January 17, 2023, 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 215 W Cobb Avenue W, Crestview, FL 32536 more particularly described as:

PIN# 17-3N-23-2490-0130-0040 LEGAL DESCRIPTION: CRESTVIEW LOT 4 BLK 130

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 163.09(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.

Each Notice of Violation

EXHIBIT # 11

Deborah Lawson

From: Ronnie Raybon
Sent: Tuesday, November 15, 2022 2:56 PM
To: Deborah Lawson; Permitting
Cc: Joshua Grace
Subject: RE: W Cobb

It doesn't look to me like the fence was ever completed so I wouldn't be in favor of closing out the permit. I attached the options below. I was thinking maybe we could use option 3 or 4 however since the fence was never completed it doesn't meet the qualifications.

105.5 Additional options for closing a permit.

Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building permit, may close a building permit by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to satisfy the conditions of the permit and to obtain any necessary inspection in order to close the permit. If a contractor other than the original contractor listed on the permit is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.
2. The property owner may assume the role of an ownerbuilder, in accordance with Sections 489.103(7) and 489.503(6), *Florida Statutes*.
3. If a building permit is expired and its requirements have been substantially completed, as determined by the local enforcement agency, the permit may be closed without having to obtain a new building permit, and the work required to close the permit may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the permit, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building permit 6 years after the issuance of the permit, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term "close" means that the requirements of the permit have been satisfied.

Ronnie Raybon

City of Crestview
Community Development Services
Building Official
850-689-1618 Ext229

ronnieraybon@cityofcrestview.org



From: Deborah Lawson <lawsond@cityofcrestview.org>
Sent: Tuesday, November 15, 2022 2:26 PM
To: Ronnie Raybon <ronnieraybon@cityofcrestview.org>; Permitting

<permits@cityofcrestview.org>

Cc: Joshua Grace <gracej@crestviewpd.org>

Subject: RE: W Cobb

That's good information to have. Will you guys be able to close out that permit, so it reflects that information in H5?
Also, Ronnie, could you please conduct an inspection to verify that the fence is in compliance?
Thank you!



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

From: Ronnie Raybon <ronnieraybon@cityofcrestview.org>

Sent: Tuesday, November 15, 2022 2:21 PM

To: Deborah Lawson <lawsond@cityofcrestview.org>; Permitting <permits@cityofcrestview.org>

Cc: Joshua Grace <gracej@crestviewpd.org>

Subject: RE: W Cobb

There are new allowances granted in the Florida Building Code and in Florida Statutes that allow permits to be closed out after 6 years by a jurisdiction. Given the age of the permit I don't think there would be anything that needed to be addressed about the expired permit. What kind of info are you looking for regarding an 8' fence? That is max allowable height in the city, and it can't be located within any front setback areas or vision triangles, etc. Same requirements as a 6' fence would be. We don't see a lot of 8' fences.

Ronnie Raybon

City of Crestview
Community Development Services
Building Official
850-689-1618 Ext229
ronnieraybon@cityofcrestview.org

From: Deborah Lawson <lawsond@cityofcrestview.org>

Sent: Tuesday, November 15, 2022 1:15 PM

To: Ronnie Raybon <ronnieraybon@cityofcrestview.org>; Permitting <permits@cityofcrestview.org>

Cc: Joshua Grace <gracej@crestviewpd.org>

Subject: W Cobb

I am working on addressing the fence that has been added at 215 W Cobb. There is an expired permit for an 8ft fence, permit 15-800. Can I please get a little bit of information regarding 8 ft fences? How should we address the expired permit issue as well?
Thank you,



EXHIBIT # 11



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: November 21, 2022
Case #: 23-00000104

RODNEY L EL
596 MCDONALD 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: 215 W COBB AVE
Tax Identification Number: 17-3N-23-2490-0130-0040
Legal: CRESTVIEW LOT 4 BLK 130, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **December 12, 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,

A handwritten signature in black ink, appearing to read "Deborah Brown".

Code Compliance Officer

EXHIBIT # 11

VIOLATION DETAIL

PAGE 1

CASE NUMBER 23-00000104
PROPERTY ADDRESS 215 W COBB AVE

VIOLATION: CH 38 SEC 65 FENCES-WALLS QUANTITY: 1
DESCRIPTION: FENCES & WALLS DATE: 11/17/22
LOCATION:

ORDINANCE DESCRIPTION :
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 :
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 permit to repair, or replace the fence, or wall.

VIOLATION: CH 6 DEVELOPMENT STANDARD QUANTITY: 1
DESCRIPTION: RV'S CAMPER'S CAMP TRAILERS DATE: 11/17/22
LOCATION:

ORDINANCE DESCRIPTION :
CHAPTER 6 DEVELOPMENT STANDARDS 6.01.02 - RESIDENTIAL DESIGN STANDARDS

4N-Recreational Vehicles, Campers, Camp Trailers, or mobile dwelling vehicles that are not regulated by the Florida Building Code, Residential, are not permitted for use as dwellings.

CORRECTIVE ACTION REQUIRED :
You may abate the violation by removing the RV, Camper, Camp Trailer, or Mobile Dwelling Vehicle from the property.

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 11/17/22
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

EXHIBIT # 11

VIOLATION DETAIL

PAGE 2

CASE NUMBER 23-00000104
PROPERTY ADDRESS 215 W COBB AVE

ORDINANCE DESCRIPTION :

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.

EXHIBIT # 11

Remove X

Tracking Number:

70191120000196045752

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 2:10 pm on November 23, 2022 in CRESTVIEW, FL 32536.

Feedback

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

CRESTVIEW, FL 32536

November 23, 2022, 2:10 pm

[See All Tracking History](#)

7019 1120 0000 1960 4575 2

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	4.00
Extra Services & Fees (attach form, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	.57
Total Postage and Fees	4.57
Sent To	RODNEY L FL 23-104 NI
Address	596 McDONALD ST
City	CRESTVIEW, FL 32536
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark Here NOV 23 2022

Text & Email Updates



EXHIBIT # 11



**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
201 Stilwell Blvd
Crestview, FL 32539
(850) 683-0896**



NOTICE OF PUBLIC HEARING

12/14/2022

Rodney L El
596 McDonald Street
Crestview, FL 32536

RE: CASE# 23-104

Dear Property Owner:

You are hereby formally notified that on **January 17, 2023, 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 **215 W Cobb Avenue W, Crestview, FL 32536** more particularly described as:

**PIN# 17-3N-23-2490-0130-0040 LEGAL DESCRIPTION: CRESTVIEW LOT 4 BLK
130**

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 # 11

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
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 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.

Code of Ordinance Violated: Chapter 38 Section 65 (w)

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 to repair or replace the fence or remove it from the property.

EXHIBIT # 11

7019 1120 0001 9604 6124

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: 4.00

Return Receipt (hardcopy): 3.26

Return Receipt (electronic): \$

Certified Mail Restricted Delivery: \$

Adult Signature Restricted: \$

Adult Signature Restricted Delivery: \$

Postage: 57

Total Postage and Fees: 7.82

Postmark Here

RODNEY L EL 23-104 AIN
 5916 McDONALD ST
 CRESTVIEW, FL 325310

PS Form 3800, April 2012 PSN 7530-02-000-9047 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:
 Rodney L EL
 5916 McDonald St
 Crestview, FL 325310

Barcode: 9590 9402 6685 1060 6859 73

2. Article Number (transfer from service label)
 7019 1120 0001 9604 6124

COMPLETE THIS SECTION ON DELIVERY

A. Signature: X [Signature] ☐ Agent ☐ Addressee

B. Receiver (Printed Name): [Signature] C. Date of Delivery: 12-16-24

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

Mail Restricted Delivery: 23-104 AIN

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

EXHIBIT # 11

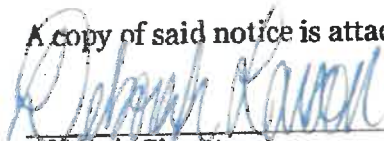
**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION**
P.O. Box 1209, Crestview, Florida 32536

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 23-104

I, Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 5th day of January 2023, I personally posted said Notice of Hearing at: 215 W Cobb, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

1/5/2023
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 5th day of January 2023.



(SEAL)
NANCY HOUGH
Commission # HH 325870
Expires November 5, 2026

NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 11.5.26



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



Inst. #3603540 Blk: 3660 Pg: 1002
Page 1 of 3 Recorded: 1/30/2023 1:27 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# 23-104

Rodney L El
596 McDonald 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 January 17, 2023. 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, Rodney L El, whose last known mailing address is 596 McDonald Street, Crestview, FL, 32536, is the owner of the property located at, 215 W Cobb Avenue, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0130-0040, and more particularly described as: CRESTVIEW LOT 4 BLK 130.
2. The conditions on the property consist of trash, debris, and a non-compliant fence. The violation(s) were first observed on November 17, 2022. A Notice of Violation was mailed by certified mail November 17, 2022, and was received by respondent on November 23, 2022. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b), and Sec. 65 (w). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by December 12, 2022. Re inspection of the property on December 14, 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), and Sec. 65 (w). - 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 February 17, 2023, 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.
9. On or before February 17, 2023, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. 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.

b. Obtain a building permit to repair or replace the fence or remove it from the property.

10. If the violation(s) are not corrected by February 17, 2023, a fine in the amount of **\$250** 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 17th day of January 2023. CERTIFIED A TRUE

**Samuel B.
Taylor**

Digitally signed by Samuel B. Taylor
Date: 2023.01.29 22:03:06 -07'00'

**Special Magistrate
City of Crestview, Florida**

**AND
CORRECT COPY**



BY: Maryanne Schaefer, MMC

DATE: 1-30-2023

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 # 22-161**218 STILLWELL BLVD**

Owner of Record: Roman Portugal 4493 Wolfrack Ridge Crestview FL 32539

Origination Date: 11/10/21 Origination Code: Citizen Complaint

Violations: FL Building Code Section 105.1 Building Permit Required

Corrective Action Required:

a.) Obtain a building permit for the pool and fence, or remove them from the property.

Notice Sent: 11/18/21 Signed: 11/26/21 Compliance Date: 11/29/21

Inspected: 11/30/21 Results: In Violation

Notice Sent: 12/1/21 Signed: NA Compliance Date: 12/15/21

Inspected: 12/20/21 Results: In Violation

Public Hearing Notice Sent: 01/12/22 Signed: 01/21/22

Hearing Date: 02/15/22

Property remains in violation.

Order Recorded: 02/18/22 **Re-recorded with wet stamp 12/01/22**

Hearing fee: \$250 Due by 03/14/22

Daily fine: \$250 Start: 03/14/22

Fines: \$132,500 **as of August 25, 2023 (not including interest)**

Property Value: \$50,817

Related Properties:

293 Patton St 08-3N-23-0742-0003-0010 Roman Portugal

Case# 21-1131 In Violation Hearing: 02/15/22

Case # 22-161

218 STILLWELL BLVD

298 Stillwell Blvd

08-3N-23-0742-0003-0050

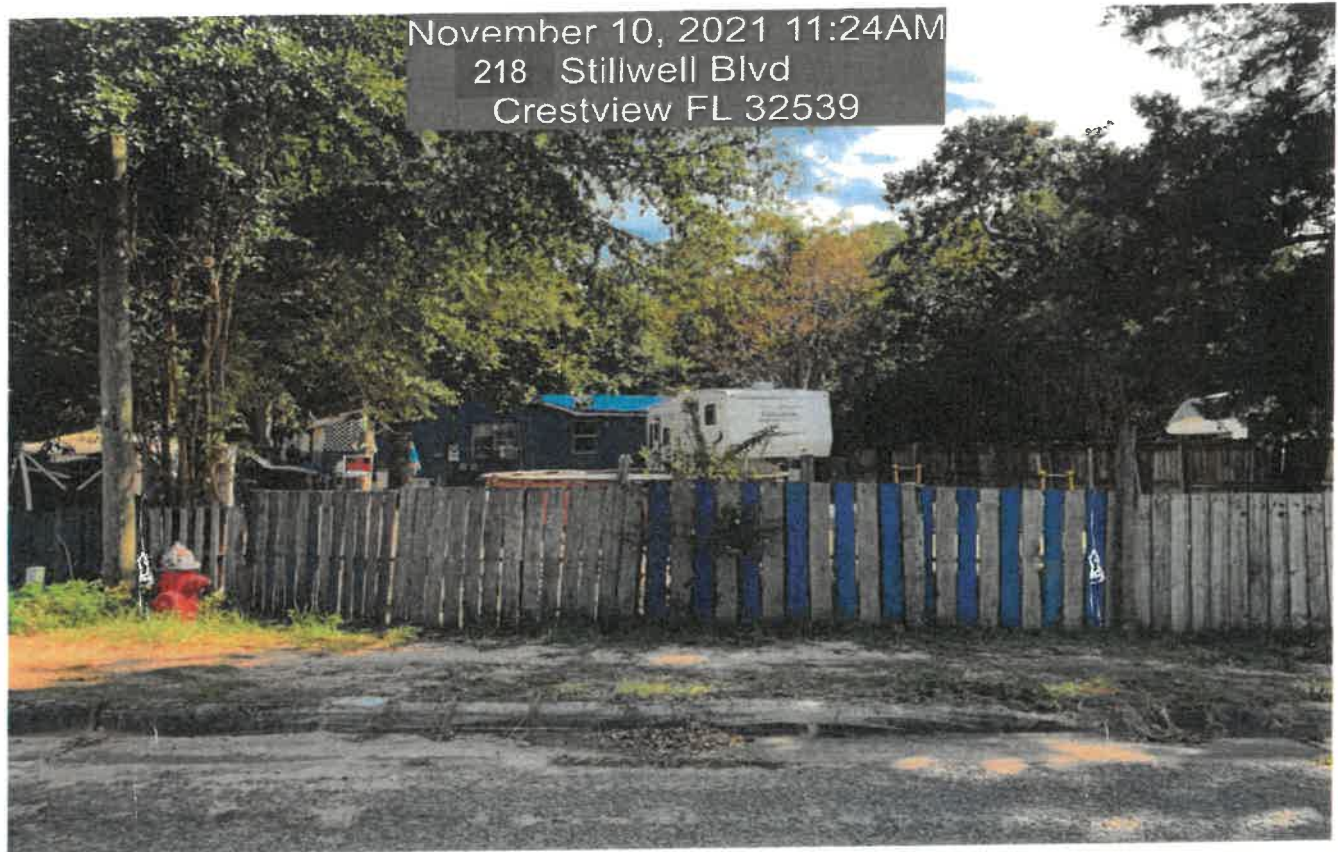
Roman M Portugal

Case# 22-819

In Violation

Hearing: 07/19/22

22-161
218 Stillwell Blvd
February 15, 2022
Exhibit 5









February 03, 2022 12:34PM
198 N Wilson St
Crestview FL 32536

CO CODE COMPLIANCE DIVISION RTMENT
198 Wilson Street North
Crestview, FL 32536
(850) 683-0896

NOTICE OF PUBLIC HEARING

DATE: 01/12/2022

Roman Portugal
4493 Wolftrack Ridge
Crestview, FL 32539

RE: CASE# 22-161

Dear Property Owner:

You are hereby formally notified that on February 15, 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 218 Stillwell Boulevard, Crestview, FL 32539 more particularly described as:

FIN# 08-3N-23-0742-0003-0020 **LEGAL DESCRIPTION:** EDNEY 2ND ADD LOT 2
BLK 3

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).

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: November 18, 2021
Case #: 22-00000161

ROMAN PORTUGAL
4493 WOLFTRACK RIDGE
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: 218 STILLWELL BLVD
Tax Identification Number: 08-3N-23-0742-0003-0020
Legal: EDNEY 2ND ADD LOT 2 BLK 3, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **November 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,

A handwritten signature in blue ink, reading "Deborah Lawson", is written over the word "Sincerely,".

Deborah Lawson
Code Compliance Officer
840.306.3702/850.612.9714

EXHIBIT # 5

CASE NUMBER 22-000061
PROPERTY ADDRESS 218 STILLWELL BLVD

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 11/18/21
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.

EXHIBIT # 5



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

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

Date: December 1, 2021
Case #: 22-00000161

ROMAN PORTUGAL
4493 WOLFTRACK RIDGE
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: 218 STILLWELL BLVD
Tax Identification Number: 08-3N-23-0742-0003-0020
Legal: EDNEY 2ND ADD LOT 2 BLK 3, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **December 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

EXHIBIT # 5

CASE NUMBER 22-00655161
PROPERTY ADDRESS 218 STILLWELL BLVD

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 11/18/21
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.

EXHIBIT # 5

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70143490000041567120

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

December 7, 2021

Get Updates ▾

Feedback

Text & Email Updates

Tracking History

USPS Tracking Plus™

Product Information

0212 95TH 0000 094E 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
Sent To: ROMAN PORTUGAL #22-161,162 Street & Apt. No., 4493 WOLFTRACK RIDGE or PO Box No. City, State, ZIP+4: OCEST VIEW, FL 32539	
PS Form 3800, July 2014 See Reverse for Instructions	

See Less ^

EXHIBIT # 5

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: 01/12/2022

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539

RE: CASE# 22-161

Dear Property Owner:

You are hereby formally notified that on February 15, 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 218 Stillwell Boulevard, Crestview, FL 32539 more particularly described as:

**PIN# 08-3N-23-0742-0003-0020 LEGAL DESCRIPTION: EDNEY 2ND ADD LOT 2
BLK 3**

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).

EXHIBIT # 5

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

EXHIBIT # 5

Statement of Violation

Code of Ordinance Violated: Florida Building Code Chapter 105.1

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: Obtain a building permit for the fence and pool or remove them from the property.

EXHIBIT # 5

7014 3490 0000 4156 7489

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)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

Postmark Here

ROMAN PORTUGAL #22 101-102
 Street & Apt. No. or PO Box No. 4493 WOLFTRACK RIDGE
 City/State/ZIP+4 CRESTVIEW, FL 32539

PS Form 3800, July 2014 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 Ram 10/21/11 ☐ Agent ☒ Addressee B. Received by (Printed Name) ROMAN PORTUGAL C. Date of Delivery 10-21-11 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No		
1. Article Addressed to: ROMAN PORTUGAL 4493 WOLFTRACK RIDGE CRESTVIEW, FL 32539 9590 9402 6373 0303 1236 69	3. Service Type <table border="0"> <tr> <td> ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery </td> <td> ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery </td> </tr> </table>	☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		
2. Article Number (Transfer from service label) 7014 3490 0000 4156 7489			

PS Form 3811, July 2020 PSN 7630-02-000-9000 Domestic Return Receipt

EXHIBIT # 5

USPS Tracking®

[FAQs >](#)[Track Another Package +](#)**Tracking Number:** 70143490000041567489[Remove X](#)

Your item was picked up at the post office at 1:13 pm on January 21, 2022 in CRESTVIEW, FL 32539.

USPS Tracking Plus™ Available ✓**✓ Delivered, Individual Picked Up at Post Office**

January 21, 2022 at 1:13 pm
CRESTVIEW, FL 32539

Feedback

Get Updates ✓**Text & Email Updates** ✓**Tracking History** ✓**USPS Tracking Plus™** ✓**Product Information** ✓**See Less** ^**EXHIBIT # 5**

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

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 22-161

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 3rd day of February 2022, I personally posted said Notice of Hearing at: 218 Stillwell Boulevard, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson

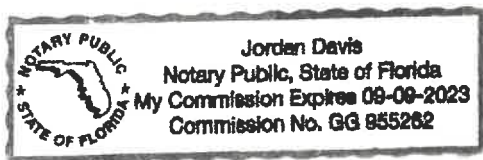
Affiant's Signature

2/3/2022
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 3rd day of February 2022.

(SEAL)



NOTARY PUBLIC:

Jordan Davis

MY COMMISSION EXPIRES:

9/9/23

EXHIBIT # 5

Deborah Lawson

From: Ronnie Raybon
Sent: Monday, November 15, 2021 7:29 AM
To: Deborah Lawson
Cc: Senida Oglesby,
Subject: RE: Fence and Pool questions

I would say they both should've been permitted. By definition a "private swimming pool" is any structure located in a residential area intended for swimming OR bathing and contains water over 24" deep including but not limited to inground, above ground, and on ground swimming pools, hot tubs, and nonportable spas.

The fence would have to meet the pool barrier requirements and without permits and inspections that has not been verified.

Ronnie Raybon

City of Crestview
Community Development Services
Building Official
850-689-1618 Ext229
ronnieraybon@cityofcrestview.org

From: Deborah Lawson <lawsond@cityofcrestview.org>
Sent: Wednesday, November 10, 2021 3:27 PM
To: Ronnie Raybon <ronnieraybon@cityofcrestview.org>
Cc: Senida Oglesby, <senidaoglesby@cityofcrestview.org>
Subject: Fence and Pool questions

Ronnie,
Could you tell me by looking at these photos if a permit would be required for the fence and pool?
Thank you,



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





**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-161

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539

Inst. #3527989 Bk: 3605 Pg: 1499
Page 1 of 3 Recorded: 2/18/2022 12:44 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK APRESTWOOD
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 February 15, 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, Roman Portugal, whose last known mailing address is 4493 Wolfrack Ridge, Crestview, FL 32539, is the owner of the property located at, 218 Stillwell Boulevard, Crestview, FL 32539, AKA PIN# 08-3N-23-0742-0003-0020, and more particularly described as: EDNEY 2ND ADD LOT 2 BLK 3
2. The conditions on the property consist of an unpermitted fence and unpermitted pool. The violation(s) were first observed on November 10, 2021. A Notice of Violation was mailed by certified mail November 18, 2021, and received by respondent on November 26, 2021. The Notice stated that the condition(s), constituted a violation of Florida Building Code, Chapter 1, Section 105.1 Permits Required and requested correction of

the violation by November 29, 2021. Re inspection of the property on November 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 Florida Building Code, Chapter 1, Section 105.1 Permits Required.
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 March 14, 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 March 14, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):

- a. Obtain the required permits for the fence and pool or remove them from the property.
10. If the violation(s) are not corrected by March 14, 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 15th day of February 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.02.18 09:48:04
-06'00'

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. #3593610 Bk: 3653 Pg: 815
Page 1 of 3 Recorded: 12/1/2022 11:52 AM
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# 22-161

Roman Portugal
4493 Wolftrack Ridge
Crestview, FL 32539

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on February 15, 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, Roman Portugal, whose last known mailing address is 4493 Wolftrack Ridge, Crestview, FL 32539, is the owner of the property located at, 218 Stillwell Boulevard, Crestview, FL 32539, AKA PIN# 08-3N-23-0742-0003-0020, and more particularly described as: EDNEY 2ND ADD LOT 2 BLK 3
2. The conditions on the property consist of an unpermitted fence and unpermitted pool. The violation(s) were first observed on November 10, 2021. A Notice of Violation was mailed by certified mail November 18, 2021, and received by respondent on November 26, 2021. The Notice stated that the condition(s), constituted a violation of Florida Building Code, Chapter 1, Section 105.1 Permits Required and requested correction of

the violation by November 29, 2021. Re inspection of the property on November 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 Florida Building Code, Chapter 1, Section 105.1 Permits Required.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The city has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

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- a. Obtain the required permits for the fence and pool or remove them from the property.
10. If the violation(s) are not corrected by March 14, 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 15th day of February 2022.

**Samuel B.
Taylor**

Special Magistrate
City of Crestview, Florida

Digitally signed by
Samuel B. Taylor
Date: 2022.02.18 09:48:04
-06'00'

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 12-1-2022

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

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

22-161

218 STILLWELL BLVD



Case # 21-1131

293 PATTON ST

Owner of Record: Roman Portugal 1005 Mapoles St. Crestview FL 32536
Origination Date: 06/07/2021 Origination Code: Anonymous Complaint

Violations: FL Building Code Section 105.1 Building Permit Required

Corrective Action Required:

a.) Obtain a building permit for the accessory structure, or remove it from the property.

Notice Sent: 06/08/2021 Signed: 06/17/21 Compliance Date: 06/18/21

Inspected: 06/21/21 Results: In Violation

Notice Sent: 06/21/21 Signed: 06/24/21 Compliance Date: 07/01/21

Inspected: 07/06/21 Results: In Violation

Public Hearing Notice Sent: 10/12/21 Signed: NA

Hearing Date: 11/16/2021

Property remains in violation.

Order Recorded: 11/18/21 **Re-recorded with wet stamp 12/13/22**

Hearing fee: \$250 Due by 12/17/21

Daily fine: \$250 Start: 12/20/21

Fines: \$153,500 **as of August 25, 2023 (not including interest)**

Property Value: \$92,498

Related Properties:

218 Stillwell Blvd 08-3N-23-0742-0003-0020 Roman Portugal

Case# 22-161 In Violation Hearing: 02/15/22

Case # 21-1131

293 PATTON ST

298 Stillwell Blvd

08-3N-23-0742-0003-0050

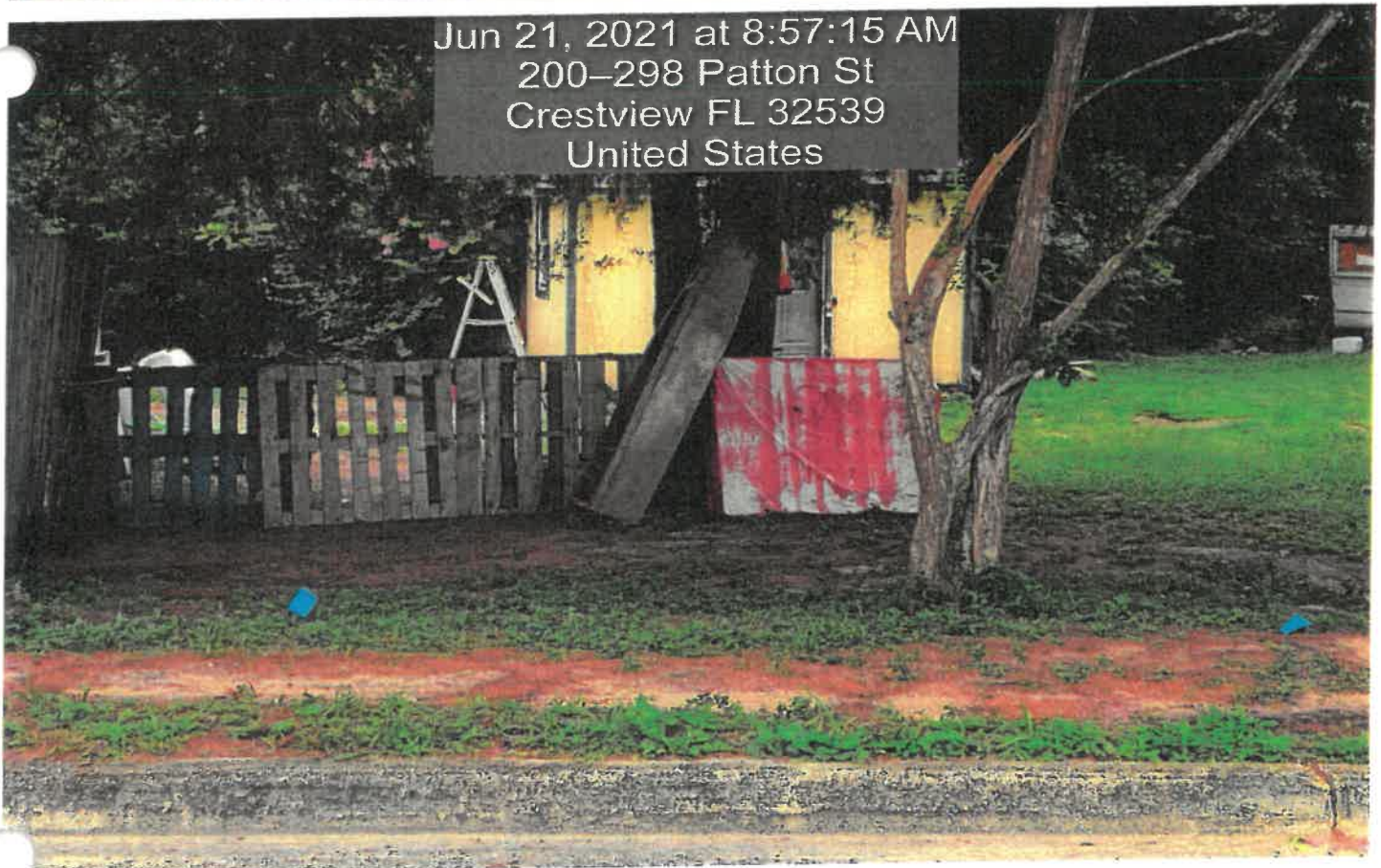
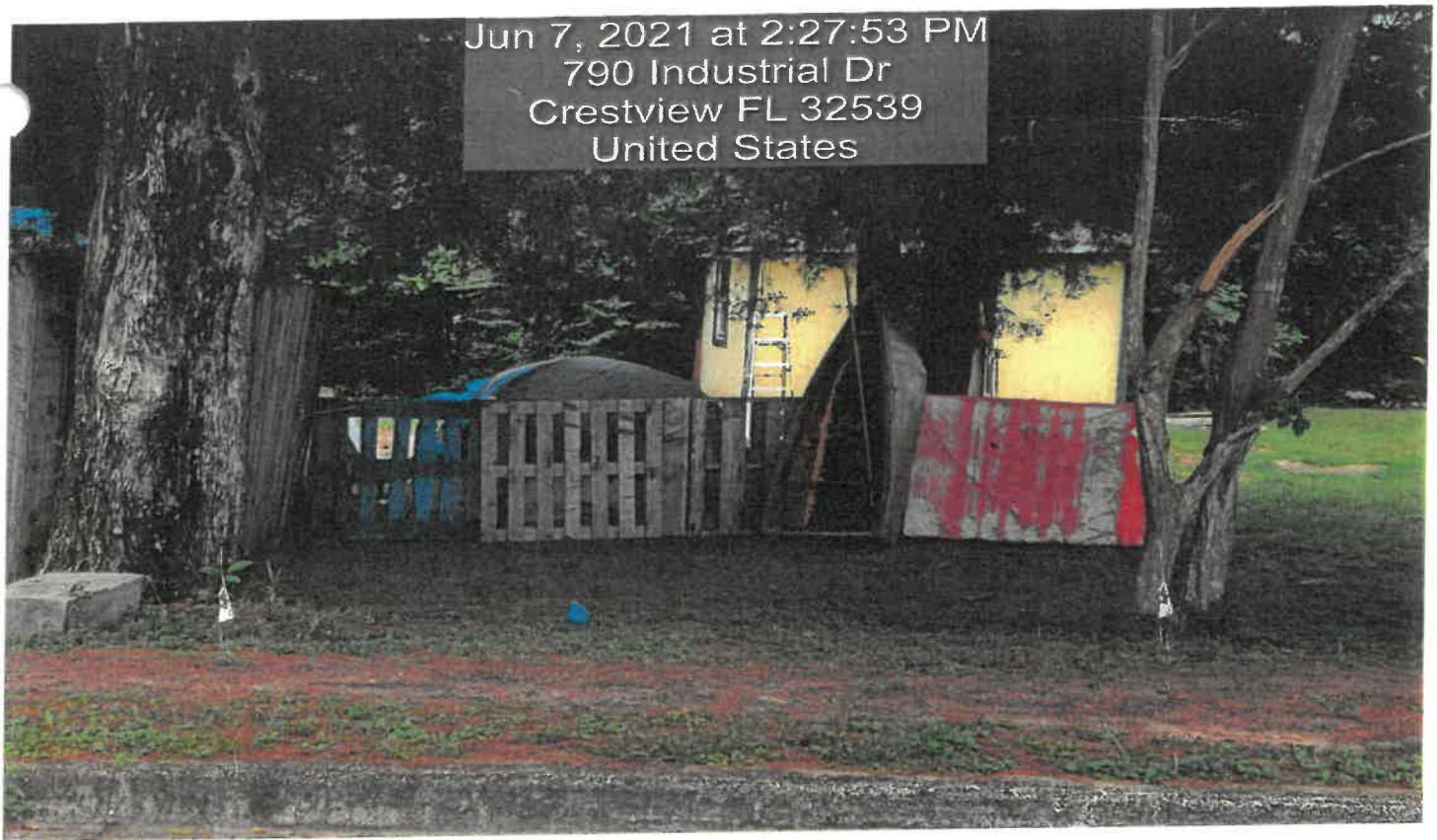
Roman M Portugal

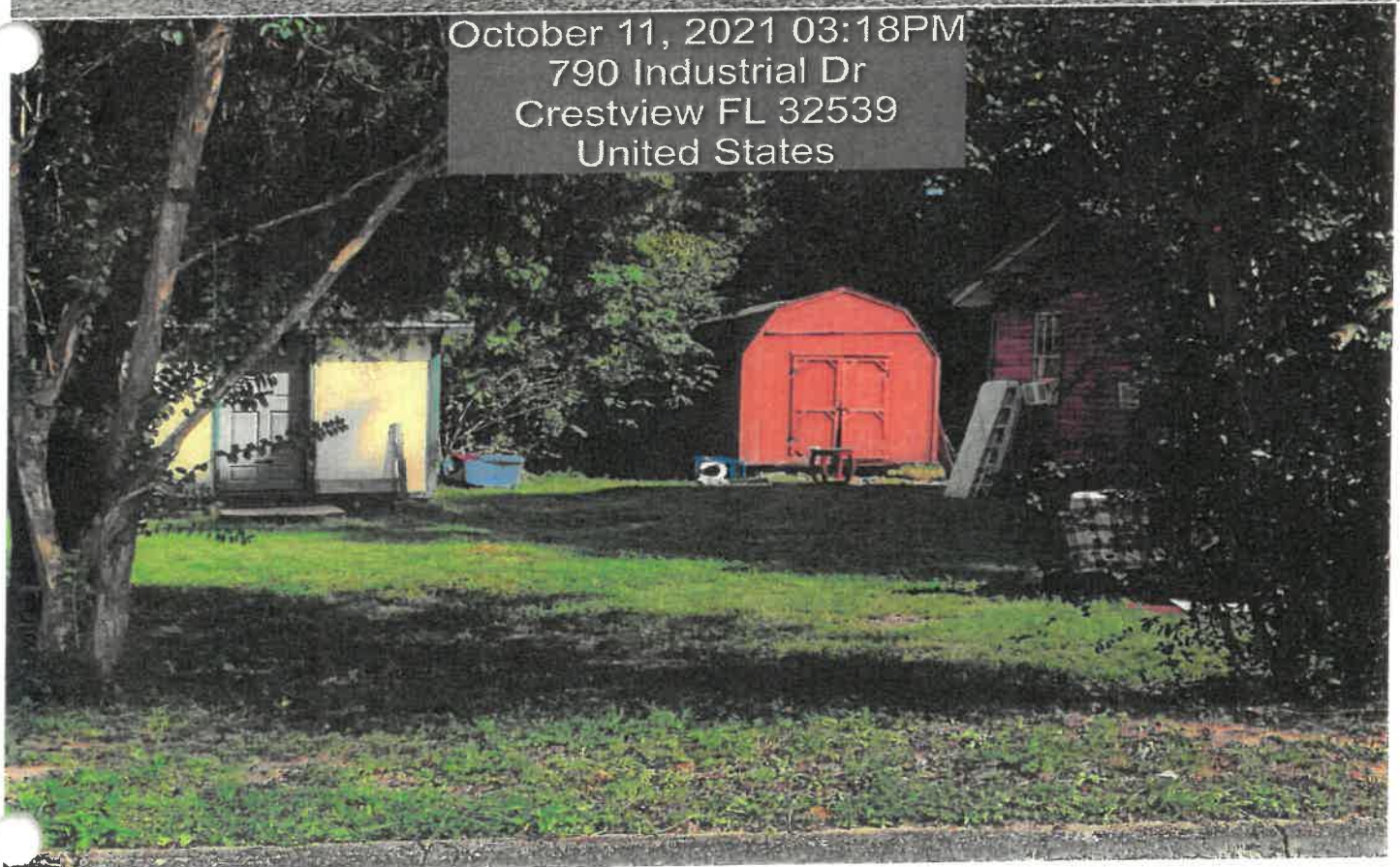
Case# 22-819

In Violation

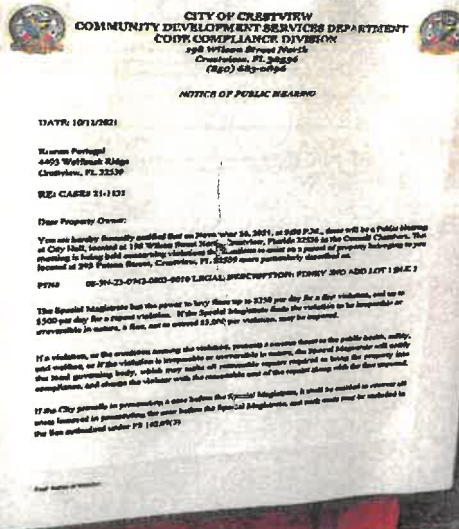
Hearing: 07/19/22

EXHIBIT 5
CASE # 21-1131
293 PATTON
TUESDAY, NOVEMBER 16, 2021





November 04, 2021 08:51AM
293 Patton St
Okaloosa County



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

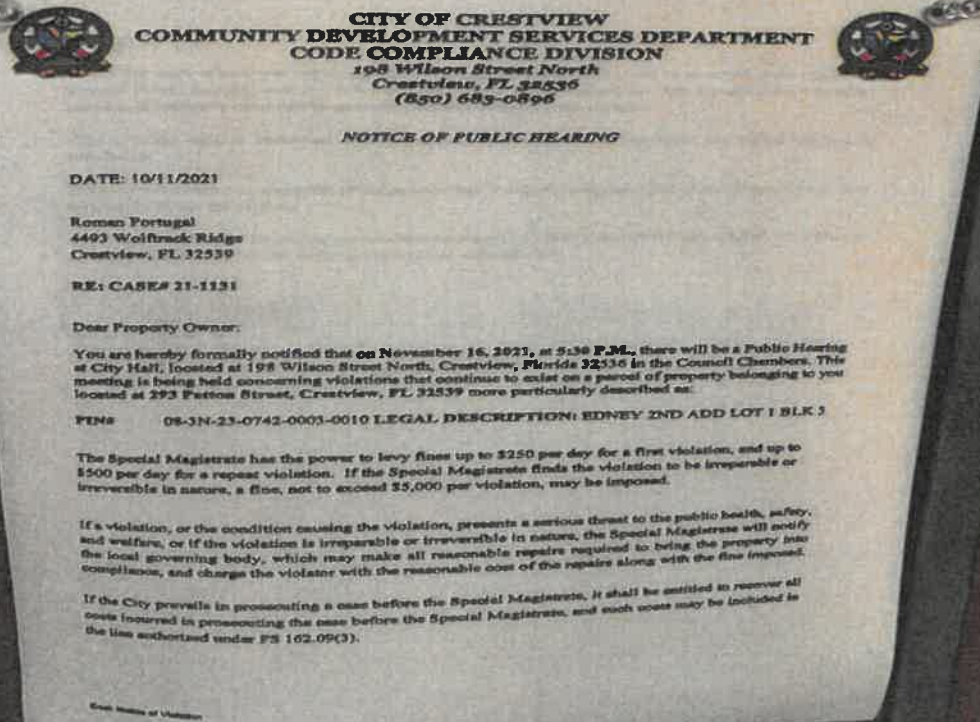
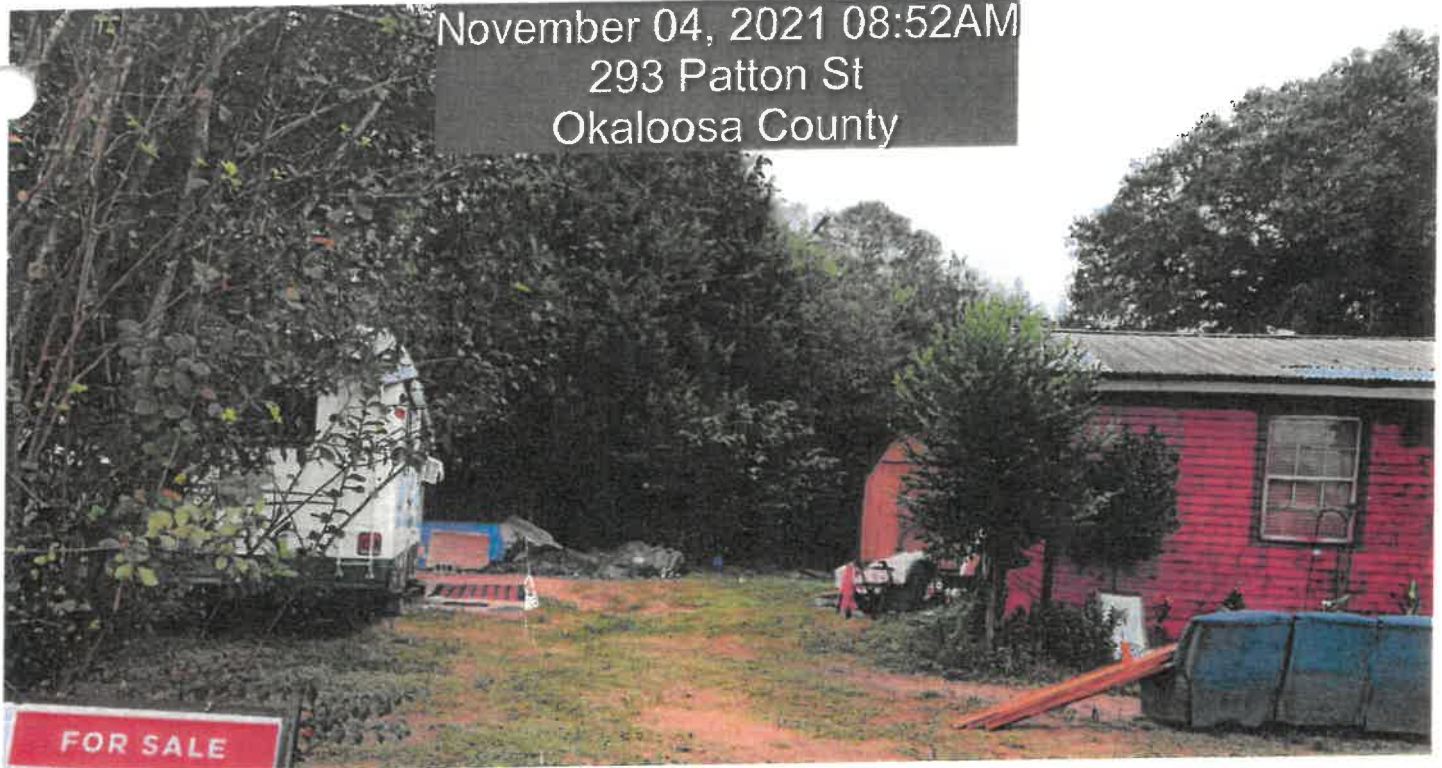


EXHIBIT # 5





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: June 8, 2021
Case #: 21-00001131

ROMAN PORTUGAL
4493 WOLFTRACK RIDGE
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: 293 PATTON ST
Tax Identification Number: 08-3N-23-0742-0003-0010
Legal: EDNEY 2ND ADD LOT 1 BLK 3, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 6/08/21
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 850-689-1618 for further information.

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 6/08/21
LOCATION:

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

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

ORDINANCE DESCRIPTION :

- 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 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.

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

ORDINANCE DESCRIPTION :

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

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 # 5

7020 3160 0001 0731 1783

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

Certified Mail Fee \$ 3.60

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

☒ Return Receipt (hardcopy) \$ 2.00

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$.61

Total Postage and Fees \$ 4.21

Postmark Here **JUN 9 2021**

Address: ROMAN PORTUGAL
4493 WOLF TRACK RIDGE
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 X <u>Roman Portugal</u> ☒ Agent ☐ Addressee	
1. Article Addressed to: <u>ROMAN PORTUGAL</u> <u>4493 WOLF TRACK RIDGE</u> <u>CRESTVIEW, FL</u> <u>32539</u> 9590 9402 5522 9249 9950 30		B. Received by (Printed Name) <u>Roman Portugal</u> C. Date of Delivery <u>6-17-21</u>	
2. Article Number (Transfer from service label) <u>7020 3160 0001 0731 1783</u>		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 ☐ 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 # 5



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: June 21, 2021
Case #: 21-00001131

ROMAN PORTUGAL
4493 WOLFTRACK RIDGE
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: 293 PATTON ST
Tax Identification Number: 08-3N-23-0742-0003-0010
Legal: EDNEY 2ND ADD LOT 1 BLK 3, ,

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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 5

VIOLATION DETAIL

PAGE 1

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 6/08/21
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 850-689-1618 for further information.

EXHIBIT # 5

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70203160000107311349

Remove X

Your item was delivered to an individual at the address at 2:24 pm on June 24, 2021 in CRESTVIEW, FL 32539.

✓ **Delivered, Left with Individual**

June 24, 2021 at 2:24 pm
CRESTVIEW, FL 32539

Feedback

7020 3160 0001 0731 1349

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For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee	\$ 3.40
Extra Services & Fees (check box, add to fee)	\$ 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	\$ 6.96
ROMAN PORTUGAL 4493 WOLF TRAIL RIDGE CRESTVIEW, FL 32039	
PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for instructions	

EXHIBIT # 5

Can't find what you're looking for?

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

USPS TRACKING#



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United States
Postal Service

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• Sender: Please print your name, address, and ZIP+4® in this box®

CODE COMPLIANCE
P.O. BOX 1209
CRESTVIEW, FL
32536

21-1131

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USPS Corporate
Accounts

June 25, 2021

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acking Statement via email.

ulations. Users will no longer enter fees for
be collected for COD or the insured value

This item was delivered on 06/24/2021 at 14:24:00

[Return to Tracking Number View](#)

Signature	
Address	4497

Enter up to 35 items separated by commas.

Select Search Type:

Submit

Product Tracking & Reporting, All Rights Reserved
Version: 21.3.1.1.1.6

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: 10/11/2021

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539

RE: CASE# 21-1131

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 **293 Patton Street, Crestview, FL 32539** more particularly described as:

PIN# 08-3N-23-0742-0003-0010 LEGAL DESCRIPTION: EDNEY 2ND ADD LOT 1 BLK 3

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 # 5

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

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 6/08/21
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 850-689-1618 for further information.

EXHIBIT # 5

USPS Tracking®

[FAQs >](#)

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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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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

Postmark Here
OCT 2 2021

Sent To	Roman Portugal
Street, Apt. No., or PO Box No.	4493 Wolftrack Rd 32539
City, State, ZIP+4	OR 21-1131

PS Form 3800, August 2016 See Reverse for Instructions

for?

ing questions.

EXHIBIT # 5

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

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21-1131

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: 293 Patton Street, Crestview, Florida, 32539 in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson

Affiant's Signature

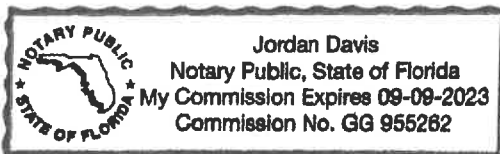
11/4/2021

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 # 5



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

198 Wilson Street North
Crestview, FL 32536



City of Crestview, Florida,

Petitioner,

vs.

Roman Portugal
4493 Wolftrack Ridge
Crestview, FL 32539
Respondents.

Inst. #3506548 Bk: 3588 Pg: 476
Page 1 of 3 Recorded: 11/19/2021 10:44 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

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

CASE# 21-1131

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, Roman Portugal, whose last known mailing address is 4493 Wolftrack Ridge, Crestview, FL 32539 , is the owner of the property located at, 293 Patton Street, Crestview, FL 32539, AKA PIN# 08-3N-23-0742-0003-0010, and more particularly described as: EDNEY 2ND ADD LOT 1 BLK 3

The conditions on the property consist of an unpermitted accessory structure. The violation(s) were first observed on June 7, 2021. A Notice of Violation was mailed by certified mail June 21, 2021 . The Notice stated that the condition(s), constituted a violation of Florida Building Code, Chapter 1, Section 105.1 Permits Required, and requested correction of the violation by June 18, 2021. Re inspection of the property on June 21, 2021, confirmed that violation(s) continue to exist on the property.

2. 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:

3. 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 1, Section 105.1 Permits Required.
4. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
5. 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.
6. 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:

7. 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.
8. 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 for the accessory structure or remove it from the property.
9. 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.

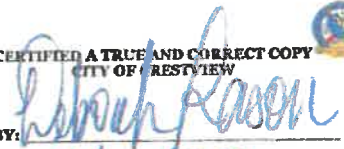
10. The fines and costs imposed herein shall accrue interest at the rate of 6.77% per annum until paid.
11. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed 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 16th, Day of November 16, 2021.

Samuel B.
Taylor

Digitally signed by Samuel B.
Taylor
Date: 2021.11.17 16:05:27
-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 32539



Inst. #3595742 Bk: 3654 Pg: 3382
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

vs.

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539
Respondents.

CASE# 21-1131

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, Roman Portugal, whose last known mailing address is 4493 Wolfrack Ridge, Crestview, FL 32539, is the owner of the property located at, 293 Patton Street, Crestview, FL 32539, AKA PIN# 08-3N-23-0742-0003-0010, and more particularly described as: EDNEY 2ND ADD LOT 1 BLK 3

The conditions on the property consist of an unpermitted accessory structure. The violation(s) were first observed on June 7, 2021. A Notice of Violation was mailed by certified mail June 21, 2021. The Notice stated that the condition(s), constituted a violation of Florida Building Code, Chapter 1, Section 105.1 Permits Required, and requested correction of the violation by June 18, 2021. Re inspection of the property on June 21, 2021, confirmed that violation(s) continue to exist on the property.

2. 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:

3. 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 1, Section 105.1 Permits Required.
4. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
5. 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.
6. 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:

7. 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.
8. 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 for the accessory structure or remove it from the property.
9. 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.
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 16th, Day of November 16, 2021

Samuel B.
Taylor

Digitally signed by
Samuel B. Taylor
Date: 2022.12.06 11:05:54
-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.

21-1131

293 PATTON ST



Case # 21-1026**409 WINGARD ST**

Owner of Record: Jimmie D & Kathy R Henderson of 409 Wingard Ave Crestview FL 32539

Origination Date: 05/17/21

Origination Code: Anonymous Complaint

Violations: Chapter 38 Section 18 (i)(j), Chapter 70 Section 27 Solid Waste & Recycling, and Chapter 7 Section 7.05.03 of The Land Development Code

Corrective Action Required:

- a.) Bring the inoperable vehicles into a state of compliance by attaching a valid tag or remove them from the property.
- b.) Remove solid waste and dispose of it at an approved facility.
- c.) Remove all tents and recreational vehicles and campers from the property.

Notice Sent: 05/02/21 Signed: Returned Compliance Date: 06/07/21

Inspected: 06/07/21 Results: In Violation

Notice Sent: 06/09/21 Signed: 06/12/21 Compliance Date: 06/21/21

Inspected: 06/21/21 Results: In Violation

Notice Sent: 06/22/21 Signed: 06/24/21 Compliance Date: 07/01/21

Inspected: 07/06/21 Results: In Violation

Public Hearing Notice Sent: 07/12/21 Signed: 07/13/21

Hearing Date: 08/17/21

Property remains in violation.Order Recorded: 08/24/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 09/17/21

Daily fine: \$250 Start: 09/18/21

Fines: \$176,750 **as of August 25, 2023 (not including interest)**

Property Value: \$37,459

Related Properties: NONE

CASE #21-1026
409 WINGARD STREET
TUESDAY, AUGUST 17, 2021
EXHIBIT 9

EXHIBIT # 9

CASE # 21-1026

May 17, 2021 at 11:51:48 AM
410 Wingard St
Crestview FL 32539
United States



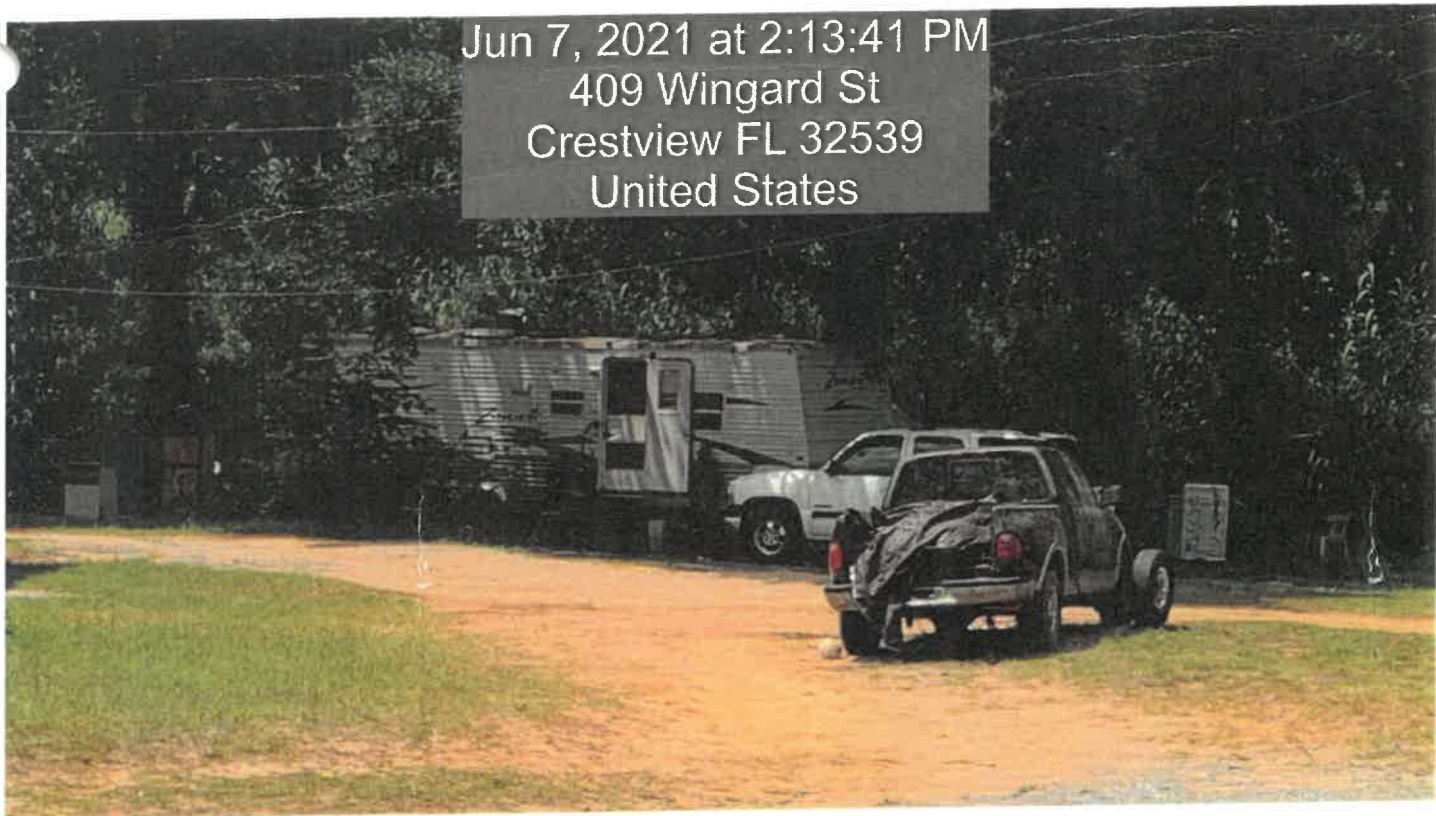
May 17, 2021 at 11:51:32 AM
410 Wingard St
Crestview FL 32539
United States



EXHIBIT 9

CASE # 21-1026

Jun 7, 2021 at 2:13:41 PM
409 Wingard St
Crestview FL 32539
United States



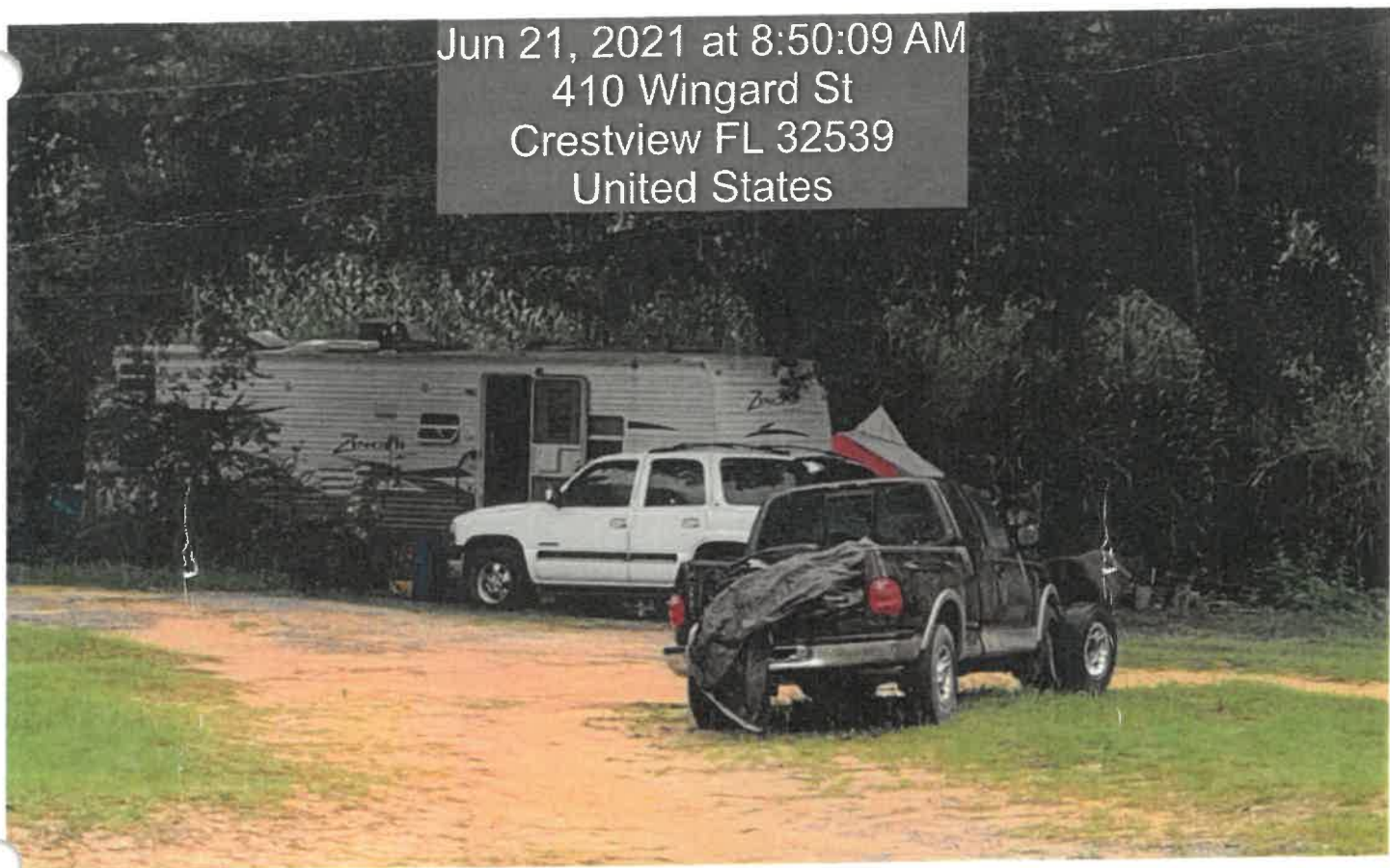
Jun 7, 2021 at 2:13:57 PM
409 Wingard St
Crestview FL 32539
United States



EXHIBIT 9

CASE # 21-1026

Jun 21, 2021 at 8:50:09 AM
410 Wingard St
Crestview FL 32539
United States



Jul 6, 2021 at 1:50:38 PM
410 Wingard St
Crestview FL 32539
United States



EXHIBIT 9

CASE # 21-1026

Jul 6, 2021 at 1:53:21 PM
409 Wingard St
Crestview FL 32539
United States



August 17, 2021 10:13AM
410 Wingard St
Crestview FL 32539



EXHIBIT 9



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 #: 21-00001026

KATHY R & JIMMIE D HENDERSON
409 WINGARD
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: 409 WINGARD ST
Tax Identification Number: 16-3N-23-2690-0006-0030
Legal: WINGARD ADD LOT 3 BLK 6, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 07, 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

EXHIBIT #

9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 5/18/21
LOCATION:

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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

- 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 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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :
PROHIBITED

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 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS 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.

(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).

EXHIBIT #

9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

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, 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: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 5/25/21
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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

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.

EXHIBIT #

9



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

CERTIFIED MAIL



7020 3160 0001 0731 1554

NEOPOST

05/26/2021

FIRST CLASS MAIL

US POSTAGE \$006.96

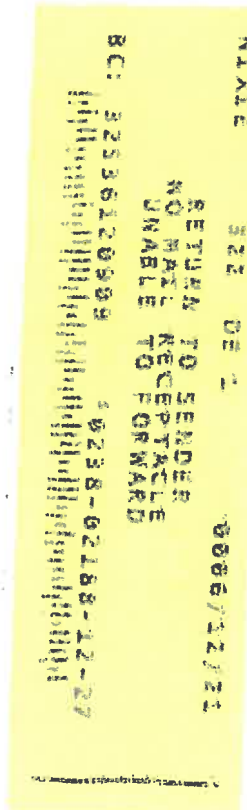
ZIP 32536
041M11297338

6.15.21

Kathy R & Jimmie D Henderson
409 Wingard
Crestview, FL
32539

4/27

32536-1209



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)	\$ 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	\$ 4.96
KATHY R + JIMMIE D HENDERSON #21-1722 409 WINGARD CRESTVIEW, FL 32539	



4551 TELD 70 09TE 0202

EXHIBIT # 9



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 7, 2021
Case #: 21-00001026

KATHY R & JIMMIE D HENDERSON
409 WINGARD
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: 409 WINGARD ST
Tax Identification Number: 16-3N-23-2690-0006-0030
Legal: WINGARD ADD LOT 3 BLK 6, ,

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,

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

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT #

9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 5/18/21
LOCATION:

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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

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 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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :

PROHIBITED

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 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS 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.

(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).

EXHIBIT #

9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

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, 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: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 5/25/21
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

EXHIBIT #

9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

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.

EXHIBIT # 9

USPS Tracking®

Track Another P

Tracking Number: 70203160000107311790

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 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 **4.96**

KATHY R + JIMMIE D HENDERSON

409 WINGARD AVE

CRESTVIEW, FL 32539

PS Form 3800, April 2015 PSN 7530-02-000-9057 See Reverse for Instructions

Postmark Here
 JUN - 9 2021
 CRESTVIEW, FL 32539

Your item was delivered to an individual at the address at 3:13 pm on June 12, 2021 in CRESTVIEW, FL 32539.

✓ Delivered, Left with Individual

June 12, 2021 at 3:13 pm
 CRESTVIEW, FL 32539

EXHIBIT # 9

Feedback

Get Updates ▼

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: KATHY R + JIMMIE D HENDERSON 409 WINGARD AVE CRESTVIEW, FL 32539 2. Article Number (Transfer from service label) 7020 3160 0001 0731 1790	A. Signature X ☐ Agent ☐ Address B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 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 21, 2021
Case #: 21-00001026

KATHY R & JIMMIE D HENDERSON
409 WINGARD
CRESTVIEW, FL 32539

Dear KATHY R & JIMMIE D HENDERSON,

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: 409 WINGARD ST
Tax Identification Number: 16-3N-23-2690-0006-0030
Legal: WINGARD ADD LOT 3 BLK 6, ,

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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 5/18/21
LOCATION:

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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

- 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 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

EXHIBIT #

9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

City Code and each day that such condition continues is regarded as a new and separate offense.

CORRECTIVE ACTION REQUIRED :

PROHIBITED

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 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS 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.

(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).

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

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, 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: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 5/25/21
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

EXHIBIT # 9

CASE NUMBER 21-00001026
PROPERTY ADDRESS 409 WINGARD ST

ORDINANCE DESCRIPTION :

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.

EXHIBIT # 9

USPS Tracking®

Track Another Package

Tracking Number: 70203160000107311363

Your item was delivered to an individual at the address at 3:19 pm on June 24, 2021 in CRESTVIEW, FL 32539.

✓ **Delivered, Left with Individual**

June 24, 2021 at 3:19 pm
CRESTVIEW, FL 32539

Feedback

Ge

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 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: KATHY R + JIMMIE D HENDERSON 409 WINGARD CRESTVIEW, FL 32539  9590 9402 5522 9249 9970 10	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
2. Article Number (Transfer from service label) 7020 3160 0001 0731 1363	Domestic Return Receipt

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

Can't find what you're looking for?

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

EXHIBIT # 9



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

Kathy R & Jimmie D Henderson
409 Wingard Avenue
Crestview, FL 32539

RE: CASE# 21-1026

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 **409 Wingard Avenue, Crestview, FL 32536** more particularly described as:

PIN# 16-3N-23-2690-0006-0030 LEGAL DESCRIPTION: WINGARD ADD LOT 3 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 # 9

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 #

9

STATEMENT OF VIOLATION

Code of Ordinance Violated: LDC Chapter 7 Section 05.03 (B) Recreational Camps, Tents

(B) For purposes of this subsection, "Recreational camp" of "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.

Corrective Action Required: Remove the tents and campers from the property.

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: Attach an appropriate tag to the vehicles or remove them from the property.

Code of Ordinance Violated: Chapter 70 Section 27 (1) (7) Refuse not acceptable for collection

(1) Materials which have not been prepared for collection in accordance with this article.

(7) Animal waste or tires

Corrective Action Required: Remove the solid waste from the property by disposing of it at an approved facility.

7200 1290 0001 2346 7200

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 as appropriate)	
☒ 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

Postmark Here

KATHY R + JIMMIE D HENDERSON
409 WINGARD AVE
CRESTVIEW, FL 32639

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.	A. Signature X  ☐ Agent ☐ Addressee B. Received by (Printed Name) C-15 C. Date of Delivery 7/13 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No														
1. Article Addressed to: KATHY R + JIMMIE D HENDERSON 409 WINGARD AVE CRESTVIEW, FL 32639 9590 9402 5522 9249 9967 78	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>☐ Return Receipt for Merchandise</td></tr><tr><td>☐ Collect on Delivery</td><td>☐ Signature Confirmation™</td></tr><tr><td>☐ Collect on Delivery Restricted Delivery</td><td>☐ Signature Confirmation Restricted Delivery</td></tr><tr><td>☐ Mail 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	☐ Return Receipt for Merchandise	☐ Collect on Delivery	☐ Signature Confirmation™	☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery	☐ Mail Restricted Delivery	
☐ Adult Signature	☐ Priority Mail Express®														
☐ Adult Signature Restricted Delivery	☐ Registered Mail™														
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☐ Certified Mail Restricted Delivery	☐ Return Receipt for Merchandise														
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☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery														
☐ Mail Restricted Delivery															
2. Article Number (Transfer from service label) 7200 1290 0001 2346 7200															

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

EXHIBIT # 9



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

198 Wilson Street North
Crestview, FL 32536



Inst. #3483008 Blk: 3569 Pg: 1002
Page 1 of 4 Recorded: 8/24/2021 10:35 AM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

City of Crestview, Florida,
Petitioner,

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

vs.

CASE# 21-1026

Jimmie D & Kathy R Henderson
409 Wingard Avenue
Crestview, FL
32539

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, Jimmie D & Kathy R Henderson, whose last known mailing address is 409 Wingard Avenue, Crestview, FL 32536, is the owner of the property located at, 409 Wingard Avenue, Crestview, FL 32539, AKA PIN 16-3N-23-2690-0006-0030, and more particularly described as:

WINGARD ADD LOT 3 BLK 6

2. The conditions on the property consist of inoperable vehicles, solid waste and recreational vehicles/tents. The violation(s) were first observed on May 17, 2021. A Notice of Violation was mailed by certified mail June 9, 2021, and received by respondent on June 12, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards- Nuisance conditions, Section

18 (i, j), Chapter 70 Solid Waste and Recycling Services- Refuse not acceptable for collection, Section 27 (5); LDC Chapter 7 Accessory, Temporary, and Special Use Situations, Recreational Camps, Section 7.05.03, 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 June 21, 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, Section 18 (i, j), Chapter 70 Solid Waste and Recycling Services- Refuse not acceptable for collection, Section 27 (5); LDC Chapter 7 Accessory, Temporary, and Special Use Situations, Recreational Camps, Section 7.05.03, 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.) Bring the inoperable vehicles into a state of compliance by attaching a valid tag or remove them from the property.
 - b.) Remove the solid waste and dispose of it at an approved facility.
 - c.) Remove all tents and recreational vehicles/campers 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.

 Sam Tame

**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. #3591803 Blk: 3651 Pg: 4474
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

**City of Crestview, Florida,
Petitioner,**

vs.

CASE# 21-1026

**Jimmie D & Kathy R Henderson
409 Wingard Avenue
Crestview, FL
32539**

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, Jimmie D & Kathy R Henderson, whose last known mailing address is 409 Wingard Avenue, Crestview, FL 32536, is the owner of the property located at, 409 Wingard Avenue, Crestview, FL 32539, AKA PIN 16-3N-23-2690-0006-0030, and more particularly described as:

WINGARD ADD LOT 3 BLK 6

2. The conditions on the property consist of inoperable vehicles, solid waste and recreational vehicles/tents. The violation(s) were first observed on May 17, 2021. A Notice of Violation was mailed by certified mail June 9, 2021, and received by respondent on June 12, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards- Nuisance conditions, Section

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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- Nuisance conditions, Section 18 (i, j), Chapter 70 Solid Waste and Recycling Services- Refuse not acceptable for collection, Section 27 (5); LDC Chapter 7 Accessory, Temporary, and Special Use Situations, Recreational Camps, Section 7.05.03, of the City of Crestview's Code of Ordinances.
5. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
6. The City has proved the alleged Violations of the cited Ordinances and/or State Statute by competent, substantive evidence. Therefore, the City is entitled to recover the costs incurred in prosecuting this case before the Magistrate, which I find to be reasonable and appropriate under the circumstances.
7. If the Respondents fail to bring the Property into compliance as ordered within the time prescribed, I find that a fine shall be imposed per day for each day of non-compliance and that the fine is reasonable and appropriate under the circumstances, taking into account

the gravity of the Violations, any actions taken by the Respondents to correct the Violations, and any previous violations committed by the Respondents.

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

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9. On or before September 17, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a.) Bring the inoperable vehicles into a state of compliance by attaching a valid tag or remove them from the property.
 - b.) Remove the solid waste and dispose of it at an approved facility.
 - c.) Remove all tents and recreational vehicles/campers 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.

Done and Ordered on the 17th, Day of August, 2021.



SAM TAMM

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: 

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.

21-1026

409 WINGARD ST

Aug 29, 2023 at 11:35:18 AM
409 Wingard St
Crestview FL 32539
United States



Case # 21-1464**355 Walden St**

Owner of Record: Donnie & Marjorie Boswell (Heirs Of)

355 Walden St Crestview FK 32539

Origination Date: 08/04/2021

Origination Code: Proactive

Violations: Chapter 38 Section 65 (f) Windows, (h) Exterior Doors, (k) Structural Supports, (l) Porches and Balconies, (m) Stairs, (n) Roofs (q) Overhang Extensions, (v) Exterior Lighting

Corrective Action Required:

- a. Obtain the required permits to repair or replace the windows, exterior doors, structural supports, porches and balconies, stairs, roof, overhang extensions, and exterior lighting, OR obtain a demolition permit, demolish the structure and remove all demolition debris.

Notice Sent: 10/20/21 Signed: Returned Compliance Date: 11/01/21

Inspected: 11/8/21 Results: In Violation

Notice Sent: 11/10/21 Signed: Returned Compliance Date: 11/29/21

Inspected: 11/30/21 Results: In Violation

Notice Sent: 01/18/21 Signed: Returned Compliance Date: 01/31/22

Inspected: 02/07/22 Results: In Violation

Public Hearing Notice Sent: 12/2/21 and 02/10/22 Signed: Returned and Returned

Hearing Date: 03/15/2022

Property remains in violation.

Order Recorded: 03/17/22

Re-recorded with wet stamp 12/01/22

Hearing fee: \$250 Due by 06/21/22

Daily fine: \$250 Start: 06/20/22

Fines: \$107,750 **as of August 25, 2023 (not including interest)**

Property Value: \$17,876

Related Properties: NONE

21-1464
355 Walden St
March 15, 2022
Exhibit 7

BUILDING OFFICIAL STRUCTURAL DETERMINATION

10/13/21
DATE

21-1494 355 Walden

ADDRESS-LOCATION OF VIOLATION

unsafe structure
NATURE OF VIOLATION(S) OBSERVED

Permit and Repair or Remove 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: Structure needs new roofing (has multiple types of roof materials)
Exposed wiring (no cover. to building), Front porch area has no structural
support and is falling down. Doors and windows blocked off with
wood, no steps leading to front door, overhangs exposed with visible
signs of rotten wood

Ronald Rayborn
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

10/13/21
DATE

EXHIBIT # 7

August 04, 2021 09:56AM
380 Walden St
Crestview FL 32539



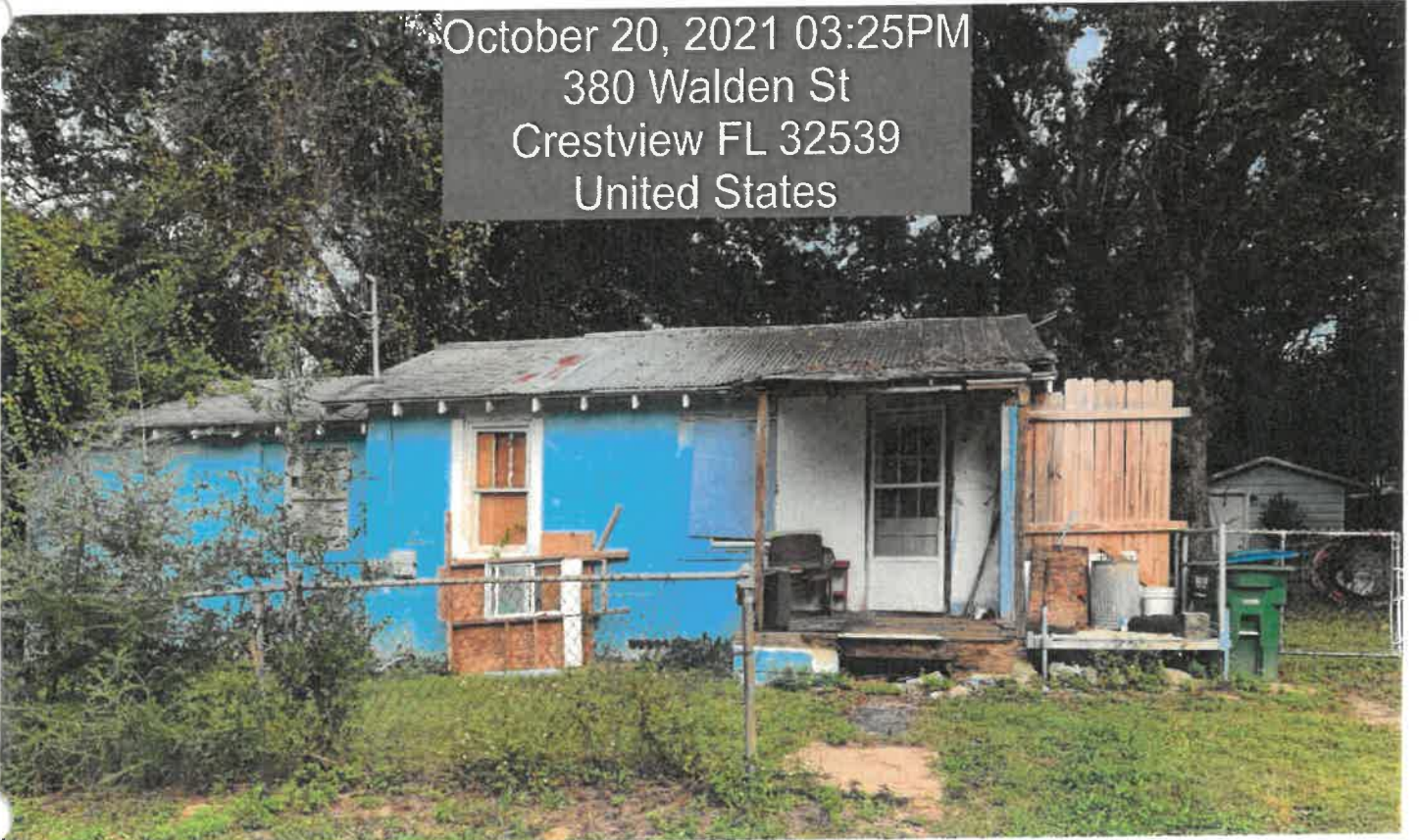
August 04, 2021 09:56AM
355 Walden St
Crestview FL 32539



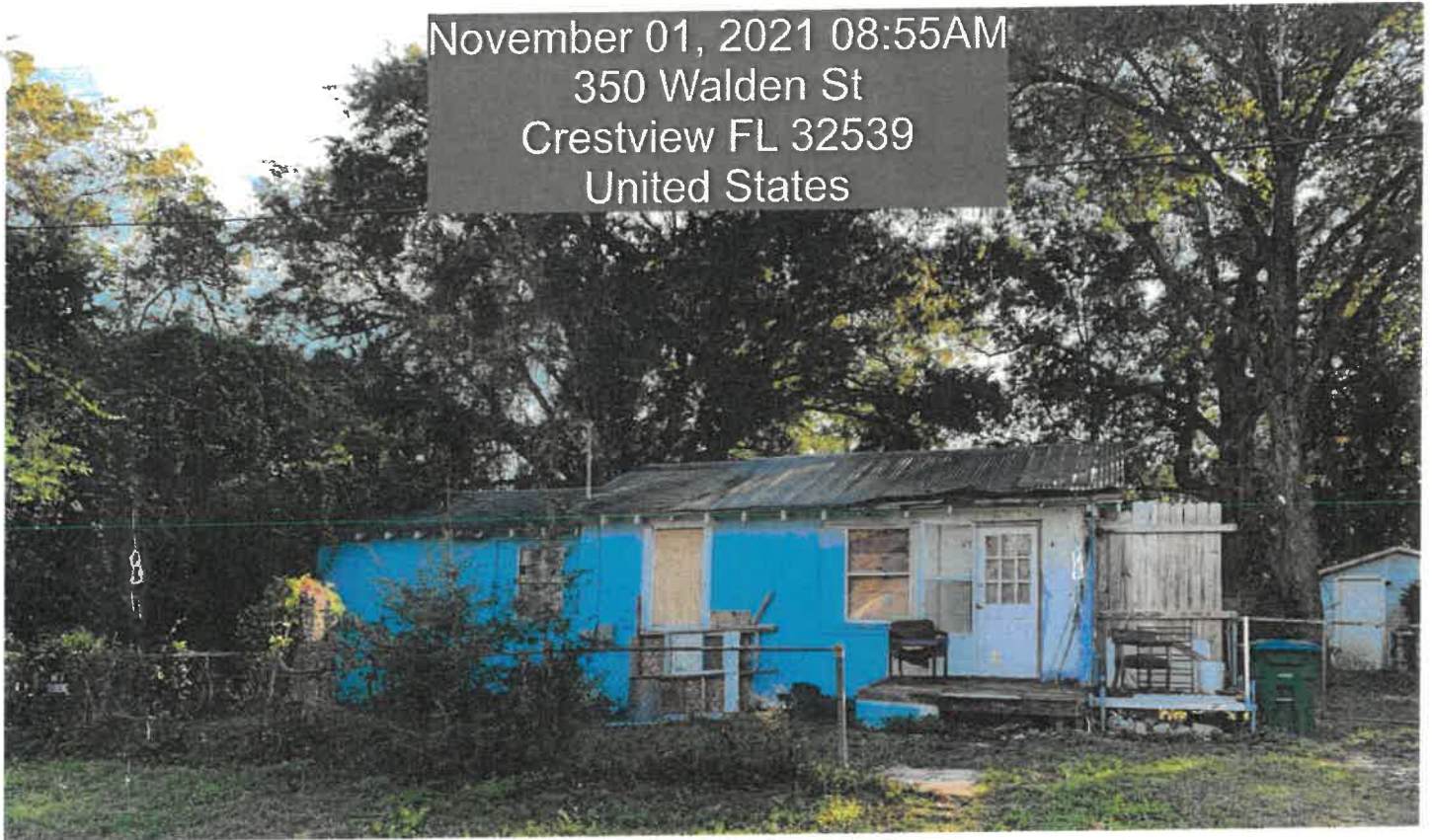
August 04, 2021 09:56AM
355 Walden St
Crestview FL 32539



October 20, 2021 03:25PM
380 Walden St
Crestview FL 32539
United States



November 01, 2021 08:55AM
350 Walden St
Crestview FL 32539
United States

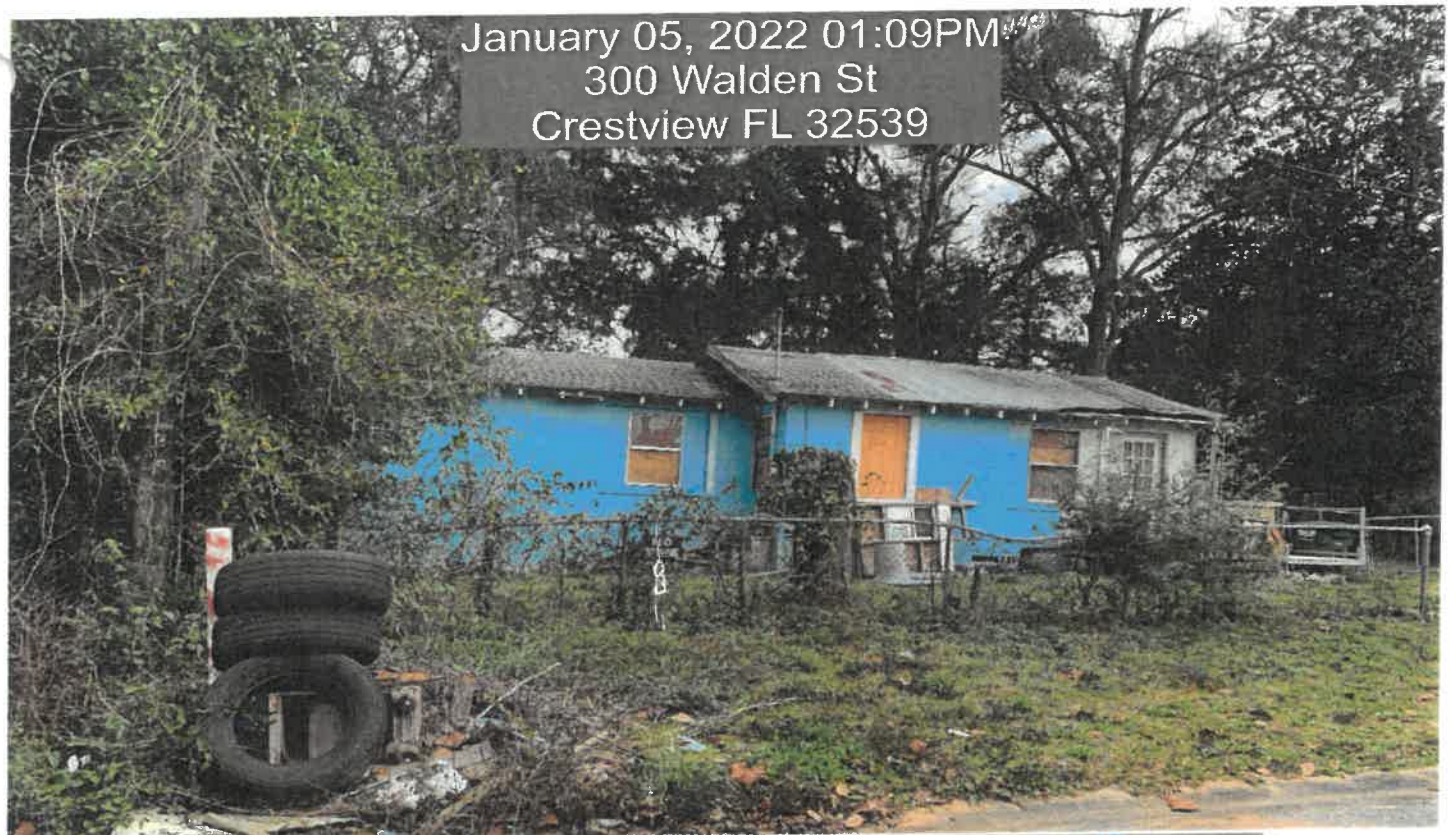


November 08, 2021 03:28PM
350 Walden St
Crestview FL 32539





January 05, 2022 01:09PM
300 Walden St
Crestview FL 32539



January 06, 2022 01:57PM
355 Walden St
Crestview FL 32539

January 06, 2022 01:57PM
355 Walden St
Crestview FL 32539



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) 663-0696**



NOTICE OF PUBLIC HEARING

DATE: November 18, 2021

Donnie & Marjorie Boswell (Heirs Of)
355 Walden St
Crestview, FL 32539-4531

RE: CASE# 21-1464

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 **355 Walden St, Crestview, FL 32539** more particularly described as:

PIN# 08-3N-23-0743-0009-003A LEGAL DESCRIPTION: EDNEY 3RD N1/2 OF LOT 3 BLK 9

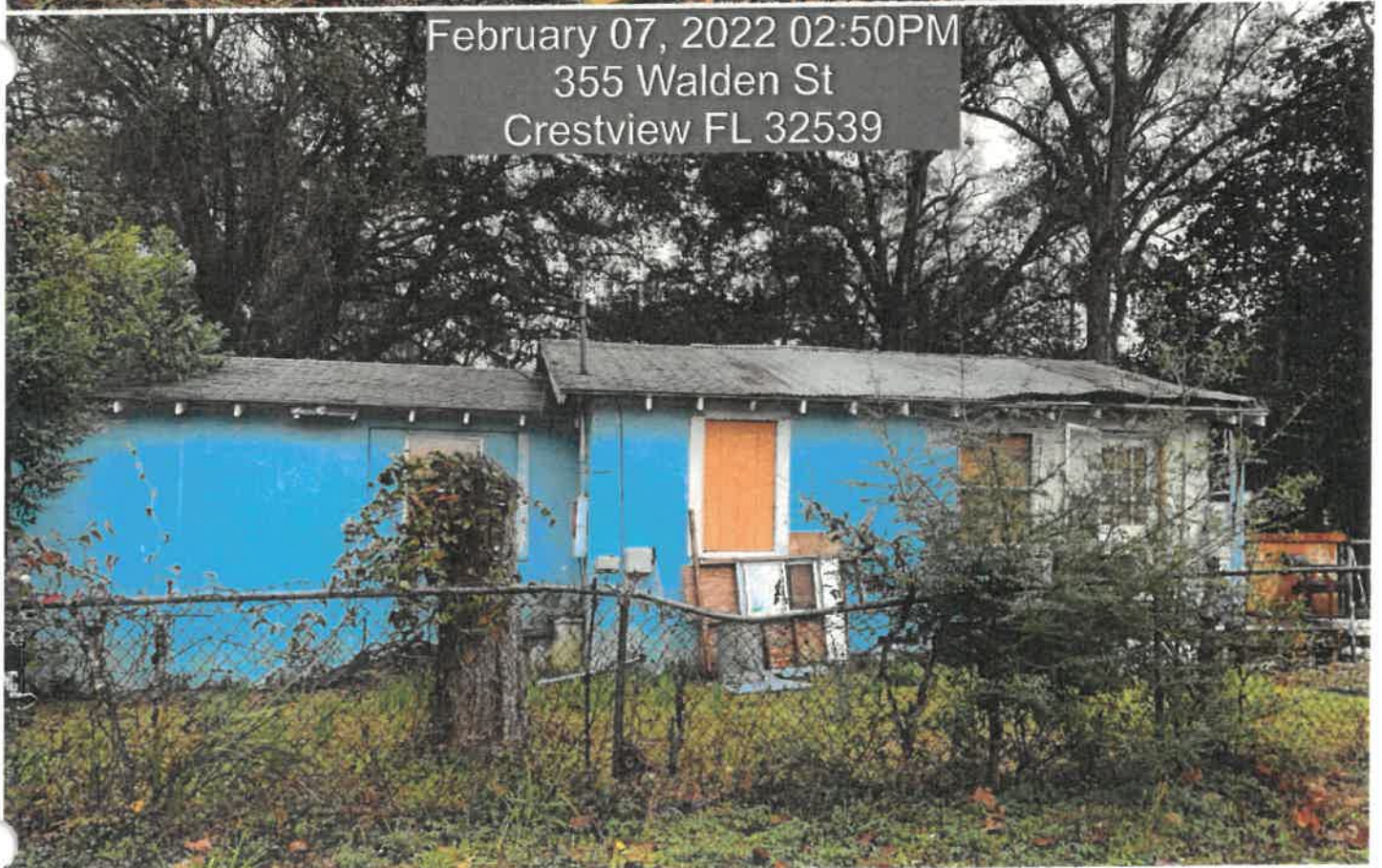
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

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.

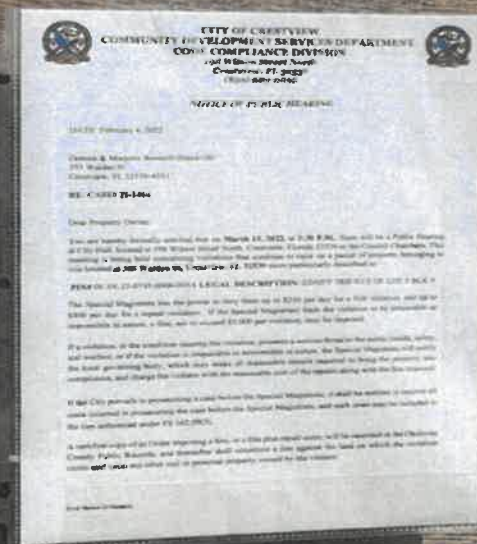
End: Notice of Violation



March 01, 2022 11:13AM
355 Walden St
Crestview FL 32539



March 03, 2022 02:23PM
355 Walden St
Crestview FL 32539



March 03, 2022 02:24PM
355 Walden St
Crestview FL 32539



March 03, 2022 02:24PM
355 Walden St
Crestview FL 32539



March 03, 2022 02:57PM
203 W Woodruff Ave
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: February 4, 2022

Donnie & Marjorie Boswell (Heirs Of)
355 Walden St
Crestview, FL 32539-4531

RE: CASE# 21-1464

Dear Property Owner:

You are hereby formally notified that on **March 15, 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 355 Walden St, Crestview, FL 32539 more particularly described as:

PIN# 08-3N-23-0743-0009-003A LEGAL DESCRIPTION: EDNEY 3RD N1/2 OF LOT 3 BLK 9

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).

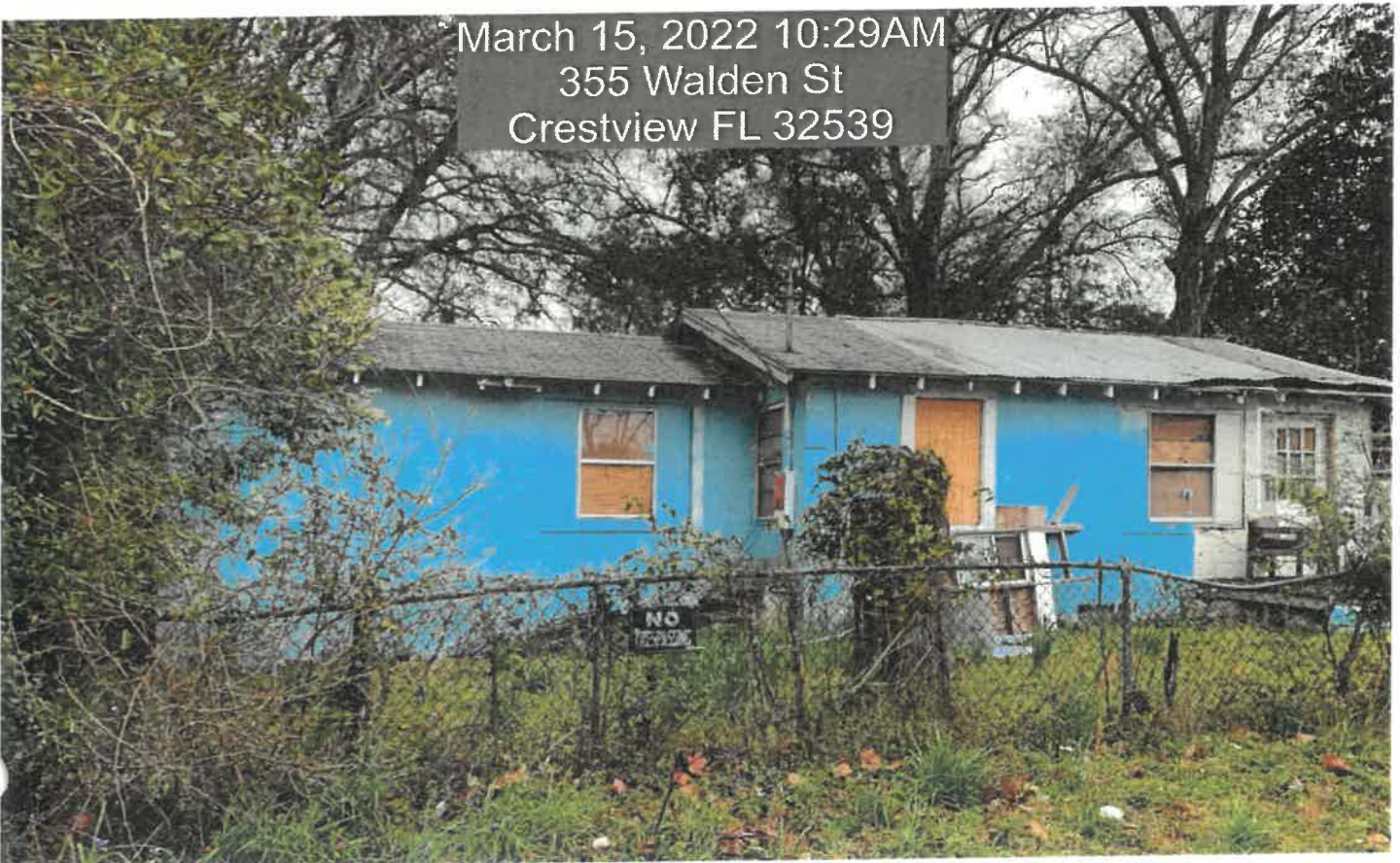
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

End: Notice of Violation

March 15, 2022 10:29AM
355 Walden St
Crestview FL 32539



March 15, 2022 10:29AM
355 Walden St
Crestview FL 32539





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: October 20, 2021
Case #: 21-00001464

MARJORIE & DONNIE BOSWELL
355 WALDEN ST
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: 355 WALDEN ST
Tax Identification Number: 08-3N-23-0743-0009-003A
Legal: EDNEY 3RD N1/2 OF LOT 3 BLK 9, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **November 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 # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 10/18/21
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 :

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 DETAIL

PAGE 2

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

VIOLATION: CH 38 SEC 65 DOORS/FRONTS QUANTITY: 1
DESCRIPTION: EXTERIOR DOORS/STOREFRONTS DATE: 10/18/21
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 :

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 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 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 10/18/21
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 :

EXHIBIT # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

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 POR-BAL-STA QUANTITY: 1
DESCRIPTION: PORCHES-BALCONIES-STAIRS DATE: 10/18/21
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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

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).

(a) Please Contact the Permitting Department @ 850-689-1618 EXT. 254 OR 261.

VIOLATION DETAIL

PAGE 4

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

VIOLATION: CH 38 SEC 65 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 10/18/21
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 :

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 65 WINDOWS QUANTITY: 1
DESCRIPTION: WINDOWS-OPENINGS-SCREENS DATE: 10/18/21
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

EXHIBIT # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

ORDINANCE DESCRIPTION :

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 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: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 10/18/21
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.

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

ORDINANCE DESCRIPTION :

(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 :

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



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

CERTIFIED MAIL™



7011 3500 0000 9134 2189

NEOPOST
 10/20/2021
 US POSTAGE \$004.28
 FIRST CLASS MAIL
 ZIP 32536
 041M11297338

Handwritten: 10-23

Heirs of Marjorie and Donnie Boswell
 355 Walden Street
 Crestview, FL 32539

NIXIE

322 DE 1 0011/14/21
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 36343698 *0238-06010-14-43

6912 4ET6 0000 0056 TT02

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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
#21-1464	
Sent To: HEIRS OF MARJORIE + DONNIE BOSWELL	
Street, Apt. No., or PO Box No. 355 WALDEN ST	
City, State, ZIP+4 CRESTVIEW, FL 32539	
PS Form 3800, August 2006 See Reverse for Instructions	

EXHIBIT # 7



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: November 9, 2021

Case #: 21-00001464

HEIRS OF
DONNIE & MARJORIE BOSWELL
355 WALDEN STREET
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: 355 WALDEN ST
Tax Identification Number: 08-3N-23-0743-0009-003A
Legal: EDNEY 3RD N1/2 OF LOT 3 BLK 9, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **November 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,

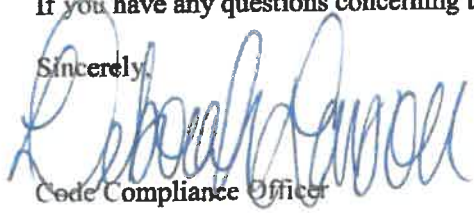

Code Compliance Officer

EXHIBIT # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 10/18/21
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 :

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: 10/18/21
LOCATION:

EXHIBIT # 7

ORDINANCE DESCRIPTION :

CONTINUED

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

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 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 10/18/21
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

VIOLATION DETAIL

PAGE 3

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

CORRECTIVE ACTION REQUIRED :
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: 10/18/21
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 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 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 10/18/21
LOCATION:

ORDINANCE DESCRIPTION :

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

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: 10/18/21
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 21-00001464
PROPERTY ADDRESS 355 WALDEN 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: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 10/18/21
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

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

ORDINANCE DESCRIPTION :

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.

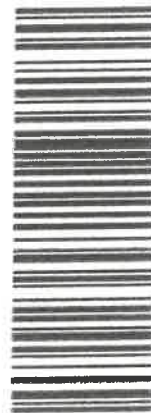
CORRECTIVE ACTION REQUIRED :

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



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

7014 3490 0000 4156 6819



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Heirs of Donnie & Marjorie Boswell

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21-14109

HEIRS OF DONNIE & MARJORIE BOSWELL
Street & Apt. No.,
or PO Box No. 355 WALDEN ST
City, State, ZIP+4
CRESTVIEW, FL 32539

PS Form 3800, July 2014 See Reverse for Instructions

6189 95TH 0000 06HE 4102

322 DE 1 0012/20/21
RETURN TO SENDER
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2536343698 *0238-06124-20-23

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: November 16, 2021

Donnie & Marjorie Boswell (Heirs Of)
355 Walden St
Crestview, FL 32539-4531

RE: CASE# 21-1464

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 **355 Walden St, Crestview, FL 32539** more particularly described as:

PIN# 08-3N-23-0743-0009-003A LEGAL DESCRIPTION: EDNEY 3RD N1/2 OF LOT 3 BLK 9

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

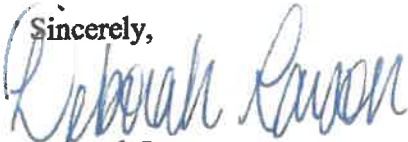
EXHIBIT # 7

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 # 7

21-1464

CH 38 SEC 65 DOORS/FRONTS /EXTERIOR DOORS/STOREFRONTS

DESCRIPTION: 38.65 - STANDARDS FOR IMPROVED PROPERTY.

(h) Exterior doors: Every exterior door and hatchway or 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.

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.

CH 38 SEC 65 ATTACHMENTS OVERHANG-AWNING-CANOPY-SIGN

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:

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.

CH 38 SEC 65 POR-BAL-STA PORCHES-BALCONIES-STAIRS

DESCRIPTION: 38.65 - STANDARDS FOR IMPROVED PROPERTY.

21-1464

(j) 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 painted 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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION:

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, for further information.

CH 38 SEC 65 WINDOWS WINDOWS-OPENINGS-SCREENS

DESCRIPTION: 38.65 - STANDARDS FOR IMPROVED PROPERTY.

(f) Windows:

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:

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.

21-1464

close 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.

CH 38 SEC 65 LIGHTING EXTERIOR LIGHTING

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:

You may abate the violation(s) by conducting the following action(s).

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.

Obtain a permit to repairing the exterior lighting.

Please contact the Permitting Department @ 850-689-1618 ext. 254 or 261 for further information.

CH 38 SEC 65 SUPPORTS WOOD OR METAL SUPPORTS

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:

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.

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Total Postage & Fees	\$ 4.33

21-1404

HEIRS OF MARJORIE + DONNIE BOSWELL

Street & Apt. No.
or PO Box No. 355 WALDEN ST

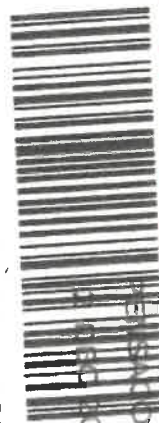
City, State, ZIP+4®
CRESTVIEW, FL 32539

PS Form 3806, July 2014 See Reverse for Instructions



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

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Donnie & Marjorie Boswell (Heirs Of)
355 Walden St
Crestview, FL 32539-4531

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9545345

EXHIBIT # 7

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

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21-1464

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: 355 Walden Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson
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 #

7



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 13, 2022

Case #: 21-00001464

HEIRS OF
DONNIE & MARJORIE BOSWELL
355 WALDEN STREET
CRESTVIEW, FL 32539

Dear HEIRS OF,

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: 355 WALDEN ST
Tax Identification Number: 08-3N-23-0743-0009-003A
Legal: EDNEY 3RD N1/2 OF LOT 3 BLK 9, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **January 31, 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,

A handwritten signature in blue ink, reading "Deborah Lawson", is written over the word "Sincerely,".

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 10/18/21
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 :

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: 10/18/21
LOCATION:

ORDINANCE DESCRIPTION :

CONTINUED

EXHIBIT # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

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 LIGHTING QUANTITY: 1
DESCRIPTION: EXTERIOR LIGHTING DATE: 10/18/21
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

EXHIBIT # 7

VIOLATION DETAIL

PAGE 3

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

CORRECTIVE ACTION REQUIRED :
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: 10/18/21
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 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 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS DATE: 10/18/21
LOCATION:

ORDINANCE DESCRIPTION :

EXHIBIT # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

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: 10/18/21
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 # 7

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN 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: CHAPTER 70 QUANTITY: 1
DESCRIPTION: SOLID WASTE & RECYCLING CH 70 DATE: 10/18/21
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

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

ORDINANCE DESCRIPTION :

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 :

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

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 1/13/22
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.

CASE NUMBER 21-00001464
PROPERTY ADDRESS 355 WALDEN ST

CORRECTIVE ACTION REQUIRED :

(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.

LS92 EET6 0000 005E TT02

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OFFICIAL USE

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Certified Fee	3.75
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.33

Postmark
JAN 18 2012

#21-12404

HEIRS OF DONNIE + MARJORIE BOSWELL
Street, Apt. No.,
or PO Box No. 355 WALDEN ST
City, State, ZIP+4[®] CRESTVIEW, FL 32539

PS Form 3800, August 2006 See Reverse for Instructions

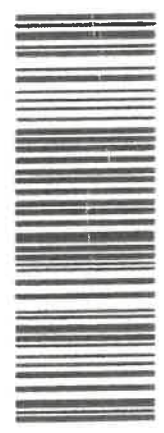
HEIRS OF
DONNIE & MARJORIE BOSWELL
355 WALDEN
CRESTVIEW
UNC
363436

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RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
8C: 32536343698 *6238-92350-21-09

LN
1/19/22


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

701J 3500 0000 9133 7857



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ZIP 32536
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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: February 4, 2022

Donnie & Marjorie Boswell (Heirs Of)
355 Walden St
Crestview, FL 32539-4531

RE: CASE# 21-1464

Dear Property Owner:

You are hereby formally notified that on **March 15, 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 **355 Walden St, Crestview, FL 32539** more particularly described as:

PIN# 08-3N-23-0743-0009-003A LEGAL DESCRIPTION: EDNEY 3RD N1/2 OF LOT 3 BLK 9

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 # 7

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

21-1464 355 Walden
Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 65 (f), (h), (k), (l), (m), (n), (q), (v)

(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 openings with concrete blocks, and stuccoing the exterior or boarding the opening. When boarding is used, it shall be of tri 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.

(h) Exterior doors: Every exterior door and hatchway or garage door shall be kept in sound working condition and good repair.

(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.

(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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

(n) Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

(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

21-1464 355 Walden
Statement of Violation

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.

(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:

a.) 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.

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

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OFFICIAL USE

Postage	\$.58
Certified Fee	3.75
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

Postmark
Here

21-1464

Sent To
 Donnie & Marjorie Boswell (Heirs of)
 Street, Apt. No.,
 or PO Box No. 355 WALDEN ST.
 City, State, ZIP+4
 Crestview FL 32536

PS Form 3800, August 2005

See Reverse for Instructions

6229 EET6 0000 005E T102



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

CERTIFIED MAIL™



7011 3500 0000 9133 8779

NEOSACOLA FL 325
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ZIP 32536
 041M11297338

NEOPOST
 02/10/2022
US POSTAGE \$007.33

Donnie & Marjorie Boswell (Heirs Of)
 355 Walden St
 Crestview, FL 32539-4531

355 WALDEN ST
 CRESTVIEW FL 32536

NIXIE 322 FE 1 0002/18/22
 RETURN TO SENDER
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD
 BC: 32536343698 *2538-00679-10-37

EXHIBIT # 7

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

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 21-1464

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 3rd day of March 2022, I personally posted said Notice of Hearing at: 355 Walden St, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson
Affiant's Signature

3rd / 3 / 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 3rd day of March 2022.

(SEAL)

NOTARY PUBLIC:

Jordan Davis

MY COMMISSION EXPIRES:

2023

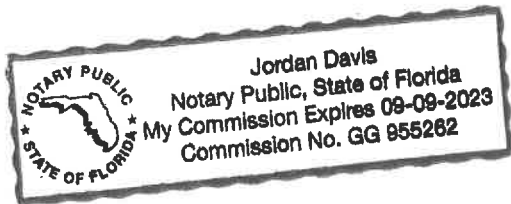


EXHIBIT # 7

BUILDING OFFICIAL STRUCTURAL DETERMINATION

10/13/21

DATE

21-1494 355 Walden

ADDRESS/LOCATION OF VIOLATION

NATURE OF VIOLATION(S) OBSERVED

unsafe structure

CORRECTIVE ACTION(S) REQUIRED

Permit and Repair or Remove 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: Structure needs new roofing (has multiple types of roof materials). Exposed wiring (no cover to building), Front porch area has no structural support and is falling down. Doors and windows blocked off with wood, no steps leading to front door, overhangs exposed with visible signs of rotten wood.

Ronald Rayborn
SIGNATURE OF BUILDING OFFICIAL

PRINTED NAME OF BUILDING OFFICIAL

10/13/21
DATE

EXHIBIT # 7A

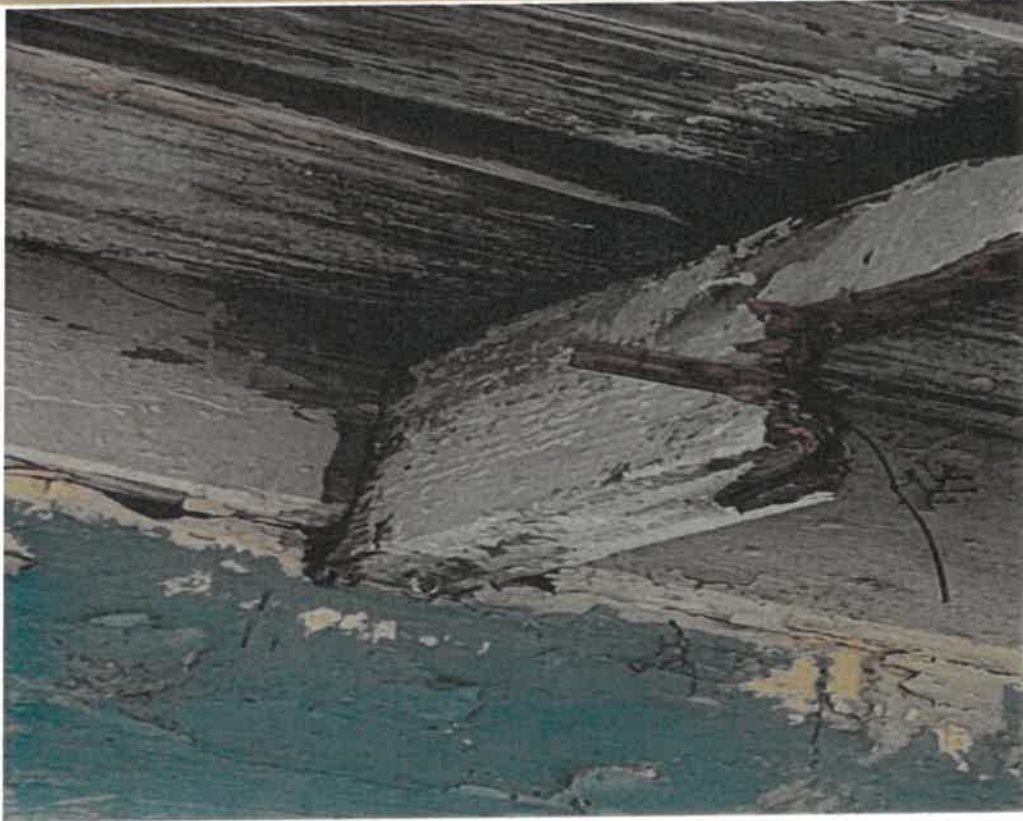
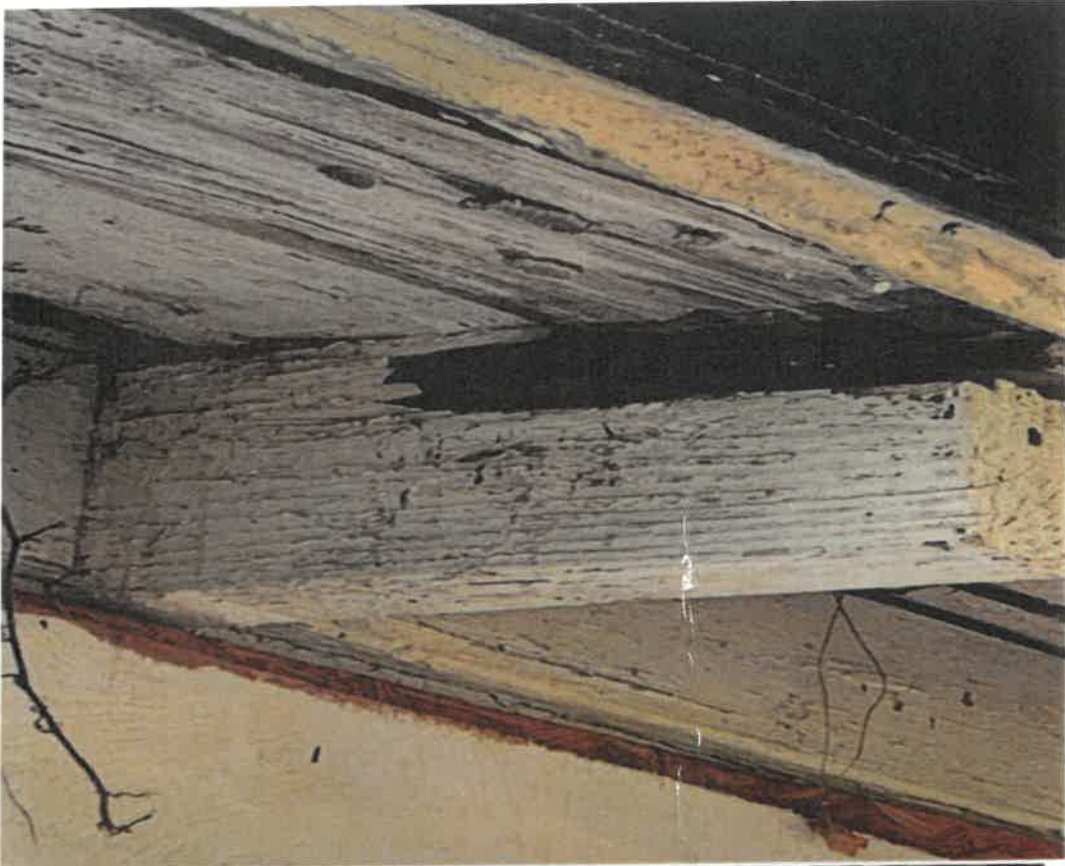


EXHIBIT# 7A

EXHIBIT # 7A



EXHIBIT# 7A



EXHIBIT# 7A



EXHIBIT# 7A



EXHIBIT# 7A



EXHIBIT# 7A



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



Inst. #3535173 Bk: 3610 Pg: 3928
Page 1 of 3 Recorded: 3/17/2022 12:29 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

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

City of Crestview, Florida,
Petitioner,

vs.

CASE# 21-1464

Donnie & Marjorie Boswell (Heirs of)
355 Walden Street
Crestview, FL 32539

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on March 15, 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, Heirs of Marjorie & Donnie Boswell, whose last known mailing address is 355 Walden Street, Crestview, FL 32539, is the owner of the property located at, 355 Walden Street, Crestview, FL, Crestview, FL 32539, AKA PIN# 08-3N-23-0743-0009-003A, and more particularly described as: EDNEY 3RD N1/2 OF LOT 3 BLK 9
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on August 4, 2021. A Notice of Violation was mailed by certified mail October 20, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (h), (k), (l), (m), (n), (q), (v). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by November 1, 2021. Re inspection of the property on November 1, 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. 65 (f), (h), (k), (l), (m), (n), (q), (v) . - 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 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 April 18, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain the necessary permits to repair the structure or obtain a demolition permit to demolish the structure.

On or before June 20, 2022, the Respondent is to correct the violation(s) by conducting the following actions:

a. Obtain a building permit to repair or replace the windows, exterior doors, structural supports, porches and balconies, stairs, roofs, overhang extensions, and exterior lighting.

b. Obtain a demolition permit to demolish the unsafe structure. If demolished, all demolition debris must be removed from the property.

10. If the violation(s) are not corrected by June 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 16th day of March 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.03.16 17:56:26
-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. #3593609 Blk: 3653 Pg: 812
Page 1 of 3 Recorded: 12/1/2022 11:52 AM
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# 21-1464

Donnie & Marjorie Boswell (Heirs of)
355 Walden Street
Crestview, FL 32539

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on March 15, 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, Heirs of Marjorie & Donnie Boswell, whose last known mailing address is 355 Walden Street, Crestview, FL 32539, is the owner of the property located at, 355 Walden Street, Crestview, FL, Crestview, FL 32539, AKA PIN# 08-3N-23-0743-0009-003A, and more particularly described as: EDNEY 3RD N1/2 OF LOT 3 BLK 9
2. The conditions on the property consist of an unsafe structure. The violation(s) were first observed on August 4, 2021. A Notice of Violation was mailed by certified mail October 20, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (f), (h), (k), (l), (m), (n), (q), (v). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by November 1, 2021. Re inspection of the property on November 1, 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. 65 (f), (h), (k), (l), (m), (n), (q), (v) . - 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 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 April 18, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain the necessary permits to repair the structure or obtain a demolition permit to demolish the structure.

On or before June 20, 2022, the Respondent is to correct the violation(s) by conducting the following actions:

a. Obtain a building permit to repair or replace the windows, exterior doors, structural supports, porches and balconies, stairs, roofs, overhang extensions, and exterior lighting.

b. Obtain a demolition permit to demolish the unsafe structure. If demolished, all demolition debris must be removed from the property.

10. If the violation(s) are not corrected by June 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 16th day of March 2022.

**Samuel B.
Taylor**

**Special Magistrate
City of Crestview, Florida**

Digitally signed by Samuel
B. Taylor
Date: 2022.03.16 17:56:26
-05'00'

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, MMC
City Clerk
DATE: 12-1-2022

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

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

21-1464

355 WALDEN ST

Aug 29, 2023 at 11:42:00 AM
355 Walden St
Crestview FL 32539
United States



Case # 21-1298**638 REED AVE**

Owner of Record: Annie M Scarbrough (Heirs Of)

of 638 Reed St Crestview FL 32539

Origination Date: 07/06/21

Origination Code: Proactive

Violations: Chapter 38 Section 65 (j) Exterior Surface, (k) Structural Supports, (n) Roofs, (q) Overhang Extensions, and Chapter 38 Section 66 Accessory Structures

Corrective Action Required:

- a.) Obtain a roofing permit and repair or replace the roof. Obtain a building permit and repair the exterior surface, structural supports, and overhang extensions.
- b.) Obtain the required permit and demolish the accessory 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 and applicable documents, and pay associated fees to bring the accessory structure to a state of compliance.

Notice Sent: 07/21/21

Signed: 07/22/21

Compliance Date: 08/04/21

Inspected: 08/16/21 Results: In Violation

Notice Sent: 09/03/21

Signed: 09/11/21

Compliance Date: 09/21/21

Inspected: 11/15/21 Results: In Violation

Public Hearing Notice Sent: 11/2/21

Signed: 11/4/21

Hearing Date: 12/07/21

Property remains in violation.

Order Recorded: 12/09/21

Re-recorded with wet stamp 12/13/22

Hearing fee: \$250 Due by 01/07/22

Daily fine: \$250 Start: 01/10/22

Fines: \$148,250 as of August 25, 2023 (not including interest)

Property Value: \$64,546

Related Properties: NONE

21-1298
638 REED
TUESDAY, DECEMBER 7, 2021
EXHIBIT 7

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

7/14/21
DATE

638 Reed Ave

21-1298
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: _____

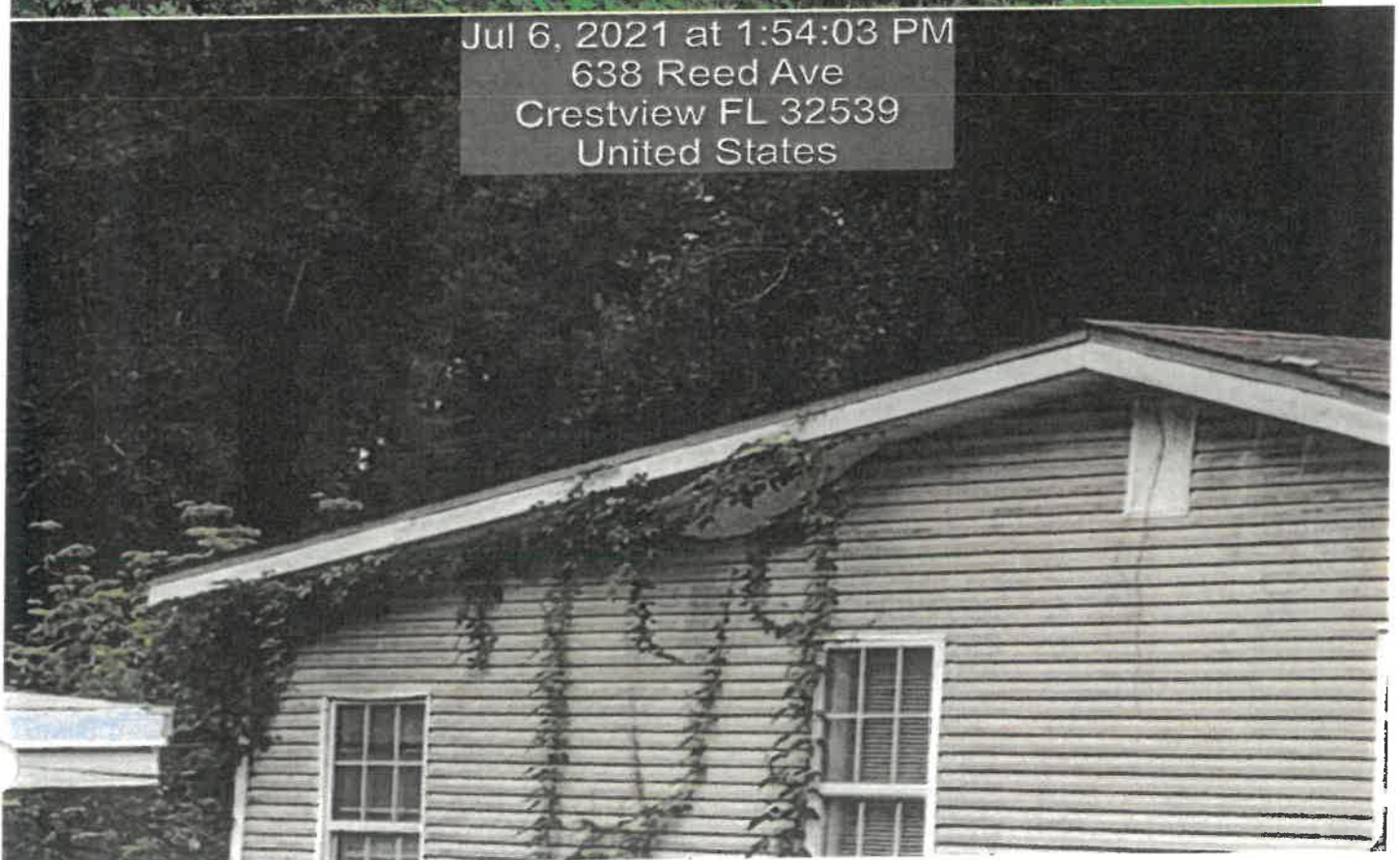
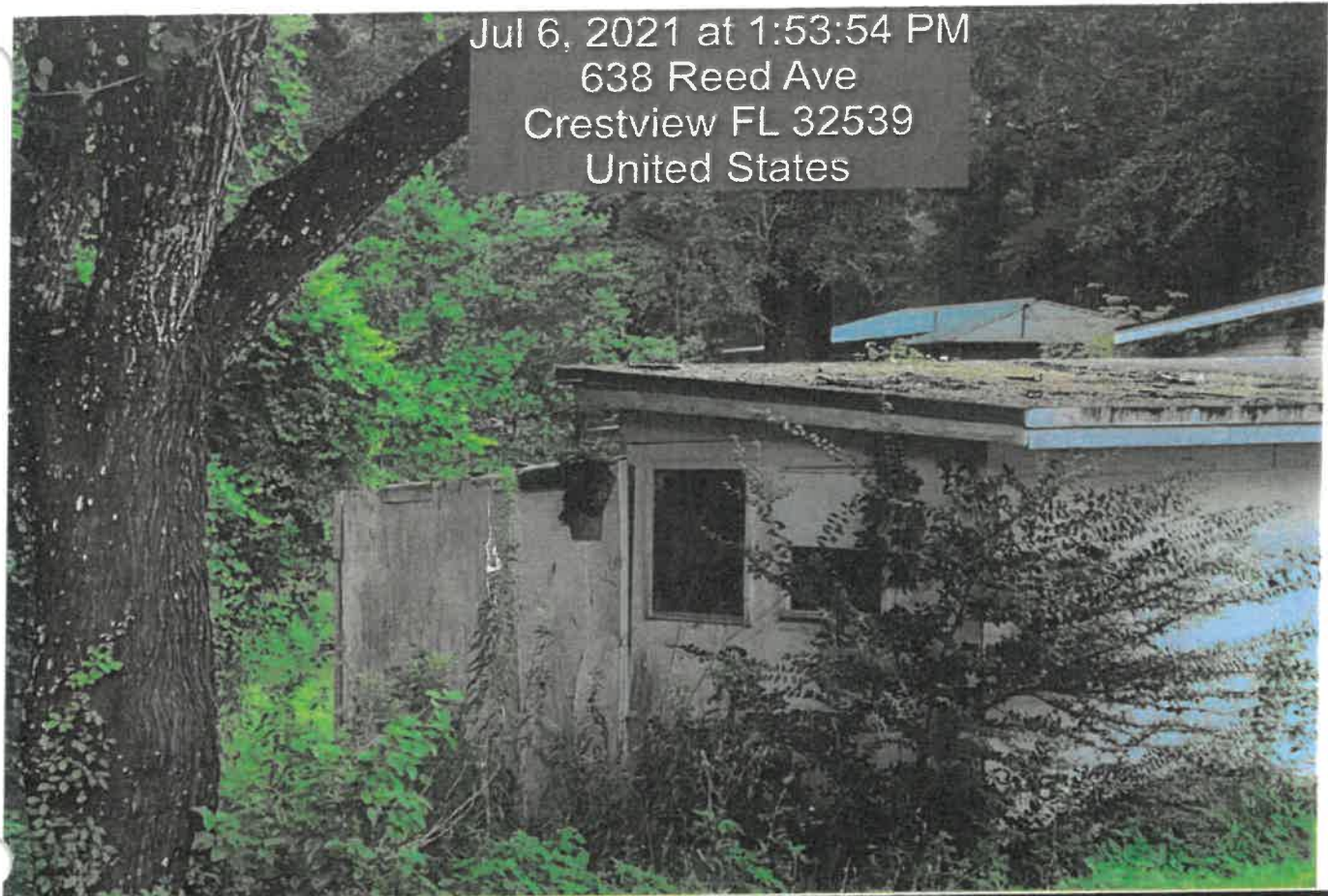
COMMENTS/CORRECTIVE ACTION(S): Permit and Repair would be my
recommendation of the primary structure. The Accessory structure is
unsafe and needs to be removed.
Primary structure appears to have roof leaks causing soffit and fascia
areas to rot and exterior coverings falling off. Front porch area has
some siding missing


SIGNATURE OF BUILDING OFFICIAL

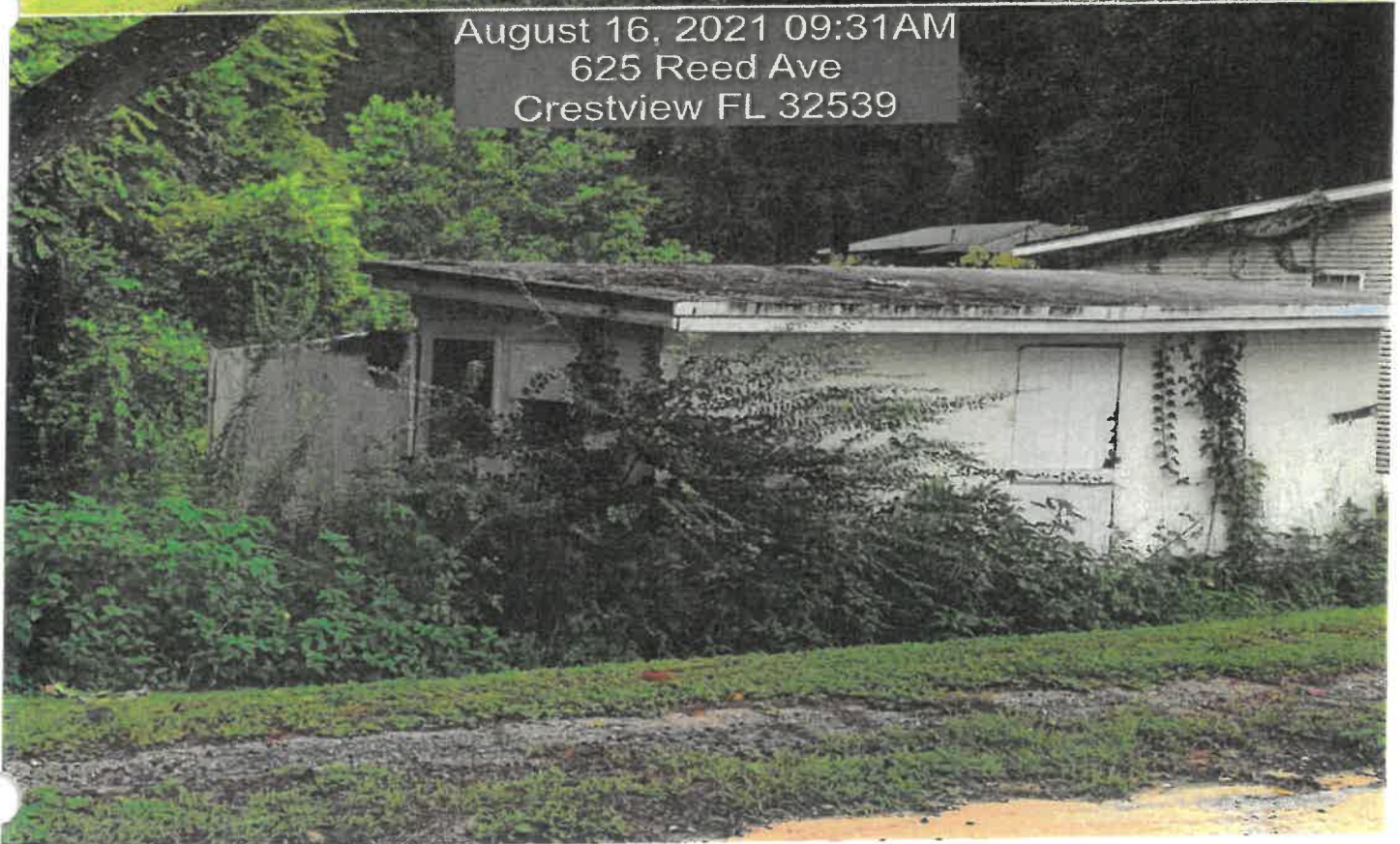
Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

7/14/21
DATE

EXHIBIT # 7



EXHIBIT# 7



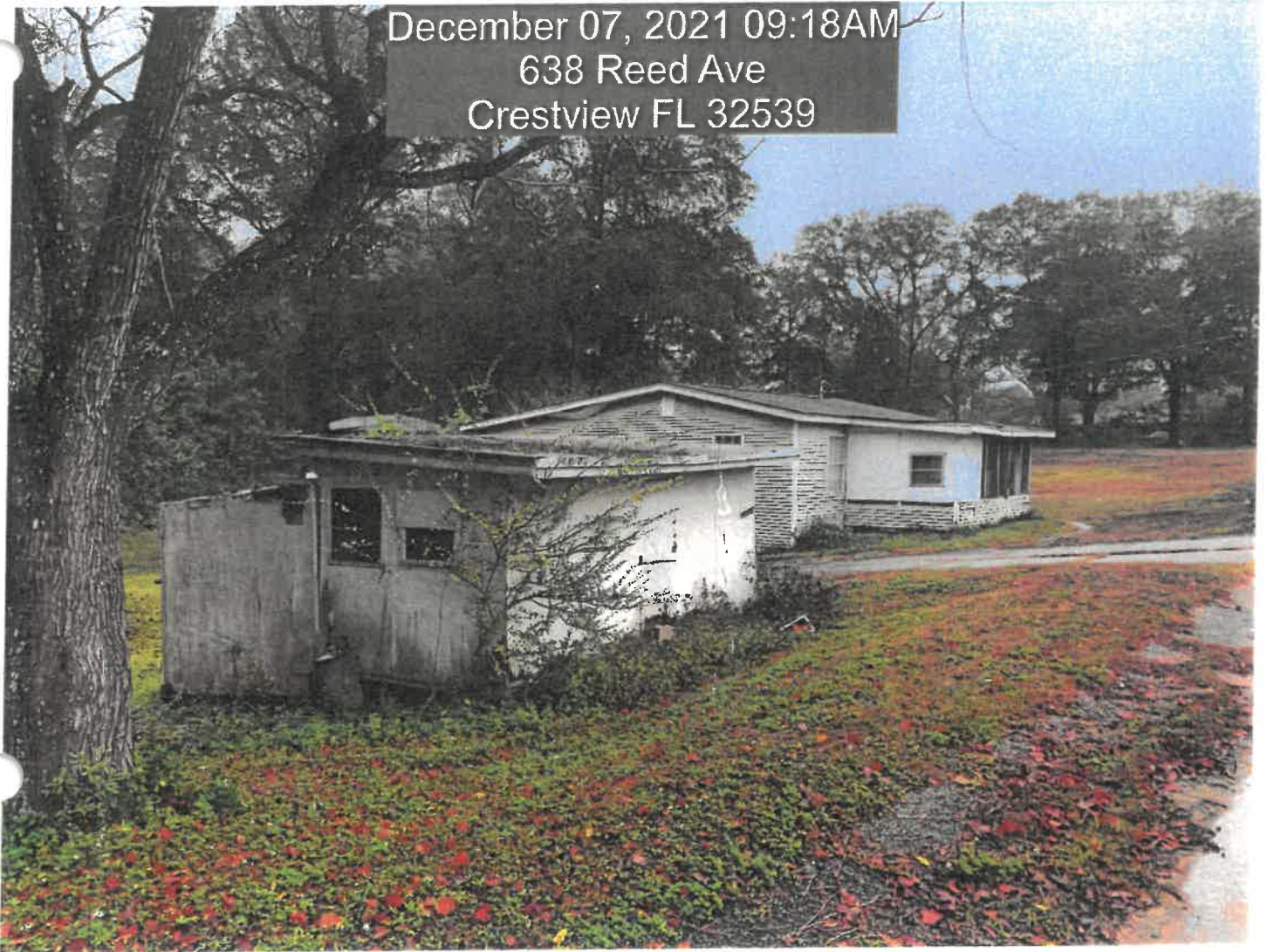
September 02, 2021 10:12AM
601-699 Reed Ave
Crestview FL 32539



November 15, 2021 02:01PM
638 Reed Ave
Crestview FL 32539



December 07, 2021 09:18AM
638 Reed Ave
Crestview FL 32539





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 #: 21-00001298

HEIRS OF ANNIE M SCARBROUGH
638 REED STREET
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: 638 REED AVE
Tax Identification Number: 16-3N-23-2690-0005-003B
Legal: WINGARD ADD 50 FT N & S BY 140, FT E & W IN SW COR LOT 3 BLK, 5

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 21-00001298
PROPERTY ADDRESS 638 REED AVE

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS 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.

(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 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: GUTTERS-CHIMNEYS-OVERHANGS 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

EXHIBIT # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

ORDINANCE DESCRIPTION :

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 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 @

EXHIBIT # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

CORRECTIVE ACTION REQUIRED :
850-682-1560, for information pertaining to the Downtown
Overlay District.

VIOLATION: CH 38 SEC 65 EXT. SURFACE QUANTITY: 1
DESCRIPTION: EXTERIOR SURFACE 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.

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 :
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 # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

CORRECTIVE ACTION REQUIRED :

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 65 ROOFS
DESCRIPTION: ROOFS
LOCATION:

QUANTITY: 1
DATE: 7/21/21

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 :

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 # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED 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 SUPPORTS QUANTITY: 1
DESCRIPTION: WOOD OR METAL SUPPORTS 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.

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: 7/21/21
LOCATION:

ORDINANCE DESCRIPTION :

CONTINUED

EXHIBIT # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

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 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

EXHIBIT # 7

7020 1290 0001 2346 7392

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	3.00
Services & Fees (check box, add fee as applicable)	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	6.94
HEIRS OF ANNIE M SCARBROUGH 638 REED CRESTVIEW, FL 32539	
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.	A. Signature X ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: HEIRS OF ANNIE M SCARBROUGH 638 REED CRESTVIEW, FL 32539 9590 9402 6373 0303 1240 93	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 ☐ Mail Restricted Delivery
2. Article Number (Transfer from service label) 7020 1290 0001 2346 7392	

PS Form 3811, July 2020 PSN 7530-02-000-8053

Domestic Return Receipt

EXHIBIT # 7

USPS Tracking®

[FAQs >](#)[Track Another Package +](#)**Tracking Number:** 70201290000123467392[Remove X](#)

Your item was delivered to an individual at the address at 2:54 pm on July 22, 2021 in CRESTVIEW, FL 32539.

 **Delivered, Left with Individual**

July 22, 2021 at 2:54 pm
CRESTVIEW, FL 32539

[Feedback](#)[Get Updates ∨](#)[Text & Email Updates ∨](#)[Tracking History ∨](#)[Product Information ∨](#)[See Less ^](#)

Can't find what you're looking for?

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

EXHIBIT # 7



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: September 3, 2021
Case #: 21-00001298

HEIRS OF ANNIE M SCARBROUGH
638 REED STREET
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: 638 REED AVE

Tax Identification Number: 16-3N-23-2690-0005-003B

Legal: WINGARD ADD 50 FT N & S BY 140, FT E & W IN SW COR LOT 3 BLK, 5

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **September 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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

VIOLATION: CH 38 SEC 65 ATTACHMENTS QUANTITY: 1
DESCRIPTION: OVERHANG-AWNING-CANOPY-SIGN DATE: 7/21/21
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 :

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.

EXHIBIT # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

VIOLATION: CH 38 SEC 65 EXT. SURFACE QUANTITY: 1
DESCRIPTION: EXTERIOR SURFACE DATE: 7/21/21
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, 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 :

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 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

EXHIBIT # 7

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

CORRECTIVE ACTION REQUIRED :

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 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 7/21/21
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: 7/21/21
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

CASE NUMBER 21-00001298
PROPERTY ADDRESS 638 REED AVE

ORDINANCE DESCRIPTION :

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: 7/21/21
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 # 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:
HEIRS OF ANNIE M SCARBOROUGH
638 REED
CRESTVIEW, FL
32539

2. Article Number (Transfer from service label)
7011 3500 0000 9133 0445

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)
C-15

C. Date of Delivery
9-11

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
☐ Insured Mail Restricted Delivery

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

Domestic Return Receipt

CERTIFIED MAIL

Crestview
 h Wilson Street
 , FL 32536

NEOPOST
09/03/2021
US POSTAGE \$007 33⁰⁰

FIRST CLASS MAIL

ZIP 32536
041M11297338

7011 3500 0000 9133 0445
7011 3500 0000 9133 0445

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

OFFICIAL USE

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

Postage \$ **.58**
 Certified Fee **3.75**
 Return Receipt Fee (Endorsement Required) **3.05**
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees: \$ **7.38**

Sent to: **SCARBOROUGH**
 Return to: **HE**
 or P.O. Box No.
 City, State, ZIP+4
21-1248

For Post 1000 August 2008 San Francisco

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: October 20, 2021

**Annie M Scarbrough (Heirs Of)
638 Reed St
Crestview, FL 32539-4622**

RE: CASE# 21-1298

Dear Property Owner:

You are hereby formally notified that on December 7, 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 638 Reed St, Crestview, FL 32539, more particularly described as:

**PIN# 16-3N-23-2690-0005-003B LEGAL DESCRIPTION: WINGARD ADD 50 FT N & S
BY 140 FT E & W IN SW COR LOT 3 BLK 5 LESS SWLY 50 FT OF NWLY 10 FT & LOT 3
EXC 50 FT BLK 5 AS OR 1144-204 AND S 10FT OF VAC R/W AS PER OR 1473-912**

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

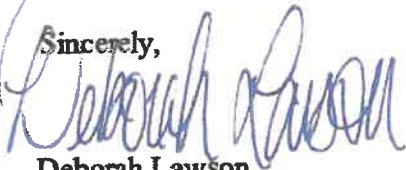
A certified copy of an Order imposing a fine, or a fine plus repair costs, will be recorded in the Okaloosa County Public Records, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

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 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 # 7

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 65 (j), (k), (n), (q)

(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) 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.

(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 building permit and repair or replace the exterior surface treatment, structural supports, and overhang extensions. Obtain a roofing permit and repair or replace the roof.

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.

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.

USPS Tracking®

[FAQs >](#)

Track Another Package +

Tracking Number: 70143490000041566710

[Remove X](#)

Your item was delivered to an individual at the address at 3:19 pm on November 4, 2021 in CRESTVIEW, FL 32539.

✓ Delivered, Left with Individual

November 4, 2021 at 3:19 pm
CRESTVIEW, FL 32539

[Feedback](#)

7014 3490 0000 4156 6710

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
OFFICIAL USE	
Postage \$	1.58
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	4.33

Postmark Here

Sent To
HEIRS OF ANNIE M SCARBROUGH #21 1298
Street & Apt. No.,
or PO Box No. 638 REED ST
City, State, ZIP+4
CRESTVIEW, FL 32539

PS Form 3800, July 2013 See Reverse for Instructions

	✓
	✓
	✓
	✓

ISS ^

Can't find what you're looking for?

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

EXHIBIT # 7

BUILDING OFFICIAL STRUCTURAL DETERMINATION

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

7/14/21

DATE

638 Reed Ave

ADDRESS-LOCATION OF VIOLATION

21-1298

- ☐ (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): Permit and Repair would be my recommendation of the primary structure. The Accessory Structure is unsafe and needs to be removed.

Primary structure appears to have roof leaks causing soffit and fascia areas to rot and exterior coverings falling off. Front porch area has some siding missing.


SIGNATURE OF BUILDING OFFICIAL

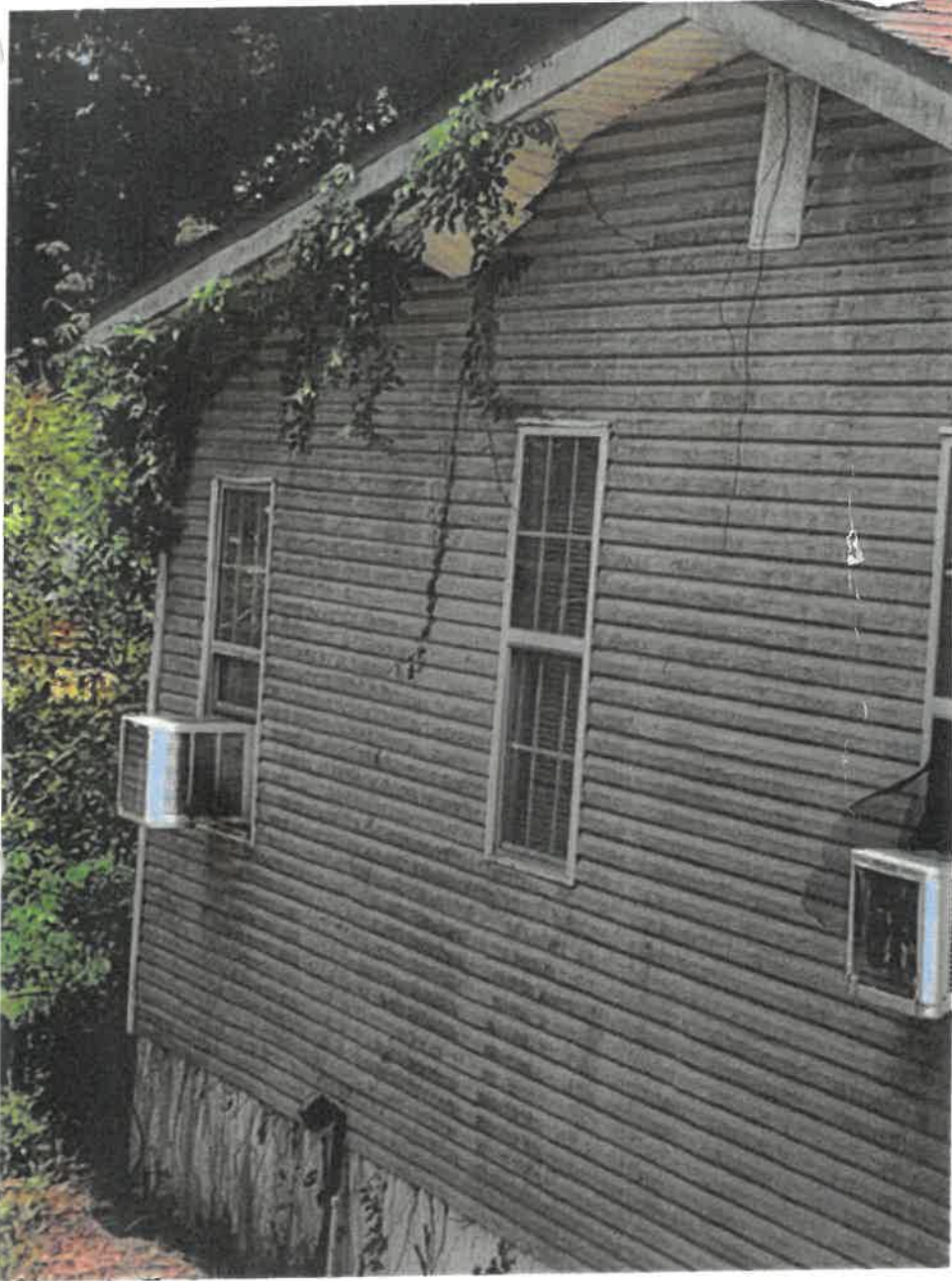
Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

7/14/21
DATE

EXHIBIT # 7A



EXHIBIT # 7A



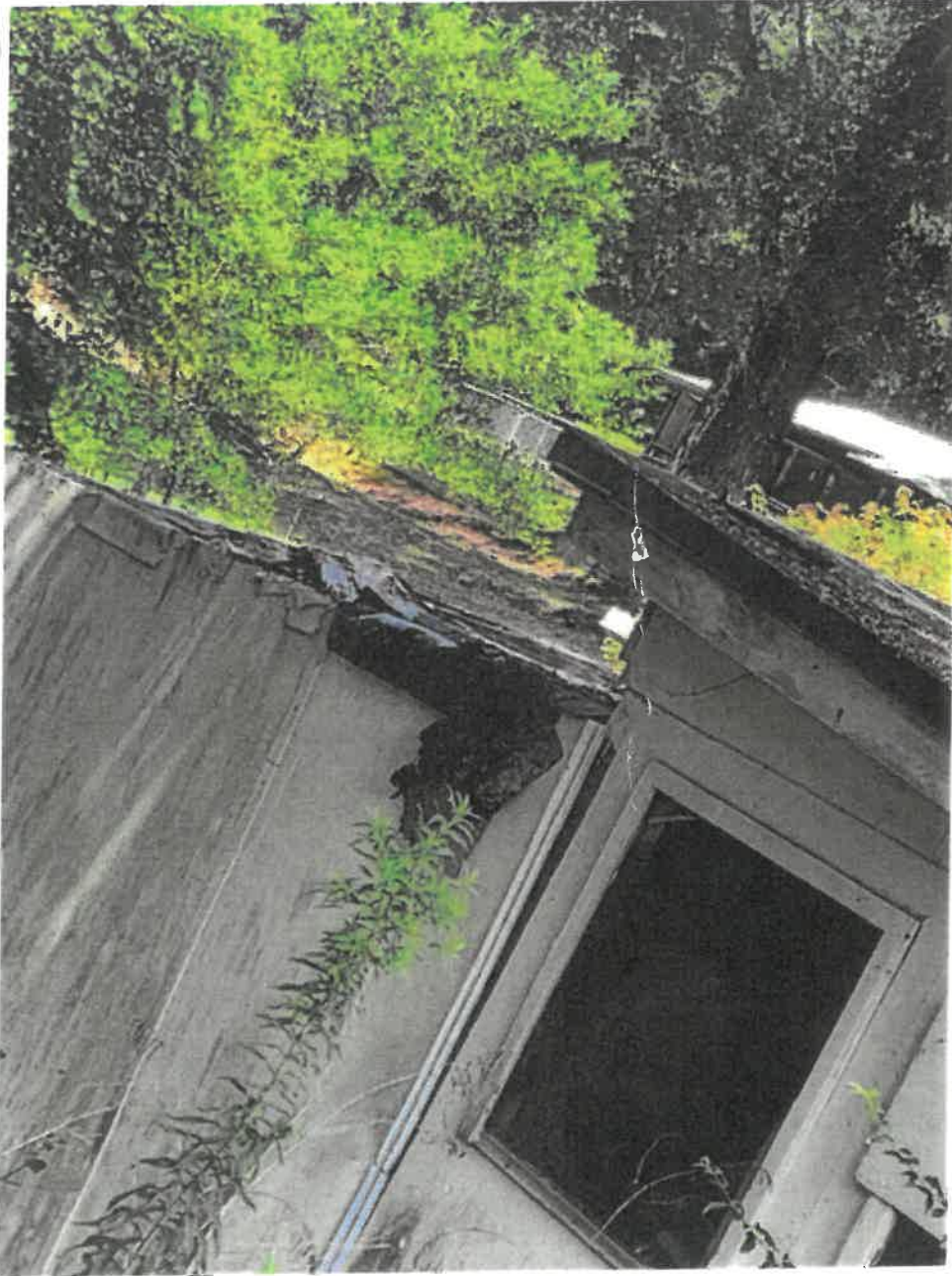




EXHIBIT # 7A



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



City
of

Crestview, Florida,

Petitioner,

vs.

CASE# 21-1298

Heirs of Annie M Scarbrough
638 Reed Street
Crestview, FL 32539
Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on December 7, 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, Heirs of Annie M Scarbrough, whose last known mailing address is 638 Reed Street, Crestview, FL 32539, is the owner of the property located at 638 Reed Street, Crestview, FL 32539, AKA PIN# 16-3N-23-2690-0005-003B, and more particularly described as:
WINGARD ADD 50 FT N & S BY 140 FT E & W IN SW COR LOT 3 BLK 5 LESS SWLY 50 FT OF NWLY 10 FT & LOT 3 EXC 50 FT BLK 5 AS OR 1144-204 AND S 10FT OF VAC R/W AS PER OR 1473-912
2. The conditions on the property consist of a deteriorating primary structure and an unsafe accessory structure. The violation(s) were first observed on July 6, 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 - Sec. 65 (j), (k), (n), (q), and Sec. 66 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 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 65 (j), (k), (n), (q), and Section 66 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 January 7, 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 January 7, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain a roofing permit and repair or replace the roof. Obtain a building permit and repair or replace the exterior surface treatment, structural supports, and overhang extensions.

- b. Obtain a demolition permit and demolish the accessory structure. Remove all demolition debris from the property or,
- c. 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 January 7, 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.

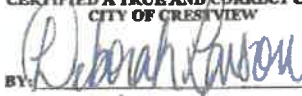
12. If Respondent fails to comply by the date stated above, the City Council may cause the property to be cleaned up and the nuisance abated. The cost for such cleanup and abatement shall be billed and mailed via certified mail to the last known address of Respondent. If such bill is not paid within 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 7th day of December 2021.

**Samuel B.
Taylor**

Digitally signed by Samuel B.
Taylor
Date: 2021.12.09 14:37:56 -06'00'

Special Magistrate
City of Crestview, Florida


CERTIFIED A TRUE AND CORRECT COPY
CITY OF CRESTVIEW
BY: 
DATE: 12/9/2021

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, Apt. 1
Crestview, FL 32539



City

Crestview, Florida,

Petitioner,

vs.

Heirs of Annie M Scarbrough
638 Reed Street
Crestview, FL 32539
Respondents.

Inst. #3595746 Bk: 3654 Pg: 3394
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# 21-1298

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on December 7, 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, Heirs of Annie M Scarbrough, whose last known mailing address is 638 Reed Street, Crestview, FL 32539, is the owner of the property located at 638 Reed Street, Crestview, FL 32539, AKA PIN# 16-3N-23-2690-0005-003B, and more particularly described as:
WINGARD ADD 50 FT N & S BY 140 FT E & W IN SW COR LOT 3 BLK 5 LESS SWLY 50 FT OF NWLY 10 FT & LOT 3 EXC 50 FT BLK 5 AS OR 1144-204 AND S 10FT OF VAC R/W AS PER OR 1473-912
2. The conditions on the property consist of a deteriorating primary structure and an unsafe accessory structure. The violation(s) were first observed on July 6, 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 - Sec. 65 (j), (k), (n), (q), and Sec. 66 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 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 65 (j), (k), (n), (q), and Section 66 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 January 7, 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 January 7, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Obtain a roofing permit and repair or replace the roof. Obtain a building permit and repair or replace the exterior surface treatment, structural supports, and overhang extensions.
 - b. Obtain a demolition permit and demolish the accessory structure. Remove all demolition debris from the property or,
 - c. 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 January 7, 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 7th day of December 2021.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.12.06 11:08:50
-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.

21-1298

638 REED AVE



Owner of Record: Leonard Lee 595 Benjamin St

Origination Date: 10/14/2021 Origination Code: Police Dept Referral

Violations: Chapter 38 Section 18 - (b) Trash, debris, junk

Corrective Action Required: Remove all debris, tree debris and trash from property.

Notice Sent: 10/18/2021 Signed: 10/19/2021 Compliance Date: 10/28/2021

Inspected: 11/3/2021 Results: In Violation

Notice Sent: 12/8/2021 Signed: 12/11/2021 Compliance Date: 12/22/2021

Inspected: 12/27/2021 Results: In Violation

Public Hearing Notice Sent: January 12, 2022 Signed: January 14, 2022

Property and City Hall posted on 2/3/2022

Hearing Date: February 15, 2022

Property remains in violation.

Order Recorded: February 18, 2022 **Wet Stamp Recorded: November 18, 2022**

Hearing fee: \$250 Due by 3/14/2022

Daily fine: \$250 Start: 3/14/2022

Fines: \$132,000 **as of August 23, 2023**

Property Value: \$25,260

Related Properties:

132 S Booker St 17-3N-23-2490-0076-0160 Leonard Lee

Case # 21-1038 Hearing Date: October 19, 2021 Fines: \$162,000

Violations: Trash/debris, Property exterior, wood supports, windows, structural supports, roofs, chimneys, flues, vent attachments, overhang extensions, rodent harborage, fences and walls, accessory structures, abandoned equipment/furniture, building exteriors, solid waste.

490 Martin Luther King 17-3N-23-2490-0077-0100 Heirs of Leonard Lee

Case # 19-814 Hearing Date: November 17, 2020 Fines: \$188,500

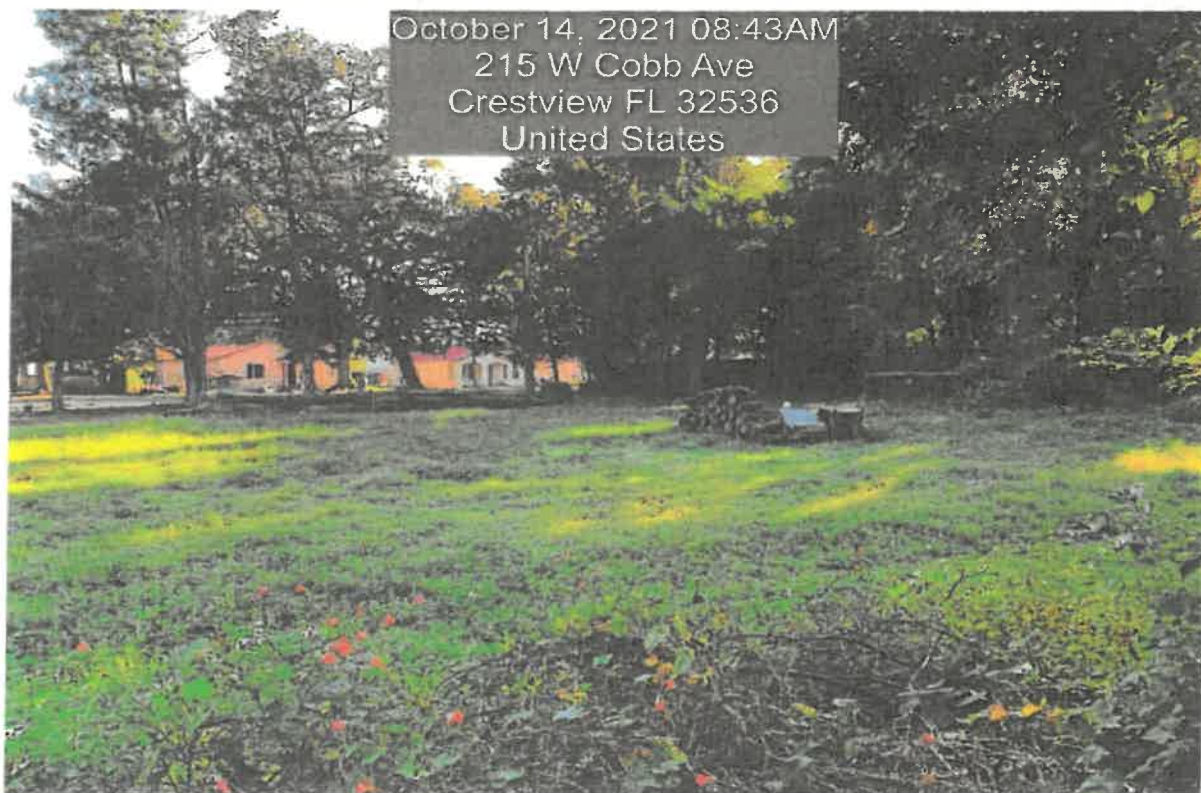
Violations: Criteria to demolish

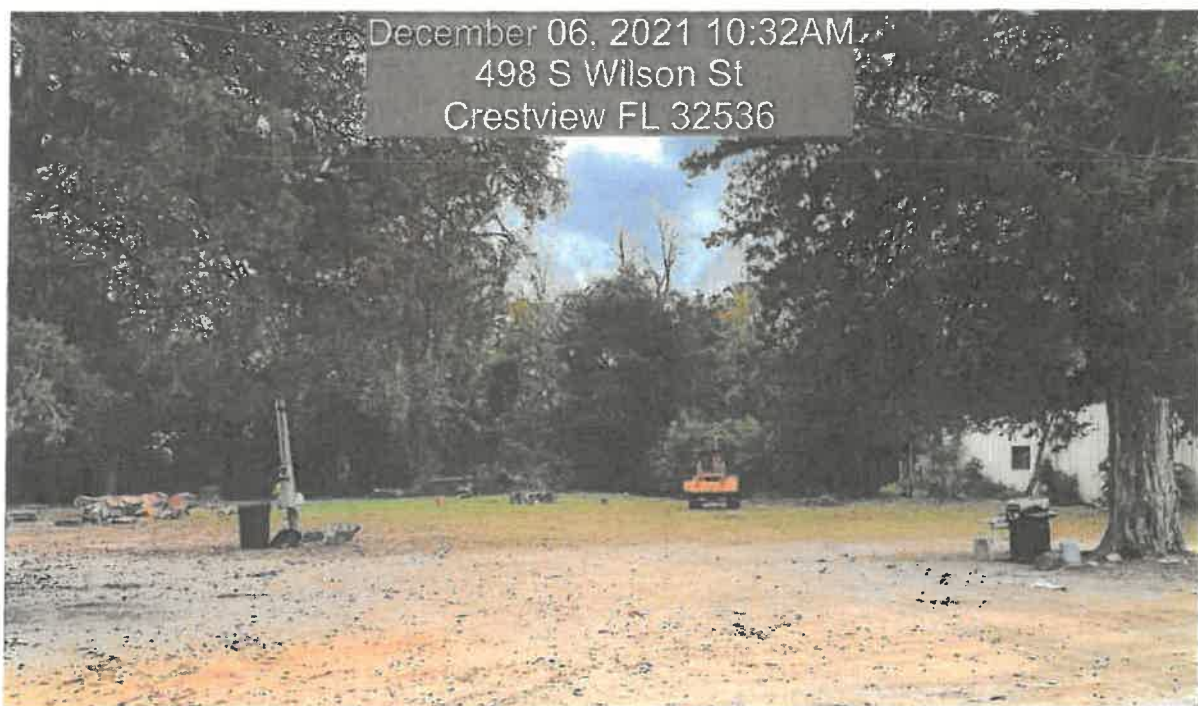
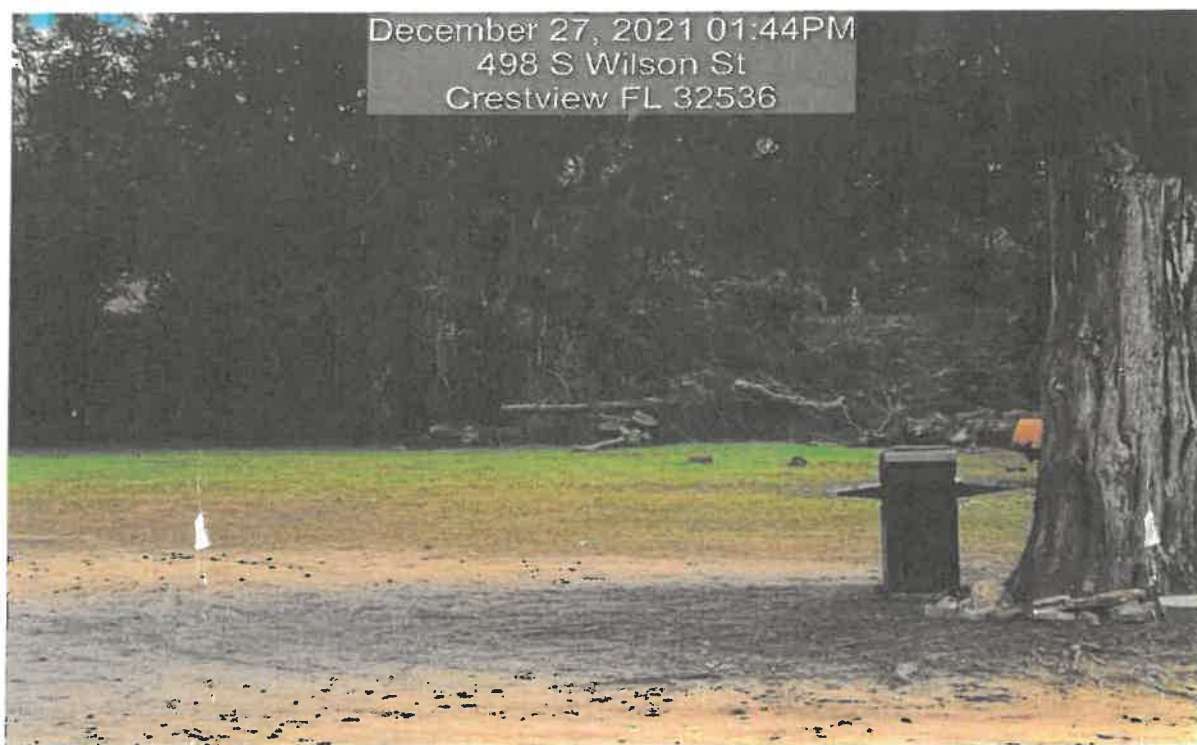
595 Benjamin St 20-3N-23-0000-0117-0010 Leonard Adib Lee

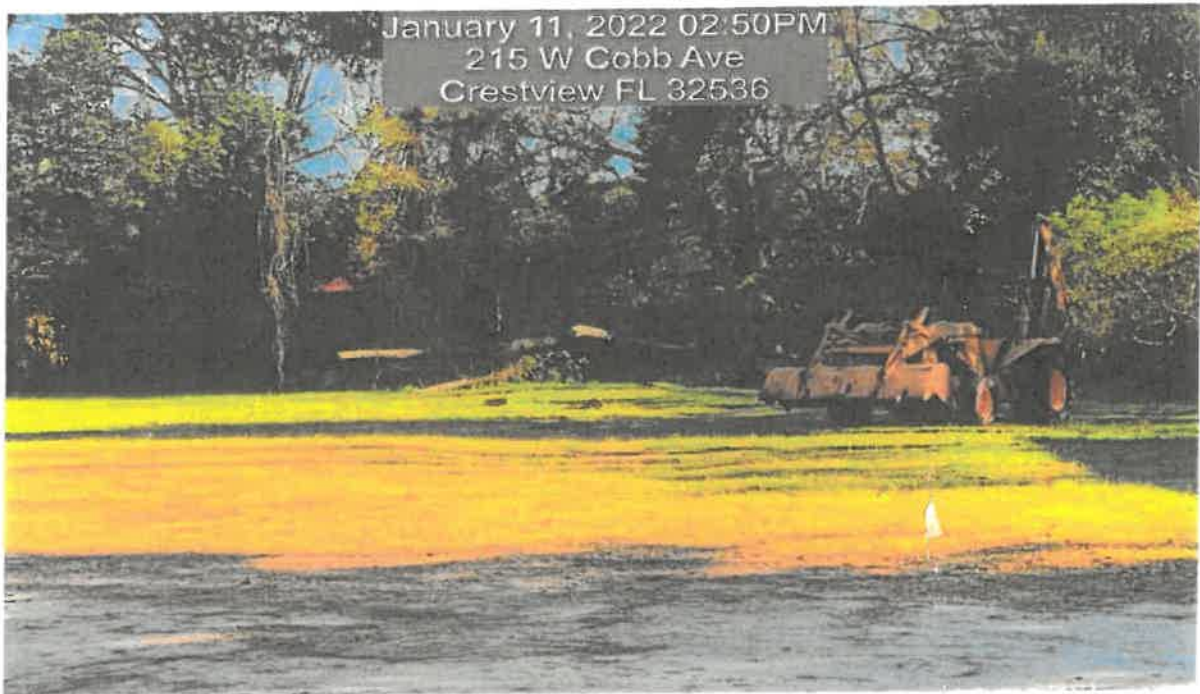
Case # 22-120 Hearing Date: January 18, 2022 Fines: \$138,750

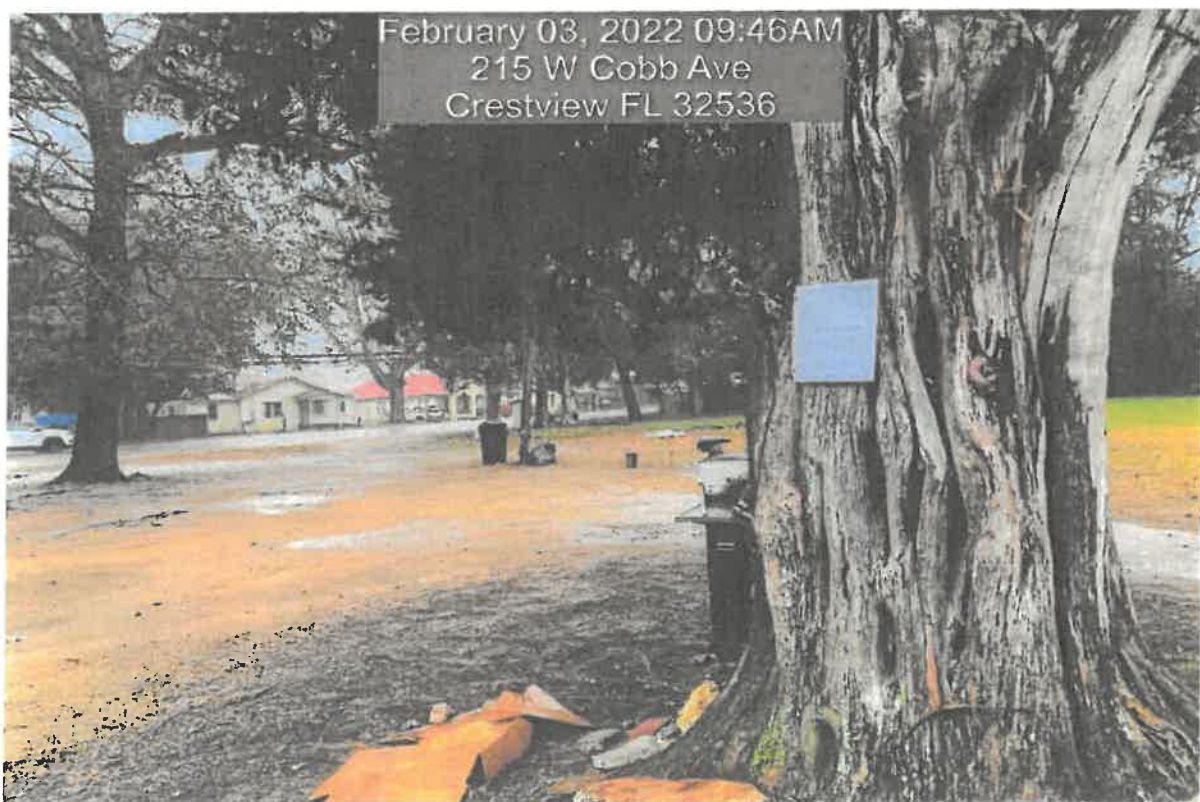
Violations: Trash/debris, inoperable vehicles, overgrown vegetation, exterior walls, windows, exterior doors, exterior surface treatment, structural supports, porches and balconies, roofs, overhang extensions, exterior lighting

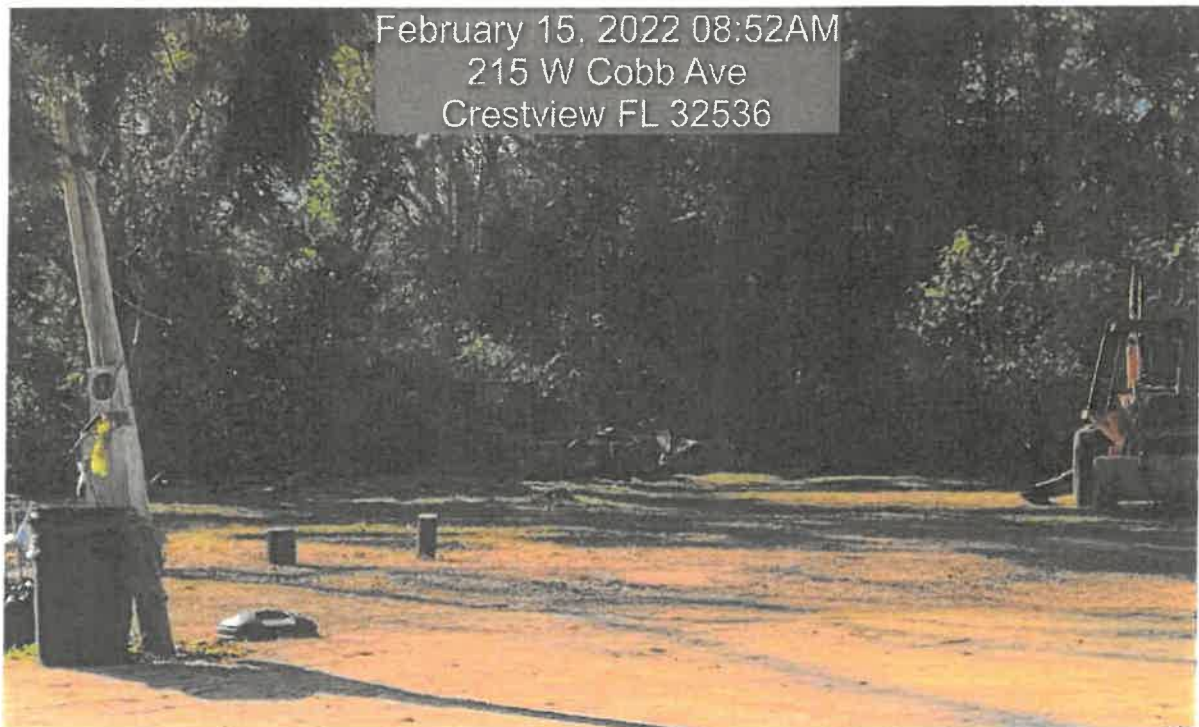
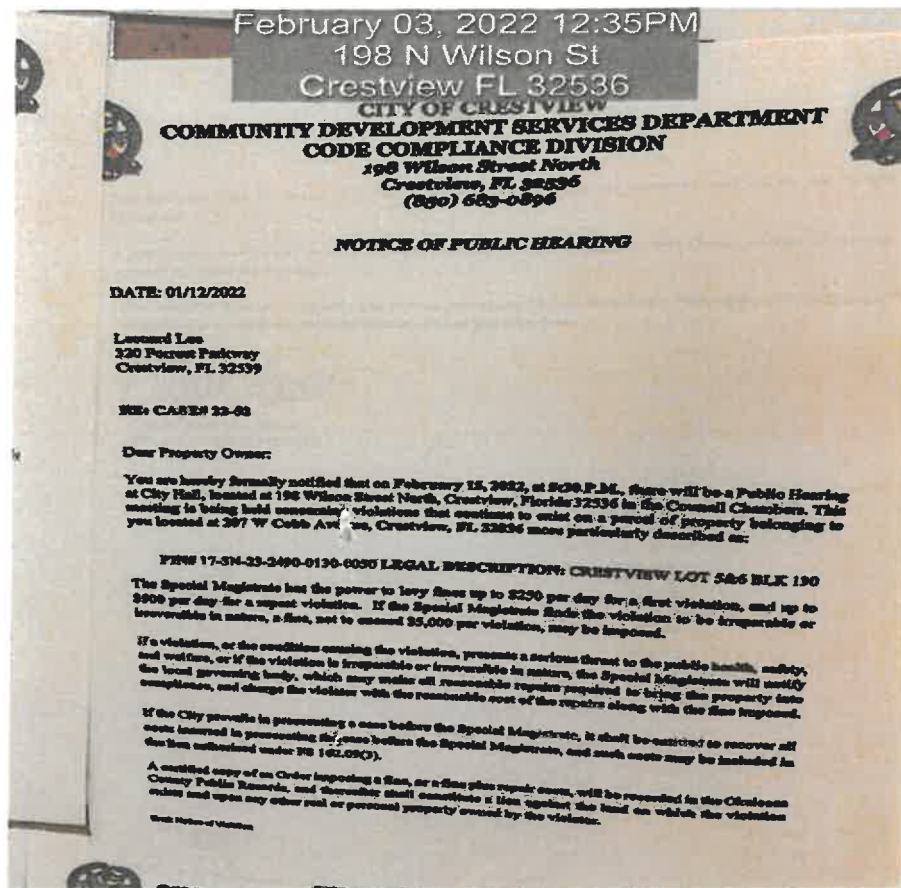
22-52
207 W Cobb Ave
February 15, 2022
Exhibit 3











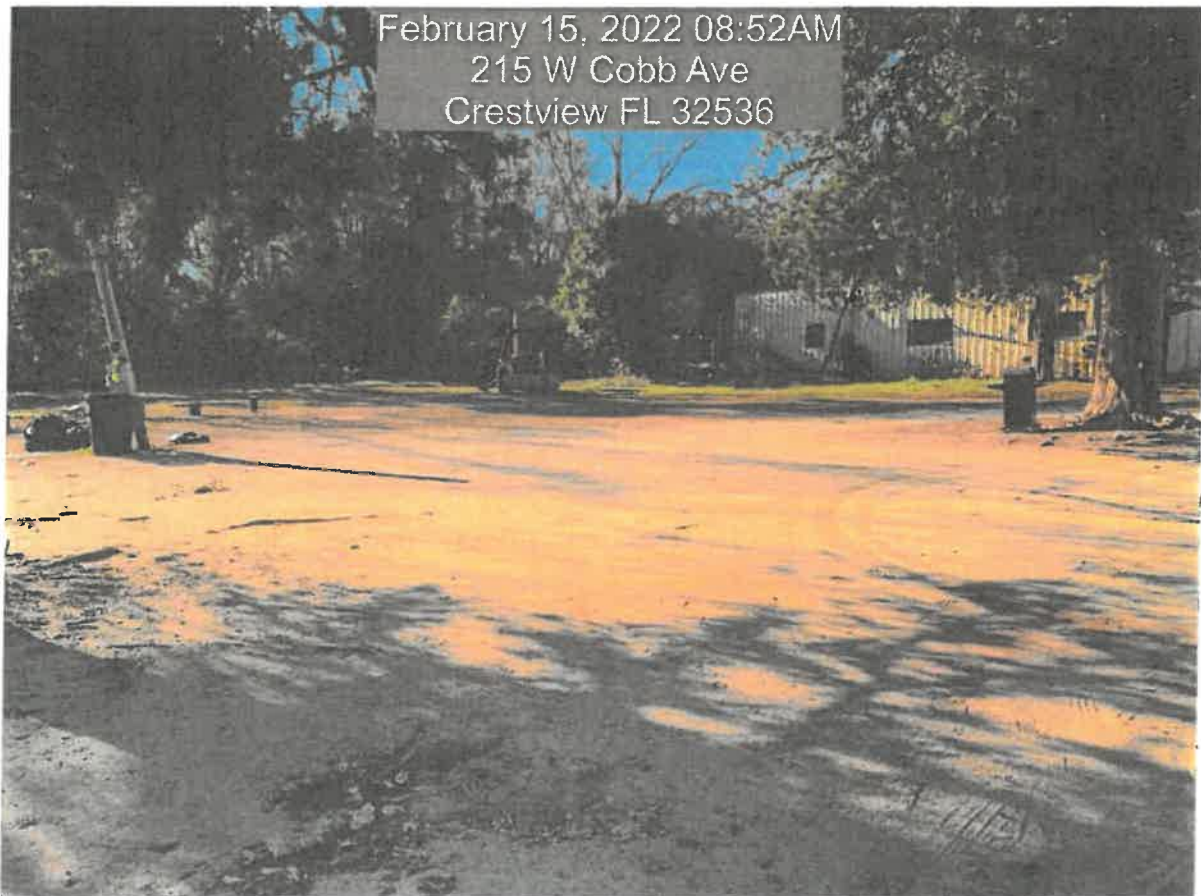
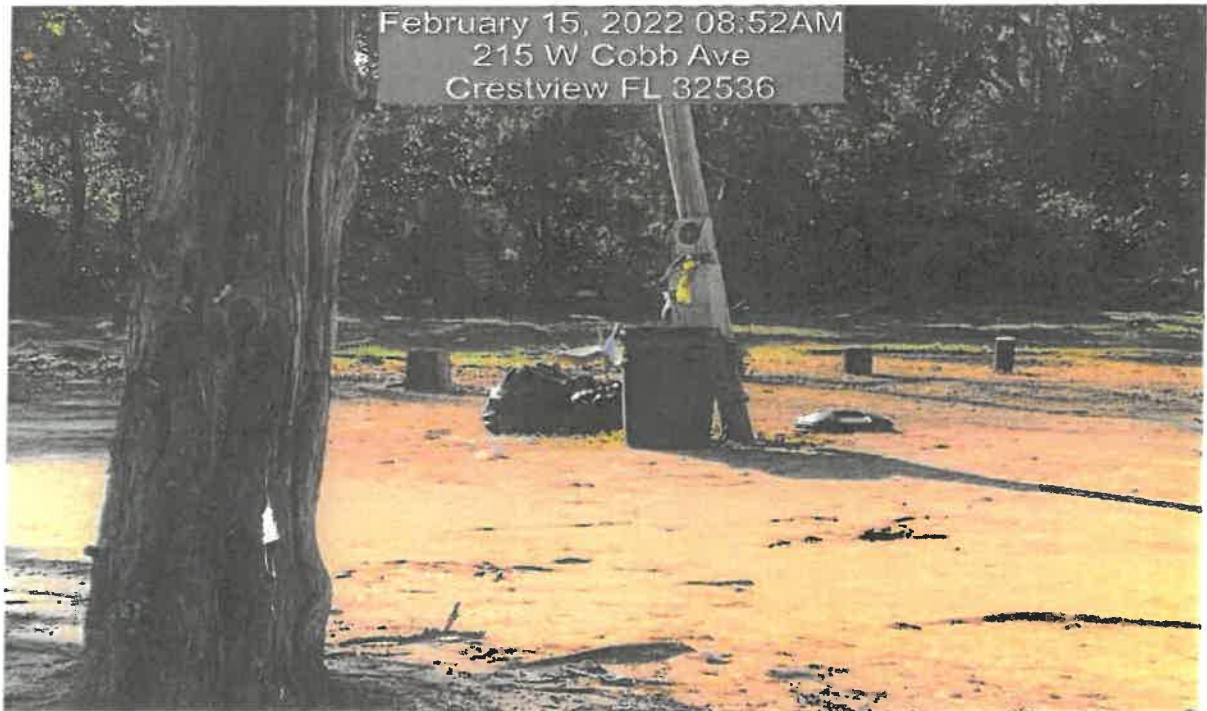




EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: October 18, 2021
Case #: 22-00000052

LEONARD 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: 207 W COBB AVE
Tax Identification Number: 17-3N-23-2490-0130-0050
Legal: CRESTVIEW LOTS 5 & 6 BLK 130, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **October 28, 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,

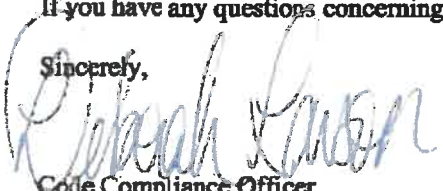

Code Compliance Officer

EXHIBIT # 3

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000052
PROPERTY ADDRESS 207 W COBB AVE

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 10/18/21
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 # 3

USPS Tracking®

[FAQs >](#)
[Track Another Package +](#)
Tracking Number: 70113500000091340376

[Remove X](#)

Your item was delivered to an individual at the address at 1:09 pm on October 19, 2021 in CRESTVIEW, FL 32539.

USPS Tracking Plus™ Available [v](#)
✓ Delivered, Left with Individual

October 19, 2021 at 1:09 pm
CRESTVIEW, FL 32539

[Feedback](#)

7011 3500 0000 9134 0376

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: LEONARD LEE #22-52 Street, Apt. No. or PO Box No. 320 FORREST PARK City, State, ZIP+4® CRESTVIEW, FL 32539	

Postmark: OCT 18 2021 CRESTVIEW, FL 32539

[See Less ^](#)
EXHIBIT # 3



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

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

Date: December 8, 2021
Case #: 22-00000052

LEONARD 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: 207 W COBB AVE
Tax Identification Number: 17-3N-23-2490-0130-0050
Legal: CRESTVIEW LOTS 5 & 6 BLK 130, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by December 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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 3

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000052
PROPERTY ADDRESS 207 W COBB AVE

VIOLATION: CH 38 SEC 18 (b) QUANTITY: 1
DESCRIPTION: TRASH-DEBRIS-GARBAGE-REFUSE DATE: 12/08/21
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.

EXHIBIT # 3

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70143490000041567281

Remove X

Your item was delivered to an individual at the address at 1:24 pm on December 11, 2021 in CRESTVIEW, FL 32539.

USPS Tracking Plus™ Available ∨

 **Delivered, Left with Individual**

December 11, 2021 at 1:24 pm
CRESTVIEW, FL 32539

Feedback

7014 3490 0000 4156 7281

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

PS Form 3820, JUN 2014

Send To: **LEONARD LEE #22-52**
 Street & Apt. No. or PO Box No. **320 FORREST PKWY**
 City, State, ZIP+4® **CRESTVIEW, FL 32539**

PS Form 3820, JUN 2014

See Less ^

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: 01/12/2022

Leonard Lee
320 Forrest Parkway
Crestview, FL 32539

RE: CASE# 22-52

Dear Property Owner:

You are hereby formally notified that on **February 15, 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 207 W Cobb Avenue, Crestview, FL 32536 more particularly described as:

PIN# 17-3N-23-2490-0130-0050 LEGAL DESCRIPTION: CRESTVIEW LOT 5&6 BLK 130

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

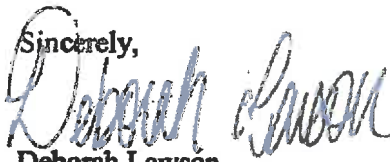
EXHIBIT # 3

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,

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

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 all trash and debris from the property.

EXHIBIT # 3

7014 3490 0000 4156 7502

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)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	7.38
Sent To: LEONARD LEE #22-52 Street & Apt. No. or PO Box No. 320 FOREST PKWY City, State, ZIP+4® 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.	A. Signature X 
1. Article Addressed to: LEONARD LEE 320 FOREST PKWY CRESTVIEW, FL 32539	B. Received by (Printed Name) C. Date of Delivery 11/4/21
	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
2. Article Number (Transfer from service label) 7014 3490 0000 4156 7502	3. Service Type ☒ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery

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

Domestic Return Receipt

EXHIBIT # 3

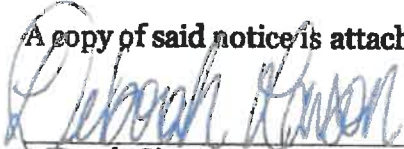
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 22-52

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 3rd day of February 2022, I personally posted said Notice of Hearing at: 207 W Cobb Avenue, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

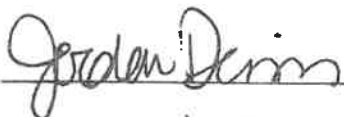
2/3/2022
Date

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 3rd day of February 2022.

(SEAL)



NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 9/9/23

EXHIBIT # 3



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



City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-52

Leonard Lee
320 Forrest Parkway
Crestview, FL 32539

Inst. #3527990 Blk: 3605 Pg: 1502
Page 1 of 3 Recorded: 2/18/2022 12:44 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

DEPUTY CLERK APRESTWOOD
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 February 15, 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 Lee, whose last known mailing address is 320 Forrest Parkway, Crestview, FL 32539, is the owner of the property located at, 207 W Cobb Avenue, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0130-0050, and more particularly described as: CRESTVIEW LOTS 5 & 6 BLK 130
2. The conditions on the property consist of debris . The violation(s) were first observed on October 14, 2021. A Notice of Violation was mailed by certified mail October 18, 2021, and received by respondent on October 19, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by October 28, 2021. Re inspection

of the property on November 3, 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. 18 (b). - 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 March 14, 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 March 14, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
- a. Remove all debris, tree debris and trash from the property.
10. If the violation(s) are not corrected by March 14, 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 15th day of February 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.02.18 09:50:32
-06'00'

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. #3591821 Bk: 3651 Pg: 4532
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# 22-52

Leonard Lee
320 Forrest Parkway
Crestview, FL 32539

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on February 15, 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 Lee, whose last known mailing address is 320 Forrest Parkway, Crestview, FL 32539, is the owner of the property located at, 207 W Cobb Avenue, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0130-0050, and more particularly described as: CRESTVIEW LOTS 5 & 6 BLK 130
2. The conditions on the property consist of debris . The violation(s) were first observed on October 14, 2021. A Notice of Violation was mailed by certified mail October 18, 2021, and received by respondent on October 19, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (b). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by October 28, 2021. Re inspection

of the property on November 3, 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. 18 (b). - 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 March 14, 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 March 14, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
- a. Remove all debris, tree debris and trash from the property.
10. If the violation(s) are not corrected by March 14, 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 15th day of February 2022.

**Samuel B.
Taylor**

Special Magistrate
City of Crestview, Florida

Digitally signed by Samuel
B. Taylor
Date: 2022.02.18 09:50:32
-06'00'

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schneider, City Clerk

DATE: 10-28-2022

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.



Aug 29, 2023 at 2:49:47 PM
215 W Cobb Ave
Crestview FL 32536



Aug 29, 2023 at 2:51:59 PM
571 S Wilson St
Crestview FL 32536



Case # 19-813**498 Spring**

Owner of Record: James E Youngblood III P.O. Box 293 Destin, FL 32540

Origination Date: 06/20/2019 Origination Code: Anonymous Complaint

Violations: Chapter 38 Section 4 (4) Trash/Debris/Vegetation.

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

Notice Sent: 10/23/2019 Signed: No tracking info Compliance Date: 11/07/2019

Inspected: 11/07/2019 Results: In Violation

Public Hearing Notice Sent: 12/16/2020 Signed: No tracking info

Hearing Date: 1/19/2021

Property remains in violation.

Order Recorded: 1/25/2021 **Re-recorded with wet stamp 11/18/2022**

Hearing fee: \$250 Due by 2/22/2021

Daily fine: \$250 Start: 3/22/2021

Fines: \$221,000 **as of August 23, 2023 (not including interest)**

Property Value: \$2,683

Related Properties:

957 B Street 13-3N-24-0770-0002-0080 James E Youngblood III Et AL

No cases found

Case # 19-813
498 Spring St
May 16, 2023
Exhibit 6



**CITY OF CRESTVIEW FLORIDA
SPECIAL MAGISTRATE**

*198 Wilson Street North
Crestview, FL 32536*



City of Crestview, Florida,

Petitioner,

vs.

CASE# 10-212

Inst. #3591820 Blk 3651 Pg: 4529
Page 1 of 3 Recorded: 11/18/2022 12:38 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

James E Youngblood III,

Respondent.

DEPUTY CLERK JDUNLAP
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 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, James E Youngblood III, whose last known mailing address is PO Box 293 Destin, FL 32540, is the owner of the property located at, 498 Spring Street, Crestview, FL 32536. AKA PIN# 17-3N-23-2490-0057-0070, and more particularly described as:
CRESTVIEW E 1/2 LOT 7 BLK 57
2. The conditions on the property consist of excessive overgrowth, trash, and debris. The violation(s) were first observed on October 20, 2019. A Notice of Violation was mailed by certified mail October 20, 2019. 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 November 7, 2019. Re inspection of the property on December 4, 2019, confirmed that violation(s) continue to exist on the property. On

EXHIBIT # 6

January 7, 2021, Code Enforcement posted Notice in accordance with Florida Statute 162.12, at 498 Spring Street North and 198 Wilson Street North. A signed Affidavit has been executed and placed in the Official Record.

3. Proper notice of the cited violations and the notice of hearing was served on the Respondent, and the Respondent was provided 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 Respondent was 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 Respondent fails 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 Respondent to correct the Violations, and any previous violations committed by the Respondent.

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

8. On or before February 22, 2021, the Respondent 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 March 22, 2021, the Respondent is to correct the violation(s) by conducting the following action(s):
- Remove the excessive overgrowth, trash, and debris from the property.
10. If the violation(s) are not corrected by March 22, 2021, a fine in the amount of \$250.00 per day will be imposed pursuant to Florida Statutes Chapter 162. It is the Respondent's 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 19th Day of January 2021.



Special Magistrate
City of Crestview, Florida

CERTIFIED A TRUE
AND
CORRECT COPY



BY: Maryanne Schnader, MMC
Joey Clark
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.

EXHIBIT # 6



EXHIBIT # 10



EXHIBIT # U



EXHIBIT # u

Case # 19-813

498 S Spring Street

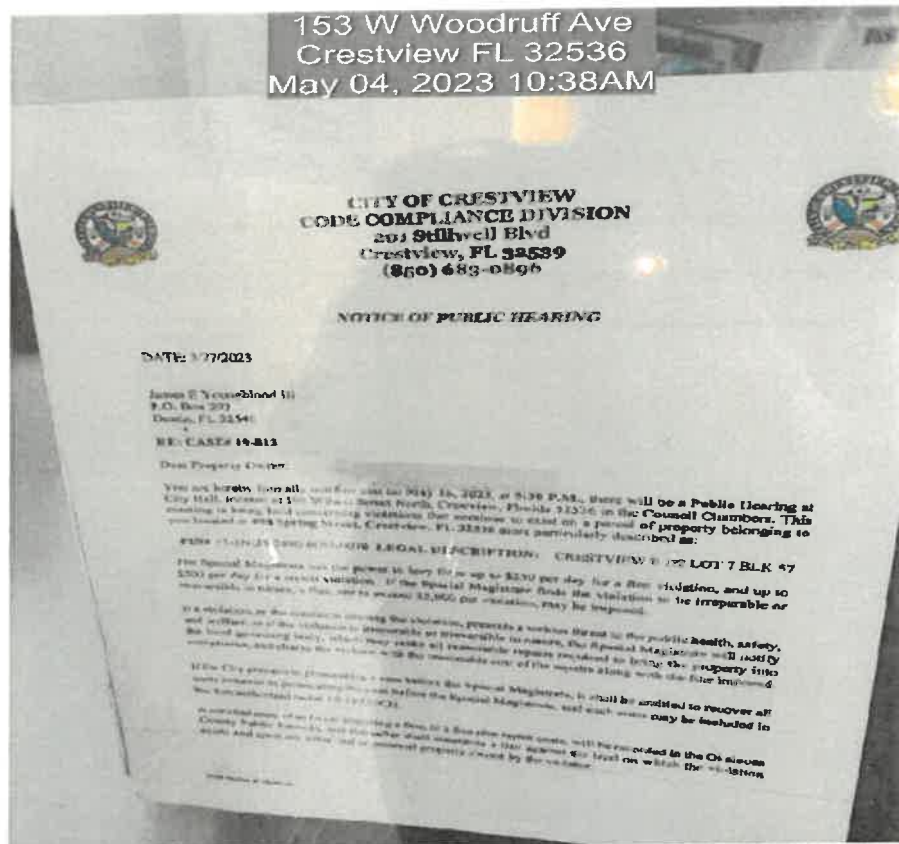


EXHIBIT # 6





**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
201 Stillwell Blvd
Crestview, FL 32539
(850) 683-0896**



NOTICE OF PUBLIC HEARING

DATE: 3/27/2023

James E Youngblood III
P.O. Box 293
Destin, FL 32540

RE: CASE# 19-813

Dear Property Owner:

You are hereby formally notified that on **May 16, 2023, 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 **498 Spring Street, Crestview, FL 32536** more particularly described as:

PIN# 17-3N-23-2490-0057-0070 LEGAL DESCRIPTION: CRESTVIEW E 1/2 LOT 7 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.

End: Notice of Violation

EXHIBIT # 10

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

EXHIBIT # 6

Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 4 (4) (Ord. 1774)

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: Remove the accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT # 6

CERTIFIED MAIL

LA FL 325

2023PM



7022 2410 0000 0915 1732

City of Crestview
Code Compliance
201 Stillwell Blvd.
Crestview, FL 32539



James E Youngblood III
P.O. Box 293
Destin, FL 32540



UNC
920220393

7022 2410 0000 0915 1732

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	4.15
Services & Fees (show only, and include amount)	3.35
☒ Return Receipt (hardcopy)	
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	.60
Total Postage and Fees	8.10
Sent to: JAMES E YOUNGBLOOD III	
P.O. BOX 293	
DESTIN, FL 32540	

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

-VUIRIT # 6

**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
201 Stillwell Boulevard, Crestview, Florida 32539**

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 19-813

I, Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, and that on the 4th day of May, 2023, I personally posted said Notice of Hearing at: 498 Spring Street, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

Deborah Lawson
Affiant's Signature

5/9/23
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 day of May 2023.

(SEAL)



NANCY HOUGH
Commission # HH 325870
Expires November 5, 2026

NOTARY PUBLIC: Nancy Hough

MY COMMISSION EXPIRES: 11-5-2026

EXHIBIT # 6

EXHIBIT-A
19-813
498 SPRING STREET

Violation of the City of Crestview Code of Ordinances Chapter 38-Section 38-4 (4).

❖ **Vegetation, Debris, Junk and Trash**

EXHIBIT # 6

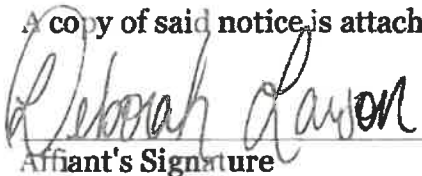
CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 19-813

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 January, 2021, I personally posted said Notice of Hearing at: 498 Spring Street and 198 Wilson Street North, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.


Affiant's Signature

1/7/2021
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 7th day of January 2021.



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

NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 4-21-2023

EXHIBIT # U



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

DATE: December 16, 2020

CASE# 19-813

**James E Youngblood III
PO Box 293
Destin, FL 32540**

Dear James E Youngblood III:

You are hereby formally notified that on January 19, 2021 at 5:30 P.M., there will be a Public Hearing at City Hall located at 198 North Wilson Street 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 498 Spring Street, Crestview, Florida 32536 and more particularly described as:

PIN # 17-3N-23-2490-0057-0070 CRESTVIEW E 1/2 LOT 7 BLK 57

**Violations of the City of Crestview Code of Ordinances Chapter 38-Sect. 38-4 (4),
Vegetation, Debris, Junk, or, Trash have been found to exist at this location.**

The Special Magistrate has the power to levy fines up to \$250.00 per day for a first violation and up to \$500.00 per day for a repeat violation, against you and your property, for every day that any violation continues beyond the date set in an Order of the Special Magistrate. Costs of repairs pursuant to FS 162.09. If a Special Magistrate finds the

Encl: Notice of Violation

EXHIBIT # 6

violation to be irreparable or irreversible in nature, a fine not to exceed \$5,000 per violation, may be imposed.

If the 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, shall 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 any fines imposed.

If you desire, you have the right to obtain an attorney at your own expense to represent you before the Special Magistrate. You will have the opportunity to present your side of the case and present witnesses, as well as question the witnesses against you prior to the Special Magistrate's ruling.

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

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

Sincerely,



Senida Oglesby
Compliance Administrator

EXHIBIT #

A

EXHIBIT # 6

City of Crestview, a Municipality
of the State of Florida

Petitioner,

vs.

James E Youngblood III
PO Box 293
Destin, FL 32540

Respondent,

STATEMENT OF VIOLATION

- 1. Code of Ordinance Violated: Chapter 38 Property Maintenance and Housing Standards**
- 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.

- 2. Location/Address where violation(s) exists: 498 Spring Street Crestview, Florida 32536**

- 3. Name and address of property owner where violation(s) exist:**

James E Youngblood III
PO Box 293
Destin, FL 32540

- 4. Description of violation(s):** The parcel of land contains an accumulation of overgrowth, weeds, and debris.

- 5. Date violation(s) were first observed: June 20, 2019**

- 6. Date owners of property were given notice of violation: October 23, 2019**

- 7. Date on/by violation(s) to be corrected: November 7, 2019**

- 8. Date of re-inspections: November 7, 2019 – October 6, 2020 – December 16, 2020**

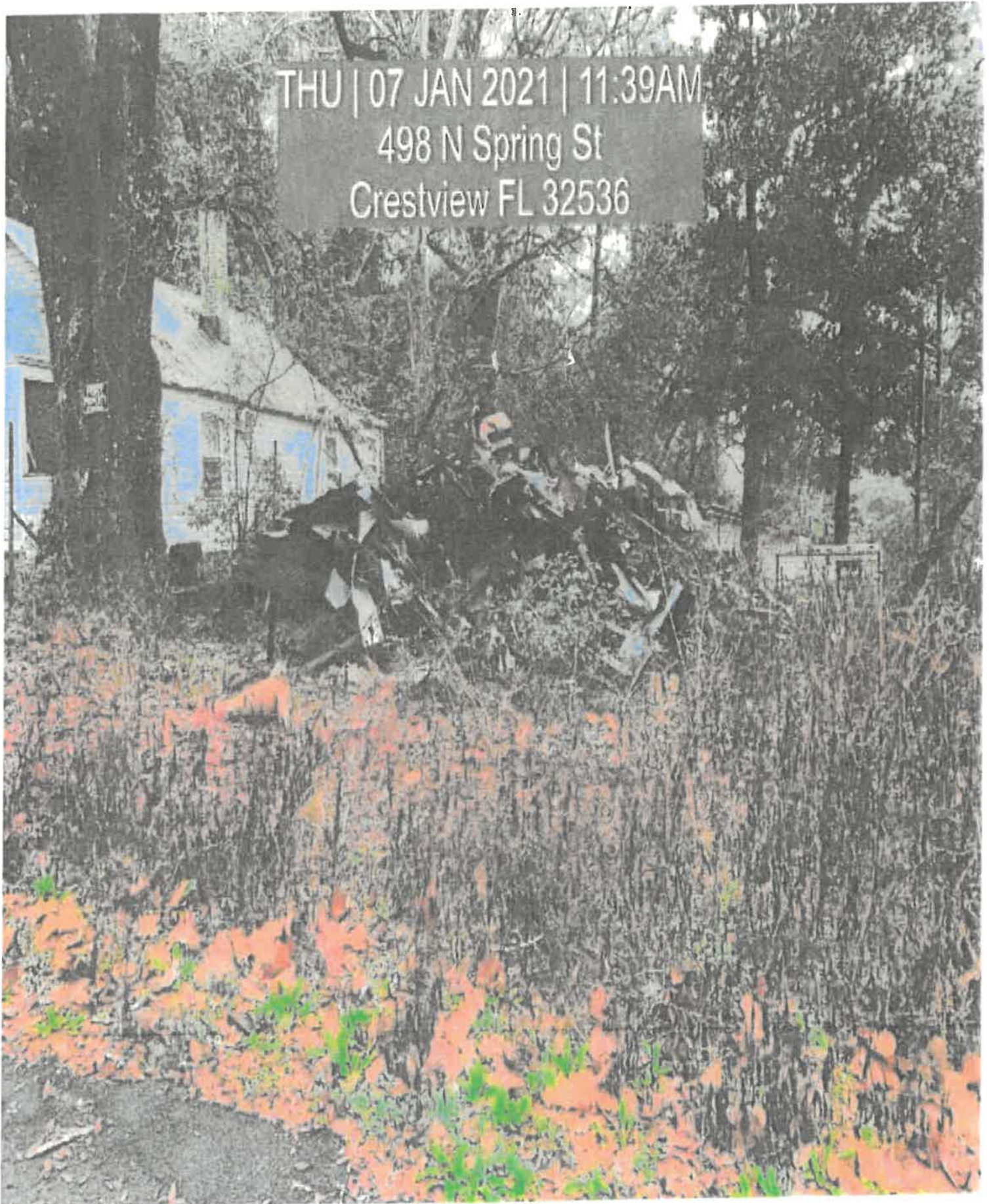
- 9. Results of re-inspections: Non-Complaint**

EXHIBIT # A

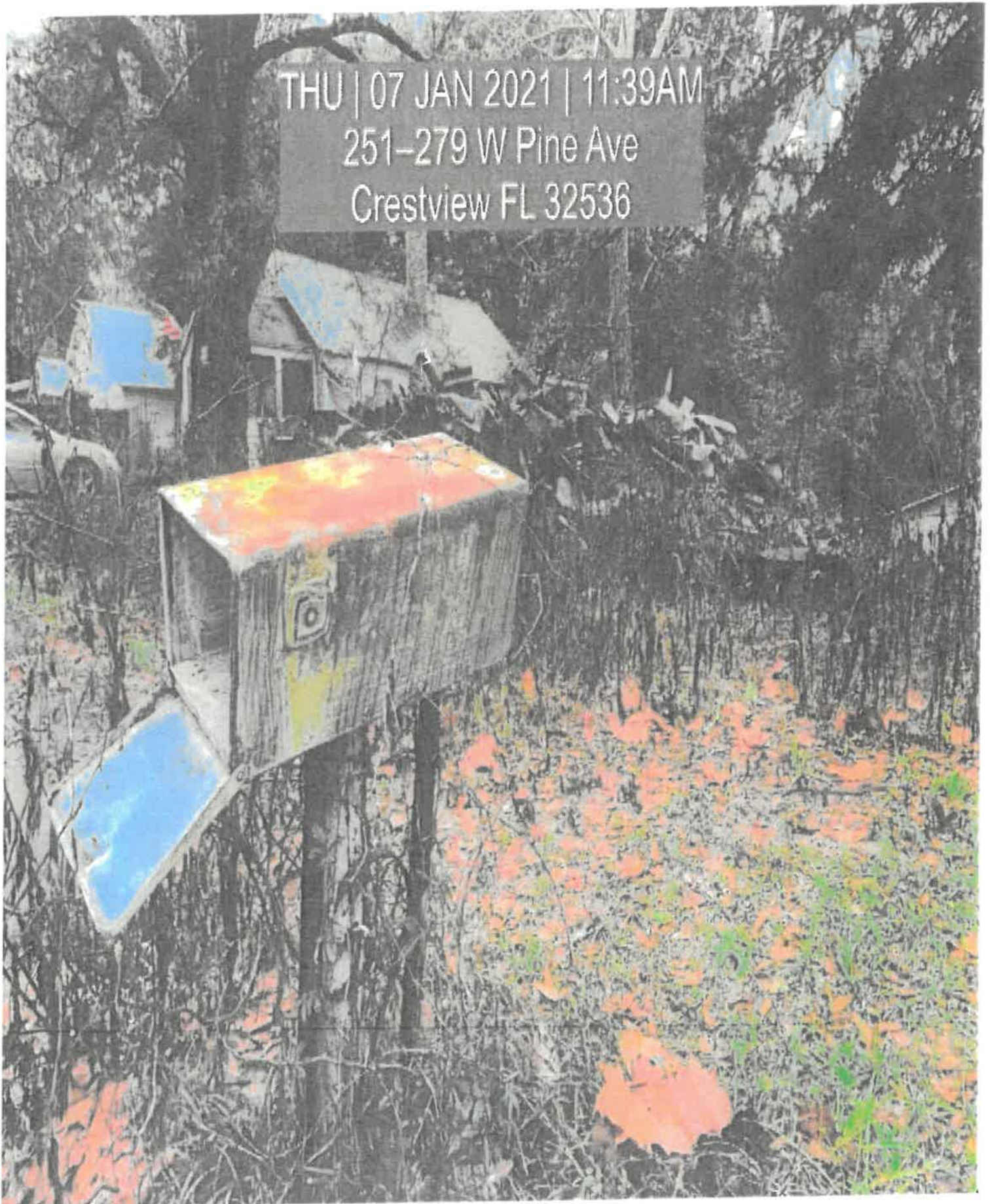
EXHIBIT # 6

EXHIBIT – A
498 SPRING STREET NORTH

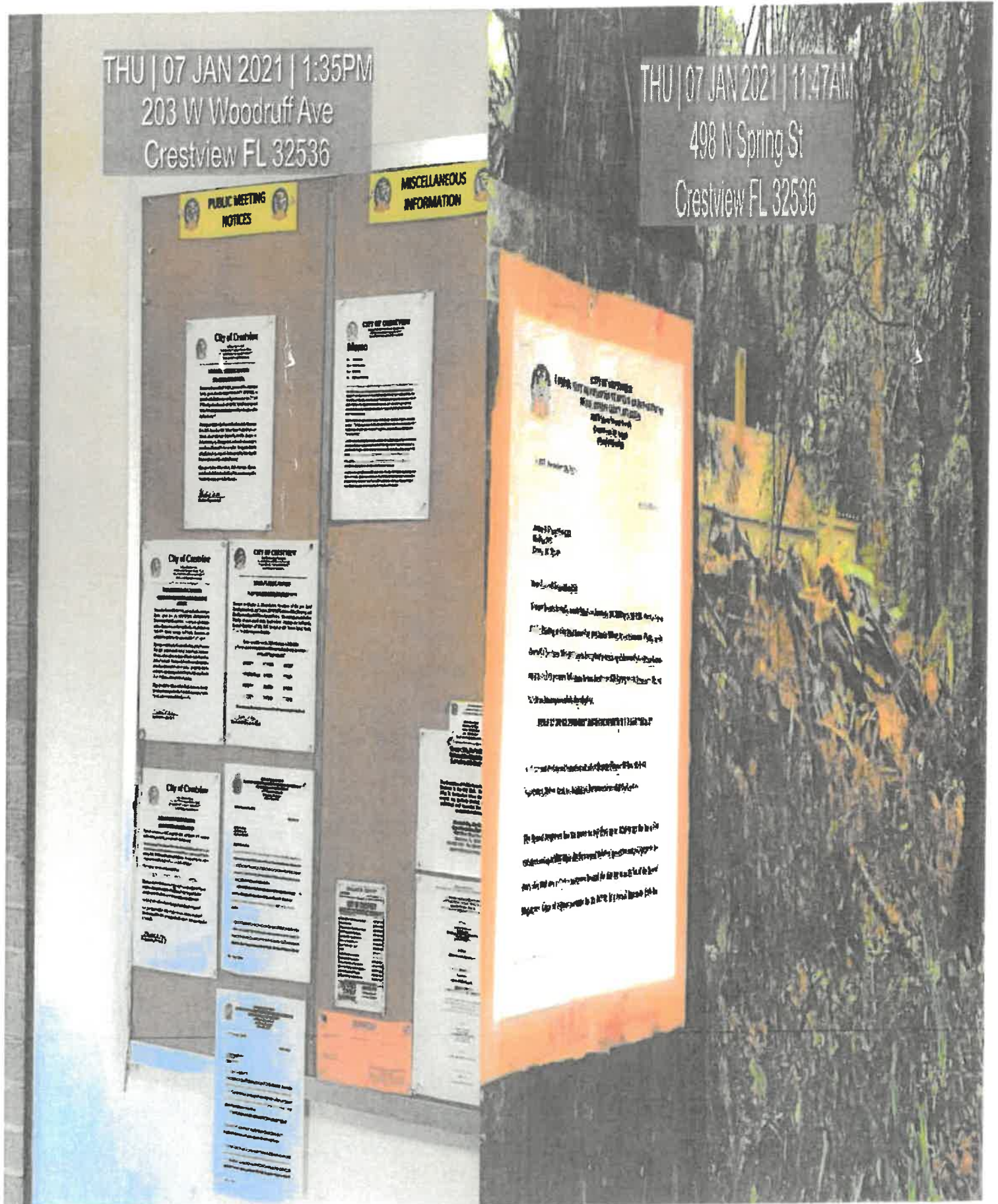
EXHIBIT # u



498 SPRING STREET NORTH



498 SPRING STREET NORTH





Case # 22-105**798 S Wilson**

Owner of Record: Devin N Jones 2306 James Peaden Rd Baker, FL 32531
Origination Date: 10-27-2021 Origination Code: Building Dept Referral
Violations: Chapter 38 Section 18 (k) Overgrown Vegetation

Corrective Action Required: Remove vegetation exceeding 12 inches in height.

Notice Sent: 11/01/2021 Signed: Not received Compliance Date: 11/10/2021

Inspected: 12/1/2021 Results: In Violation

Notice Sent: 12/3/2021 Signed: Not received Compliance Date: 12/20/2021

Inspected: 12/20/2021 Results: In Violation

Notice Sent: 01/04/2022 Signed: Not received Compliance Date: 1/10/2022

Inspected: 1/10/2022 Results: In Violation

Public Hearing Notice Sent: 02/10/2022 Signed: Returned to Sender

Hearing Date: 03/15/2022

Property was found compliant 2/14/2023.

Order Recorded: 03/17/2022 **Re-recorded with wet stamp 12/1/2022**

Hearing fee: \$250 Due by 06/14/2022

Daily fine: \$250 Start: 06/14/2022

Fines: \$38,250 **as of August 23, 2023 (not including interest)**

Property Value: \$41,245

Related Properties:

None found within Crestview City Limits

22-105
798 S Wilson St
March 15, 2022
Exhibit 1

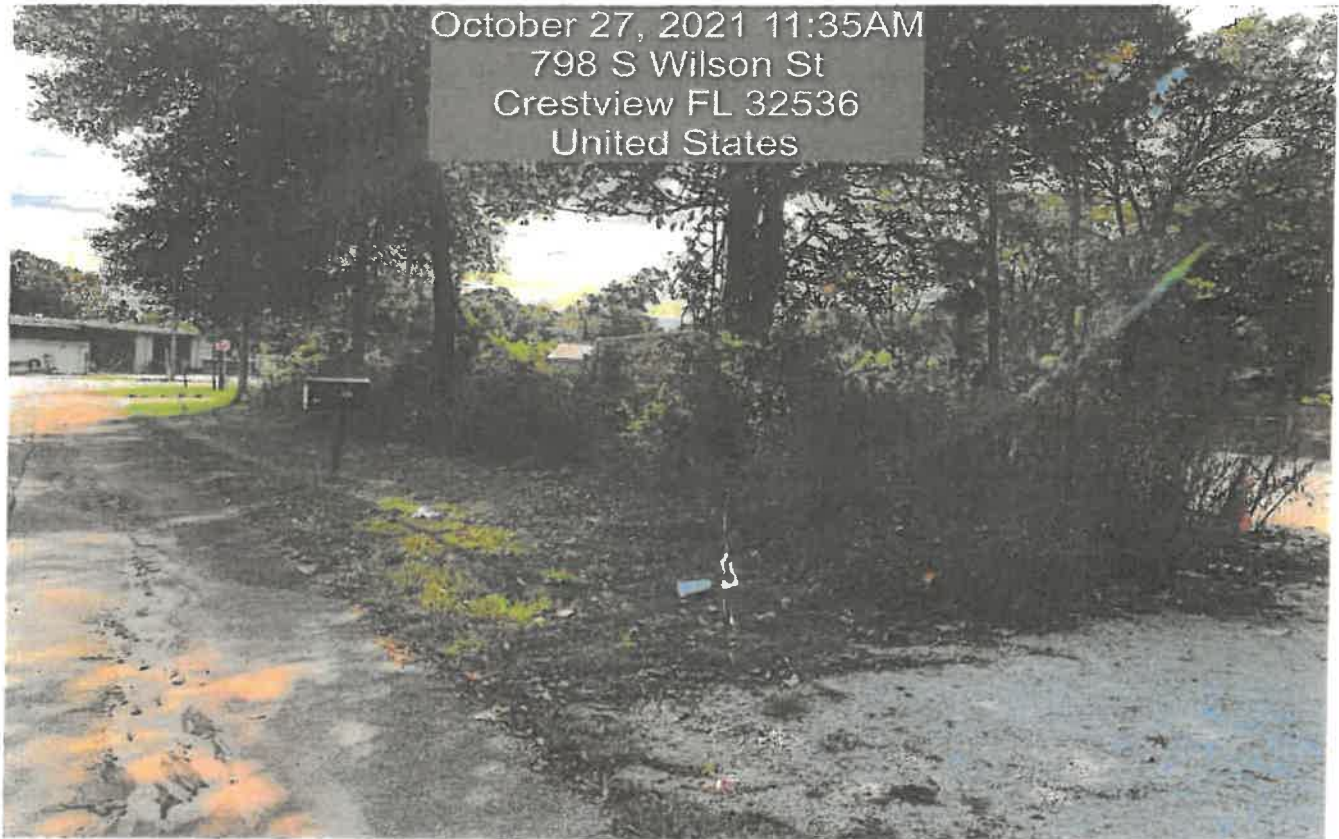


EXHIBIT # 1

22-105

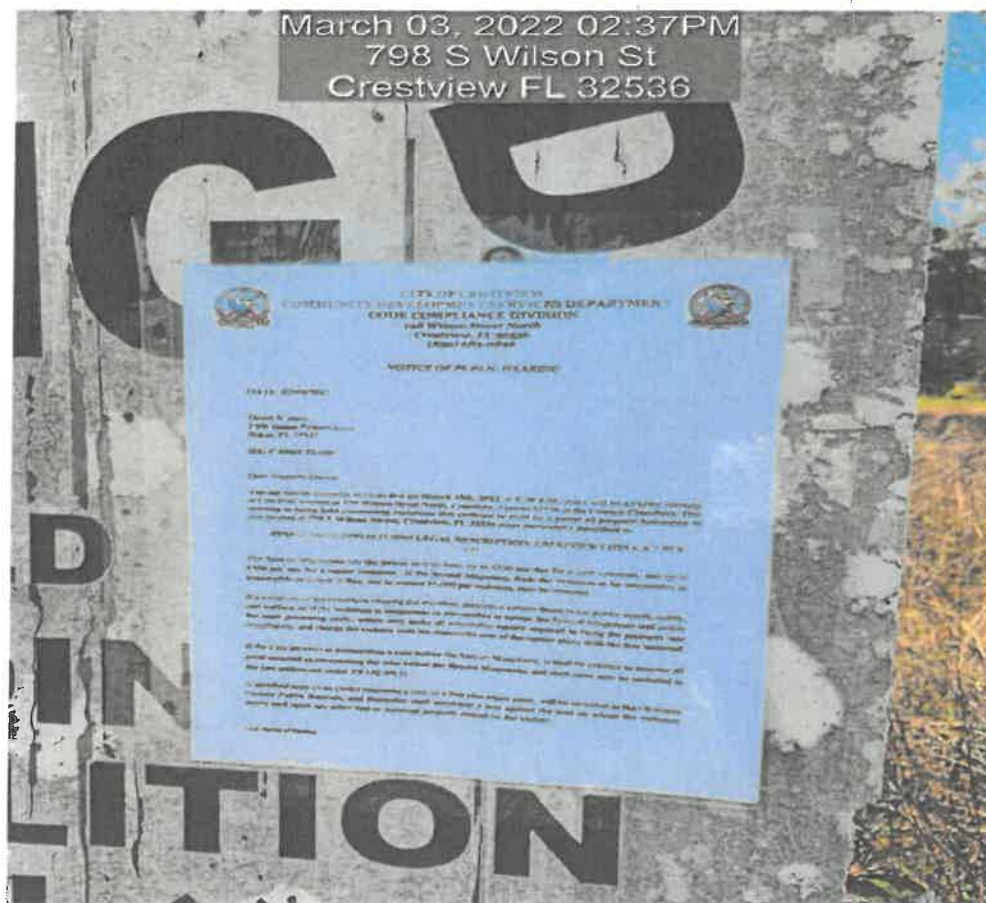
798 S Wilson



EXHIBIT # 1



EXHIBIT # 1

EXHIBIT # 1



March 03, 2022 02:57PM
212 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: 02/04/2022

**Devin N Jones
2306 James Padden Road
Baker, FL 32531**

RE: CASE# 22-105

Dear Property Owner:

You are hereby formally notified that on March 15th, 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 798 S Wilson Street, Crestview, FL 32536 more particularly described as:

FIN# 17-3N-23-2490-0137-0060 LEGAL DESCRIPTION: CRESTVIEW LOTS 6 & 7 BLK 137

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.

Exact Nature of Violation

EXHIBIT #

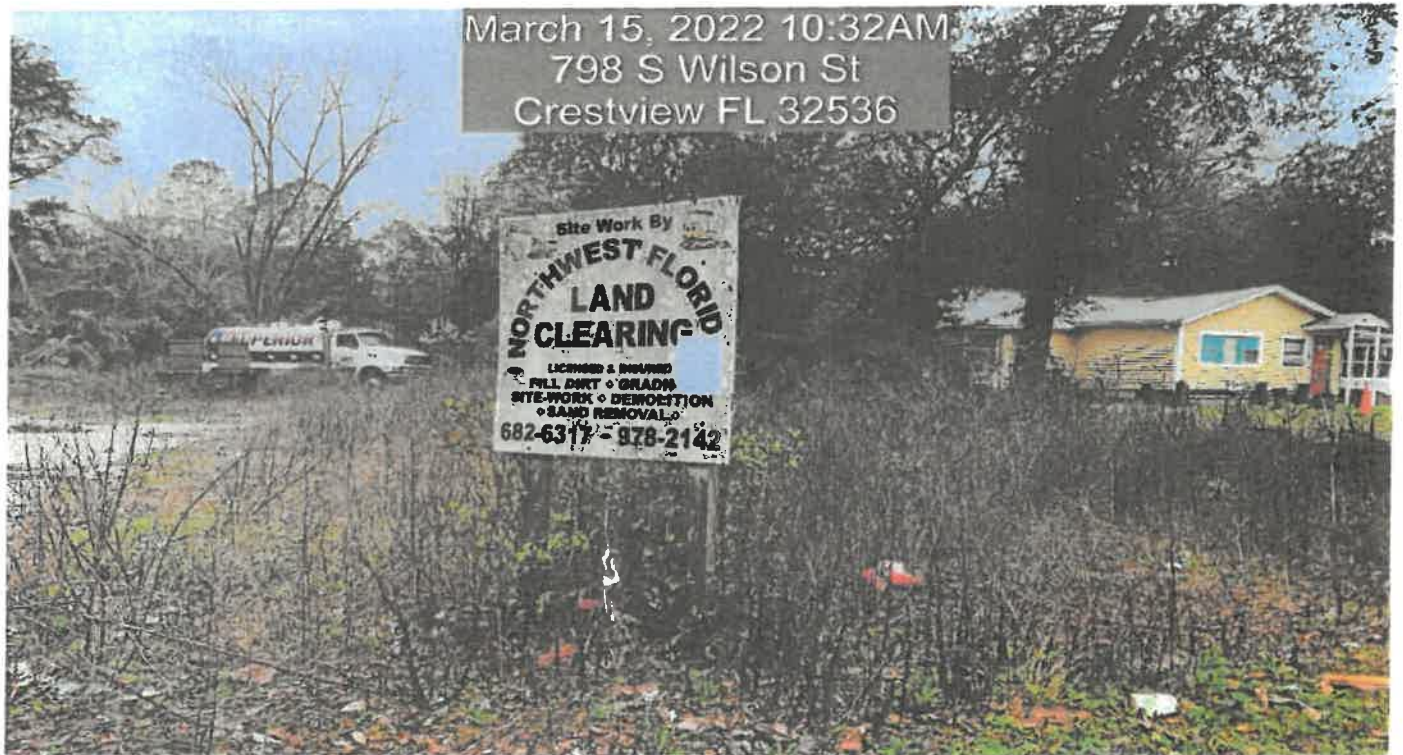


EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: October 29, 2021

Case #: 22-00000105

DEVIN N JONES
2306 JAMES PEADEN BLVD
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:

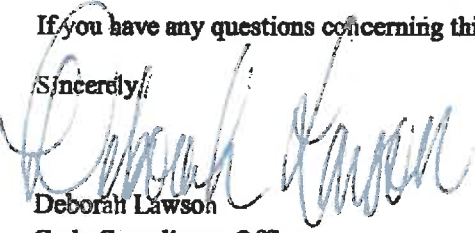
Location of Violation: 798 S WILSON ST
Tax Identification Number: 17-3N-23-2490-0137-0060
Legal: CRESTVIEW LOTS 6 & 7 BLK 137, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by November 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,


Deborah Lawson

Code Compliance Officer

850.306.3702/850.612.9714

EXHIBIT # 1

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000105
PROPERTY ADDRESS 798 S WILSON ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 10/29/21
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 # 1

4259 95TH 0000 DBHE HT02

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

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

OFFICIAL USE

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

Postmark Here
NOV 07 2021
CRESTVIEW FL

DEVIN N JONES 22-105
or PO Box No. 2206 JAMES PEADEN BLVD
BAKER, FL 32531

PS Form 3800, July 2014

3523463450
UNC

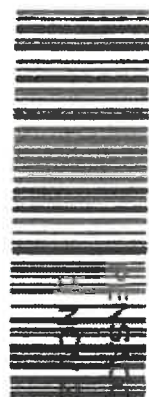
BC: 32536343698 *2638-03785-02-25
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
NIXIE 322 DE 1 0011/22/21

DEVIN N JONES
2306 JAMES PEADEN BLVD
BAKER, FL



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

7014 3490 0000 4156 6574



CRESTVIEW FL 325
NOV 07 2021 PM 1 L

NEOPOST
10/23/2021
US POSTAGE \$004 28
ZIP 32536
041M11297338

CERTIFIED MAIL

EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: December 2, 2021

Case #: 22-00000105

DEVIN N JONES
2306 JAMES PEADEN BLVD
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: 798 S WILSON ST

Tax Identification Number: 17-3N-23-2490-0137-0060

Legal: CRESTVIEW LOTS 6 & 7 BLK 137, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by December 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,

Code Compliance Officer

EXHIBIT # 1

VIOLATION DETAIL

PAGE 1

CASE NUMBER 22-00000105
PROPERTY ADDRESS 798 S WILSON ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 10/29/21
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 # 1

2812 95TH 0000 06HE 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

Postmarked Here
CRESTVIEW, FL 32536
DEC - 3 2021

To: **DEVIN N JONES**
Street & Apt. No.
or PO Box No. **2306 JAMES PEADEN RD**
City, State, ZIP+4[®]
BAKER, FL 32531

PS Form 3800, July 2013 See Reverse for Instructions

LN
12/6/21

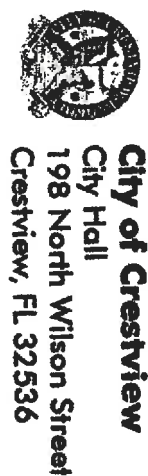
Devin N Jones
2306 James Peaden Rd
Baker, FL
32531

32531-32531-32531

UNC
32531-32531-32531

BC: 32536343698 *2738-88489-04-44
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

0012/22/21



7014 3490 0000 4156 7182



EXHIBIT # 1



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: December 30, 2021

Case #: 22-00000105

DEVIN N JONES
2306 JAMES PEADEN BLVD
BAKER, FL 32531

Dear DEVIN N JONES,

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: 798 S WILSON ST

Tax Identification Number: 17-3N-23-2490-0137-0060

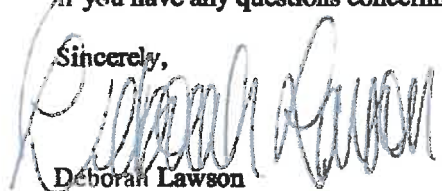
Legal: CRESTVIEW LOTS 6 & 7 BLK 137, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **January 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

EXHIBIT # 1

CASE NUMBER 22-00000105
PROPERTY ADDRESS 798 S WILSON ST

VIOLATION: CH 38 SEC 18 (k) QUANTITY: 1
DESCRIPTION: VEGETATION-WEEDS DATE: 10/29/21
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.

VIOLATION: CH 38 SEC 18 (I) & (J) QUANTITY: 1
DESCRIPTION: INOPERABLE VEHICLE/PARTS DATE: 12/27/21
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, machinery, boats, or part thereof, trailers or any similar material from the property.

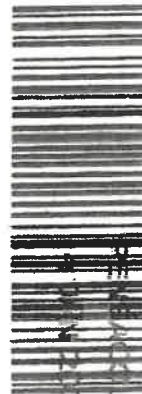
2. Affix a valid tag to the inoperable vehicle, or boat, or remove it from the property.

EXHIBIT # 1



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

CERTIFIED MAIL



NEOPOST
 12/30/2021
 US POSTAGE
 \$004.28
 041M11297338

7014 3490 0000 4156 7342

UP

DEVIN N JONES

2306 JAMES PRADEN BLVD

BAKER, FL

31-741505
 253623436

BC: 32536343698 *2638-02733-04-33
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 0001/25/22

U.S. Postal ServiceSM
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

Postmark Here
 JAN - 1 2022

Sent To: **DEVIN N JONES #22106**
 Street & Apt. No.
 or PO Box No. **2306 JAMES PRADEN BLVD**
 City, State, ZIP+4[®] **BAKER, FL 32531**

U.S. Form 3800, July 2012 See Reverse for Instructions

2462 95TH 0000 064E 41D2

EXHIBIT # 1



**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: 02/04/2022

**Devin N Jones
2306 James Peaden Road
Baker, FL 32531**

RE: CASE# 22-105

Dear Property Owner:

You are hereby formally notified that on March 15th, 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 798 S Wilson Street, Crestview, FL 32536 more particularly described as:

**PIN# 17-3N-23-2490-0137-0060 LEGAL DESCRIPTION: CRESTVIEW LOTS 6 & 7 BLK
137**

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

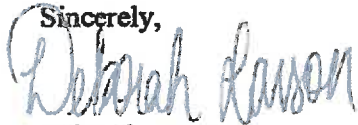
EXHIBIT # 1

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

Code Compliance Officer

850.306.3702/850.612.9714

22-105 798 S Wilson
Statement of Violation

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 titles 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 inoperable vehicles from the property or bring them into a state of compliance.

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

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 overgrown vegetation in excess of twelve (12) inches.

EXHIBIT # 1



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

CERTIFIED MAIL

NEOPOST
02/10/2022
FIRST-CLASS MAIL
US POSTAGE **\$007.33**
7011 3500 0000 9133 8212
ZIP 32536
041M11297338

N 112

Devin N Jones
2306 James Peaden Road
Baker, FL 32531

MIXIE 32Z DE 1 0003/03/22
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
UNC BC: 32536343696 *2087-06088-10-38
7011 3500 0000 9133 8212

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	
Postage	\$ 5.58
Certified Fee	3.76
Return Receipt Fee (Endorsement Required)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

Postmark Here

22-105

Send To: **DEVIN N JONES**
Street, Apt. No. or PO Box No. **2306 JAMES PEADEN RD**
City, State, ZIP+4 **BAKER, FL 32531**

US Form 3800, August 2010 See Reverse for Instructions

EXHIBIT # 1

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

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 22-105

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 3rd day of March 2022, I personally posted said Notice of Hearing at: 798 S Wilson St, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

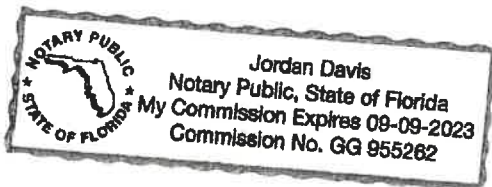
Deborah Lawson
Affiant's Signature

3/3/2022
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 3rd day of March 2022.

(SEAL)



NOTARY PUBLIC:

Jordan Davis

MY COMMISSION EXPIRES:

2023

EXHIBIT # 1



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



Inst. #3535175 Blk 3610 Pg: 3934
Page 1 of 3 Recorded: 3/17/2022 12:29 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,
Petitioner,

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

vs.

CASE# 22-105

Devin N Jones
2306 James Peaden Road
Baker, FL 32531

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on March 15, 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, Devin N Jones, whose last known mailing address is 2306 James Peaden Road, Baker, FL 32531, is the owner of the property located at, 798 S Wilson Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0137-0060, and more particularly described as: CRESTVIEW LOTS 6 & 7 BLK 137
2. The conditions on the property consist of overgrown vegetation . The violation(s) were first observed on October 27, 2021. A Notice of Violation was mailed by certified mail November 1, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 18 (k). - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and requested correction of the violation by November 10, 2021. Re inspection of the property on December 1, 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. 18 (k). - 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 14, 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 June 14, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Remove the vegetation exceeding twelve (12) inches in height.

10. If the violation(s) are not corrected by June 14, 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 16th day of March 2022.

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.03.16 17:58:01
-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. #3593607 Blk 3653 Pg: 806
Page 1 of 3 Recorded: 12/17/2022 11:52 AM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

vs.

CASE# 22-105

Devin N Jones
2306 James Peaden Road
Baker, FL 32531

Respondents.

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Done and Ordered on the 16th day of March 2022. CERTIFIED A TRUE

**Samuel B.
Taylor**

Digitally signed by Samuel
B. Taylor
Date: 2022.03.16 17:58:01
-05'00'

**Special Magistrate
City of Crestview, Florida**

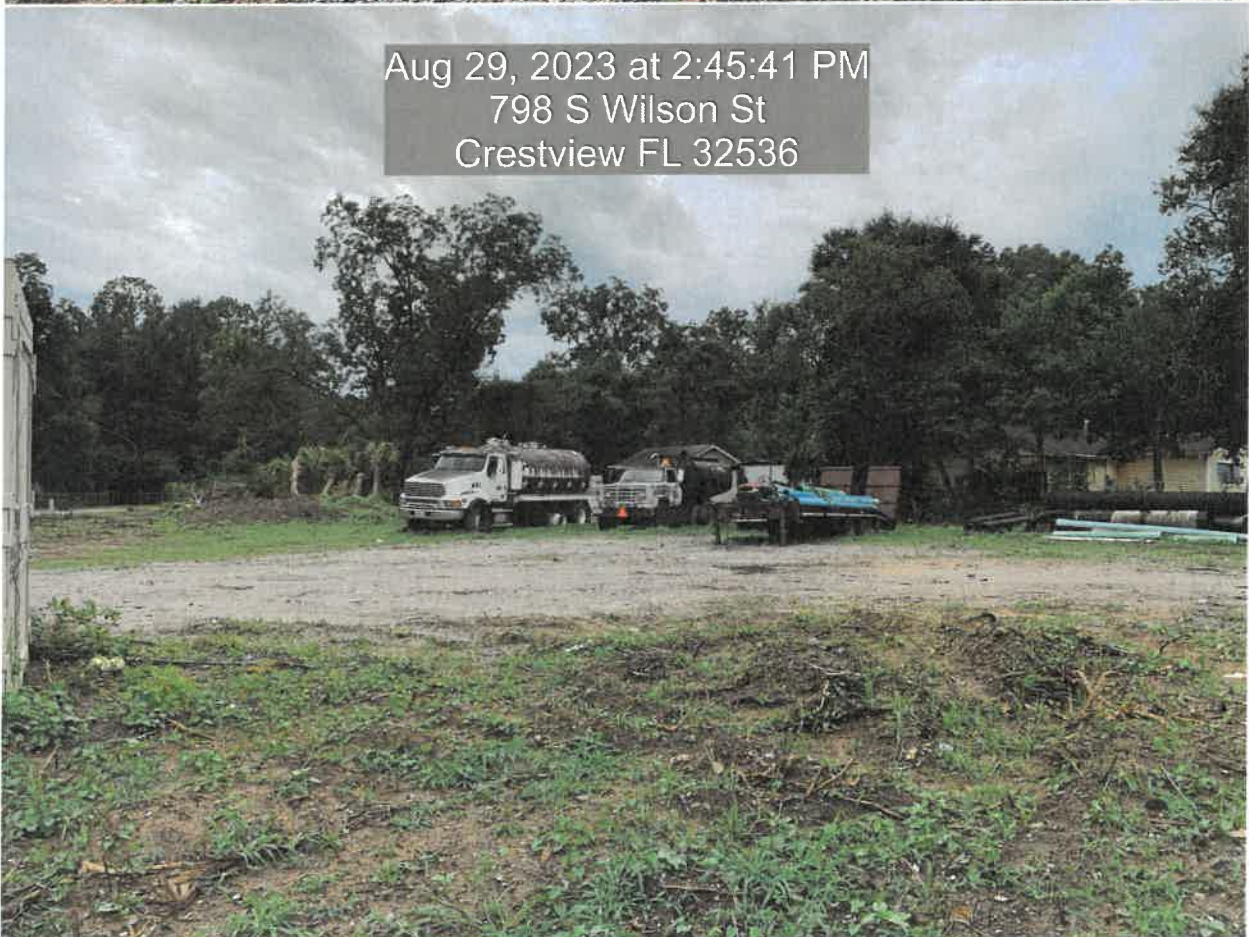
**AND
CORRECT COPY**

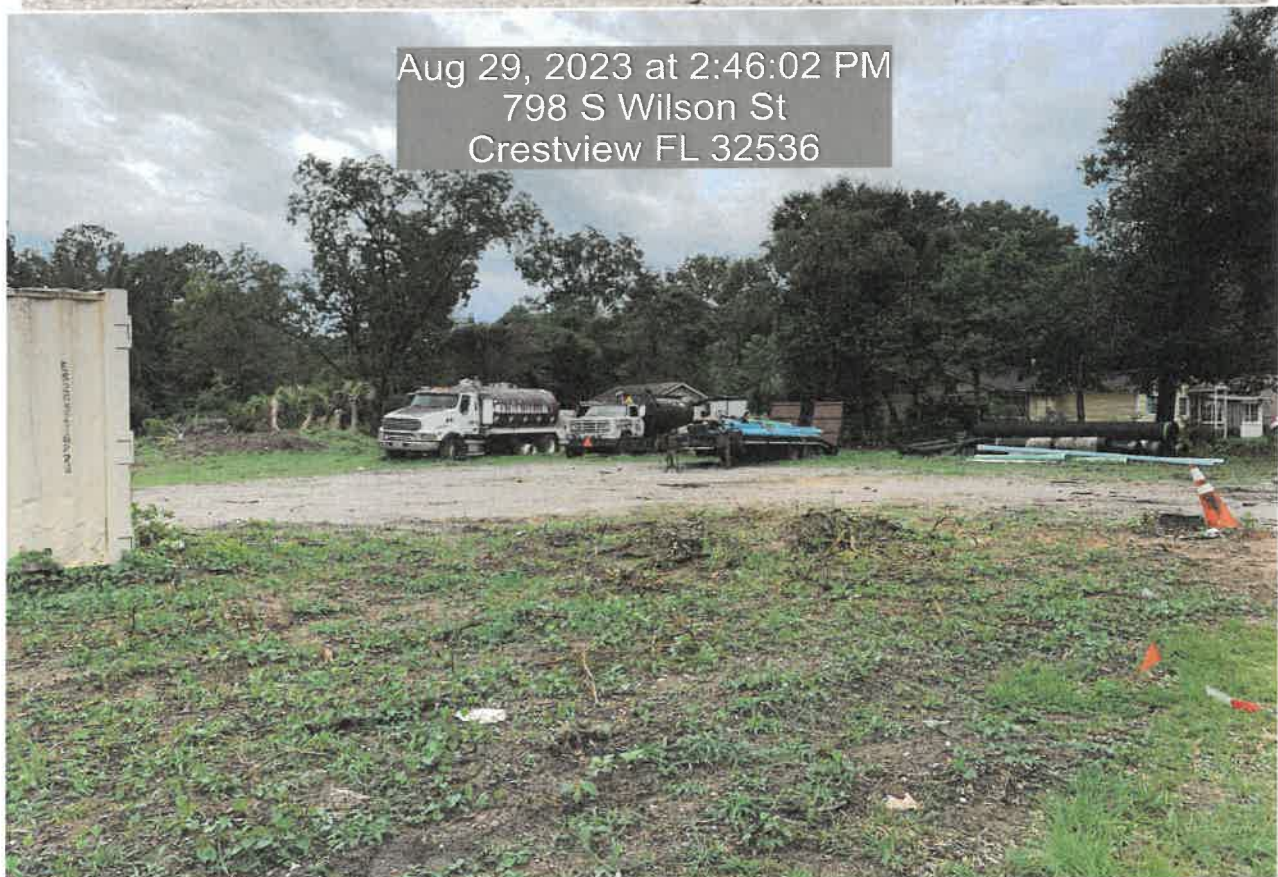


BY: Maryanne Schneider MMC
City Clerk
DATE: 12-1-2022

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 # 21-1072**602 E GRIFFITH AVE**

Owner of Record: Fletcher Julie/ Van Chau Chieu (Life Estate) of 921 Chestnut Ave Crestview FL 32539

Origination Date: 05/25/21

Origination Code: Building Department Referral

Violations: Chapter 38 Section 65 (m) Stairs (n) Roofs, Chapter 38 Section 66 Accessory Structures, Chapter 38 Section 69 Vacant Building Standards

Corrective Action Required:

- a.) Repair the stairs and roof of the primary structure.
- b.) Demolish the accessory structure and remove all demolition debris from the property.
- c.) Secure the vacant structure to prevent the entry of unauthorized persons by replacing the windows or boarding windows for no more than 90 days.

Notice Sent: 05/26/21

Signed: 06/16/21

Compliance Date: 06/08/21

Inspected: 06/10/21 Results: In Violation

Notice Sent: 06/15/21

Signed: 06/16/21

Compliance Date: 06/28/21

Inspected: 06/28/21

Results: In Violation

Notice Sent: 09/30/21

Signed: 10/04/21

Compliance Date: 10/18/21

Inspected: 12-06-21

Results: In Violation

Public Hearing Notice Sent: 07/08/21 and 01/13/22

Signed: 07/13/21 and 01/18/22

Hearing Date: 02/15/22

Property remains in violation.

Order Recorded: 02/18/22

Re-recorded with wet stamp 12/01/22

Hearing fee: \$250 Due by 05/14/22

Daily fine: \$250 Start: 05/14/22

Fines: \$117,250 as of August 25, 2023 (not including interest)

Property Value: \$44,859

Related Properties: NONE

21-1072
602 E Griffith Ave
February 15, 2022
Exhibit 1

CITY OF CRESTVIEW - BUILDING DEPARTMENT
198 WILSON STREET N
CRESTVIEW, FL 32536
850-689-1618 FAX 850-689-4575
permits@cityofcrestview.org

Application Number 21-00002050 Date 2/14/22
Application pin number 685200
Property Address 602 E GRIFFITH AVE
TAX ID NUMBER: 17-3N-23-2490-0151-0070
Application type description REROOF
Subdivision Name
Property Use LOW DENSITY RESIDENTIAL
Property Zoning MULTI-FAMILY RESIDENTIAL
Application valuation 1600

Description of Work
Reroof with shingles FL 10124-R29 & 27076.9

Owner Contractor

FLETCHER JULIE & VAN CHAU C OWNER
921 CHESTNUT AVE
CRESTVIEW FL 32539

Permit BUILDING PERMIT ROOFING
Additional desc REROOF WITH SHINGLES
Permit pin number 211599
Issue Date 8/13/21 Valuation 1600
Expiration Date 8/14/22

Special Notes and Comments
WARNING TO OWNER: ANY PAYMENTS MADE BY
THE OWNER AFTER THE EXPIRATION OF THE
NOTICE OF COMMENCEMENT ARE CONSIDERED
IMPROPER PAYMENTS UNDER CHAPTER 713,
PART I, SECTION 713.13, FLORIDA
STATUTES, AND CAN RESULT IN YOUR PAYING
TWICE FOR IMPROVEMENTS TO YOUR PROPERTY.
A NOTICE OF COMMENCEMENT MUST BE
RECORDED AND POSTED ON THE JOB SITE
BEFORE THE FIRST INSPECTION. IF YOU
INTEND TO OBTAIN FINANCING, CONSULT WITH
YOUR LENDER OR AN ATTORNEY BEFORE
COMMENCING WORK OR RECORDING YOUR NOTICE
OF COMMENCEMENT.

=====

BUILDING INSPECTIONS (850)689-1618
WWW.CITYOFCRESTVIEW.ORG
USE CLICK2GOV BP TO:
1. OBTAIN PLAN REVIEW RESULTS.
2. SCHEDULE OR CANCEL INSPECTIONS.
3. OBTAIN INSPECTION RESULTS.

TO CLOSE OUT A PERMIT,
YOU MUST REQUEST AN INSPECTION.

EXHIBIT # 1

CITY OF CRESTVIEW - BUILDING DEPARTMENT
 198 WILSON STREET N
 CRESTVIEW, FL 32536
 850-689-1618 FAX 850-689-4575
 permits@cityofcrestview.org

Application Number 21-00002050 Page 2
 Application pin number 685200 Date 2/14/22

Special Notes and Comments
 4. PAY ALL PERMIT FEES.

Other Fees SURCHARGE BP DBPR (BU) 2.00
 SURCHARGE BP BCAIB (BU) 2.00
 EXPIRED PERMIT > 30 DAYS 58.00

Fee summary	Charged	Paid	Credited	Due
Other Fee Total	62.00	62.00	.00	.00
Grand Total	62.00	62.00	.00	.00

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 Application Number 21-00002050 Page 3
 Property Address 602 E GRIFFITH AVE Date 2/14/22
 TAX ID NUMBER: 17-3N-23-2490-0151-0070
 Application description . . . REROOF
 Subdivision Name
 Property Use LOW DENSITY RESIDENTIAL
 Property Zoning MULTI-FAMILY RESIDENTIAL
 Permit BUILDING PERMIT ROOFING
 Additional desc . . REROOF WITH SHINGLES
 Permit pin number : 211599

Required Inspections

Seq	Insp Code	Description	Initials	Date
10	B131	BLDG, NOTICE OF COMMENCEMENT	_____	___/___/___
20	B136	BLDG, REROOFING AFFIDAVIT	_____	___/___/___
20	B120	BLDG, ROOFING IN PROGRESS	_____	___/___/___
30	B135	BLDG, ROOF FINAL	_____	___/___/___

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CITY OF CRESTVIEW - BUILDING DEPARTMENT
198 WILSON STREET N
CRESTVIEW, FL 32536
850-689-1618 FAX 850-689-4575
permits@cityofcrestview.org

Application Number 21-00002049 Date 8/13/21
Application pin number 557050
Property Address 602 E GRIFFITH AVE
TAX ID NUMBER: 17-3N-23-2490-0151-0070
Application type description ALTERATION / REMODEL (NO PLAN REVIEW)
Subdivision Name
Property Use LOW DENSITY RESIDENTIAL
Property Zoning MULTI-FAMILY RESIDENTIAL
Application valuation 600

Description of Work
Repair steps, rafter tails and carport

Owner	Contractor
FLETCHER JULIE & VAN CHAU C 921 CHESTNUT AVE CRESTVIEW FL 32539	OWNER

Permit BUILDING PERMIT ALTERATIONS
Additional desc REPAIR STEPS, CARPORT, RAFTERS
Permit pin number 211581
Issue Date 8/13/21 Valuation 600
Expiration Date 2/09/22

Special Notes and Comments
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CITY OF CRESTVIEW - BUILDING DIVISION
 198 WILSON STREET N
 CRESTVIEW, FL 32536
 850-689-1618 FAX 850-689-4575
 permits@cityofcrestview.org

 Application Number 21-00002049 Page 2
 Application pin number 557050 Date 8/13/21

Special Notes and Comments
 4. PAY ALL PERMIT FEES.

 Other Fees SURCHARGE BP DBPR (BU) 2.00
 SURCHARGE BP BCAIB (BU) 2.00

Fee summary	Charged	Paid	Credited	Due
Other Fee Total	4.00	4.00	.00	.00
Grand Total	4.00	4.00	.00	.00

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198 WILSON STREET N
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Property Address 602 E GRIFFITH AVE Date 8/13/21
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Application description . . . ALTERATION / REMODEL (NO PLAN REVIEW)
Subdivision Name
Property Use LOW DENSITY RESIDENTIAL
Property Zoning MULTI-FAMILY RESIDENTIAL

Permit BUILDING PERMIT ALTERATIONS
Additional desc . . REPAIR STEPS, CARPORT, RAFTERS
Permit pin number : 211581

Required Inspections

Seq	Insp Code	Description	Initials	Date
10	B131	BLDG, NOTICE OF COMMENCEMENT	_____	__/_/___
1000	B130	BLDG, FINAL	_____	__/_/___

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198 WILSON STREET N
CRESTVIEW, FL 32536
850-689-1618 FAX 850-689-4575
permits@cityofcrestview.org

Application Number 21-00002050 Date 8/13/21
Application pin number 685200
Property Address 602 E GRIFFITH AVE
TAX ID NUMBER: 17-3N-23-2490-0151-0070
Application type description REROOF
Subdivision Name
Property Use LOW DENSITY RESIDENTIAL
Property Zoning MULTI-FAMILY RESIDENTIAL
Application valuation 1600

Description of Work
Reroof with shingles FL 10124-R29 & 27076.9

Owner Contractor

FLETCHER JULIE & VAN CHAU C OWNER
921 CHESTNUT AVE
CRESTVIEW FL 32539

Permit BUILDING PERMIT ROOFING
Additional desc REROOF WITH SHINGLES
Permit pin number 211599
Issue Date 8/13/21 Valuation 1600
Expiration Date 2/09/22

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 CRESTVIEW, FL 32536
 850-689-1618 FAX 850-689-4575
 permits@cityofcrestview.org

 Application Number 21-00002050 Page 2
 Application pin number : : : 685200 Date 8/13/21

Special Notes and Comments
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 Other Fees SURCHARGE BP DBPR (BU) 2.00
 SURCHARGE BP BCAIB (BU) 2.00

Fee summary	Charged	Paid	Credited	Due
Other Fee Total	4.00	4.00	.00	.00
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 TAX ID NUMBER: 17-3N-23-2490-0151-0070
 Application description . . . REROOF
 Subdivision Name
 Property Use LOW DENSITY RESIDENTIAL
 Property Zoning MULTI-FAMILY RESIDENTIAL
 Permit BUILDING PERMIT ROOFING
 Additional desc . . REROOF WITH SHINGLES
 Permit pin number : 211599

Required Inspections

Seq	Insp Code	Description	Initials	Date
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CITY OF CRESTVIEW - BUILDING DIVISION
198 WILSON STREET N
CRESTVIEW, FL 32536
850-689-1618 FAX 850-689-4575
permits@cityofcrestview.org

Application Number 21-00002051 Date 8/13/21
Application pin number 534302
Property Address 602 E GRIFFITH AVE
TAX ID NUMBER: 17-3N-23-2490-0151-0070
Application type description DEMOLITION- ALL STRUCT
Subdivision Name
Property Use LOW DENSITY RESIDENTIAL
Property Zoning MULTI-FAMILY RESIDENTIAL
Application valuation 0

Description of Work
Demo accessory structure-shed

Owner	Contractor
FLETCHER JULIE & VAN CHAU C 921 CHESTNUT AVE CRESTVIEW FL 32539	OWNER

--- Structure Information 000 000 demo accessory structure
Occupancy Type UTILITY & MISCELLANEOUS
Flood Zone FLOOD ZONE X

Permit	DEMOLITION	
Additional desc	DEMO SHED	
Permit pin number	211607	
Issue Date	8/13/21	Valuation 0
Expiration Date	2/09/22	

Special Notes and Comments

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EXHIBIT # 1

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198 WILSON STREET N
CRESTVIEW, FL 32536
850-689-1618 FAX 850-689-4575
permits@cityofcrestview.org

Application Number 21-00002051
Application pin number 534302

Page 2
Date 8/13/21

Special Notes and Comments

1. OBTAIN PLAN REVIEW RESULTS.
2. SCHEDULE OR CANCEL INSPECTIONS.
3. OBTAIN INSPECTION RESULTS.
4. PAY ALL PERMIT FEES.

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APPLICATION BASE FEE BLDG 44.00
SURCHARGE BP BCAIB (BU) 2.00

Fee summary	Charged	Paid	Credited	Due
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Grand Total	48.00	48.00	.00	.00

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EXHIBIT # \

BUILDING OFFICIAL DETERMINATION

5-12-21 602 E Griffith Ave
MONTH/DAY/YEAR ADDRESS-LOCATION OF VIOLATION
Rotten wood, broken steps, exposed untreated wood, unsafe accessory structures
NATURE OF VIOLATION(S) OBSERVED
No Access inside, this is based on what was seen from the public R.O.W
Permits required for repairs to be made
CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☐ FOUNDATION:
- ☐ WOOD SUPPORTS:
- ☐ SKIRTING:
- ☒ EXTERIOR WALLS: Area at corner of carport rotten
- ☐ WINDOWS:
- ☐ SHUTTERS:
- ☐ EXTERIOR DOORS:
- ☐ EXTERIOR DOOR FRAMES AND STOREFRONTS:
- ☒ EXTERIOR SURFACE TREATMENT: carport ceiling falling in
- ☒ STRUCTURAL SUPPORTS: Exposed rafter tails rotten, this may continue inside attic
- ☐ PORCHES AND BALCONIES:
- ☒ STAIRS: Steps leading to front porch are broken and falling apart
- ☒ ROOFS: portion of roof has old tarp covering, needs to be replaced
- ☐ GUTTERS AND DOWNSPOUTS:
- ☐ CHIMNEYS, FLUES, AND VENT ATTACHMENTS:
- ☐ OVERHANG EXTENSIONS:
- ☐ INSECT SCREENS:
- ☒ ACCESSORY STRUCTURES: unsafe accessory structures on property
- ☐ SWIMMING POOLS:
- ☐ RODENT HARBORAGE:
- ☐ EXTERIOR LIGHTING:
- ☐ FENCES AND WALLS:

[Signature]
SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

21-325

EXHIBIT # 1







September 28, 2021 11:07AM
602 E Griffith Ave
Crestview FL 32539



December 06, 2021 11:09AM
644 E Griffith Ave
Crestview FL 32539



EXHIBIT # 1

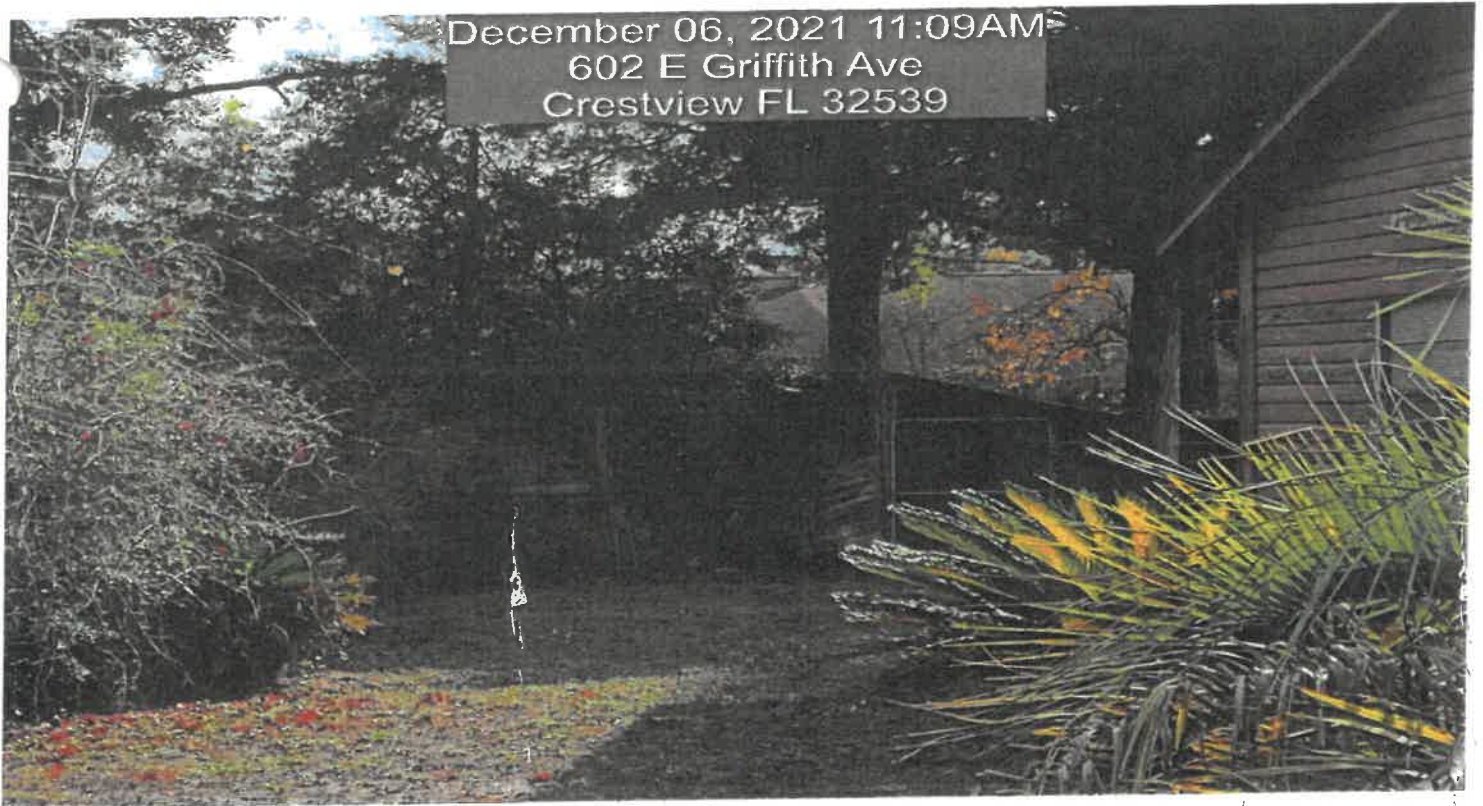
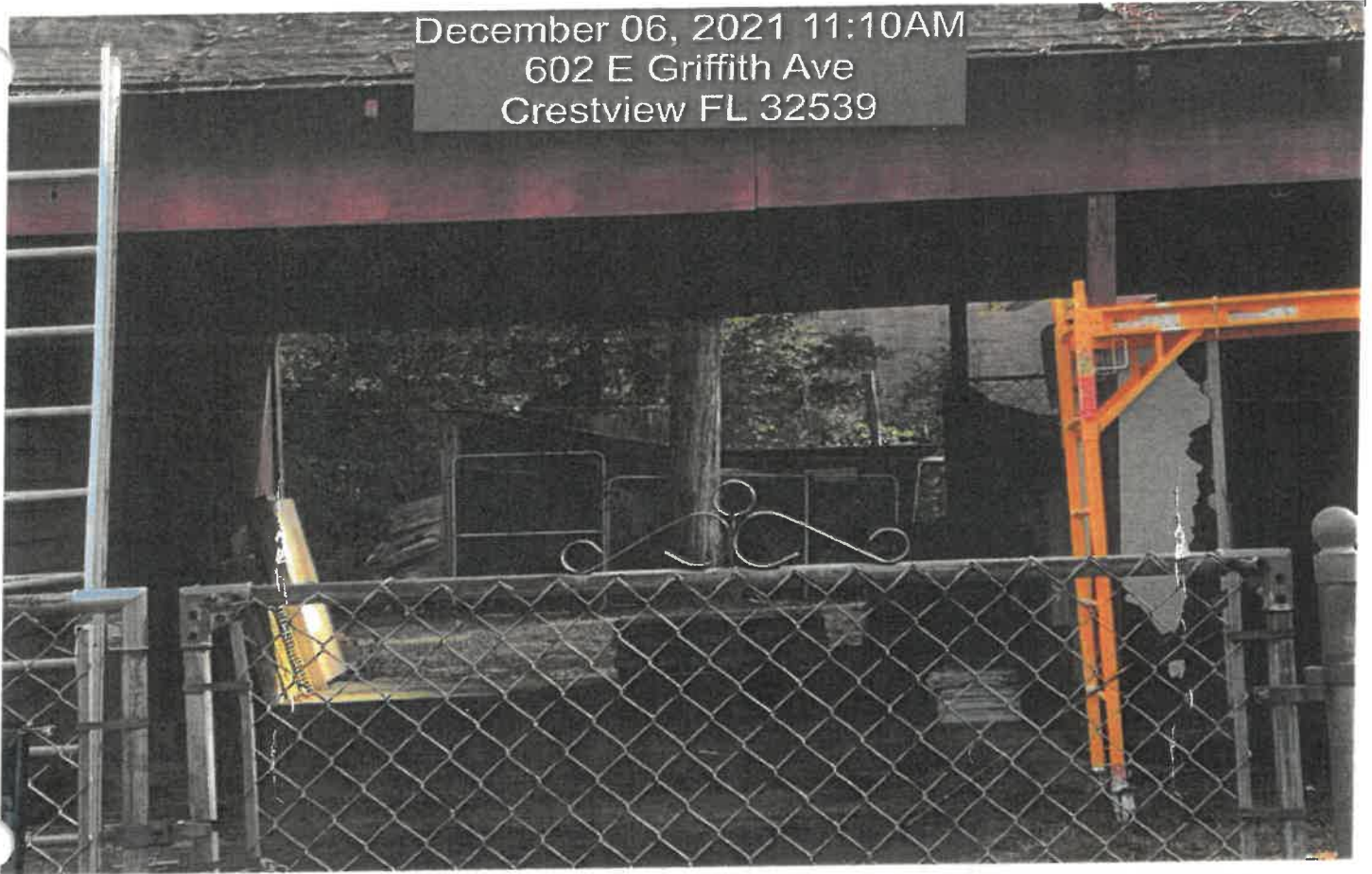


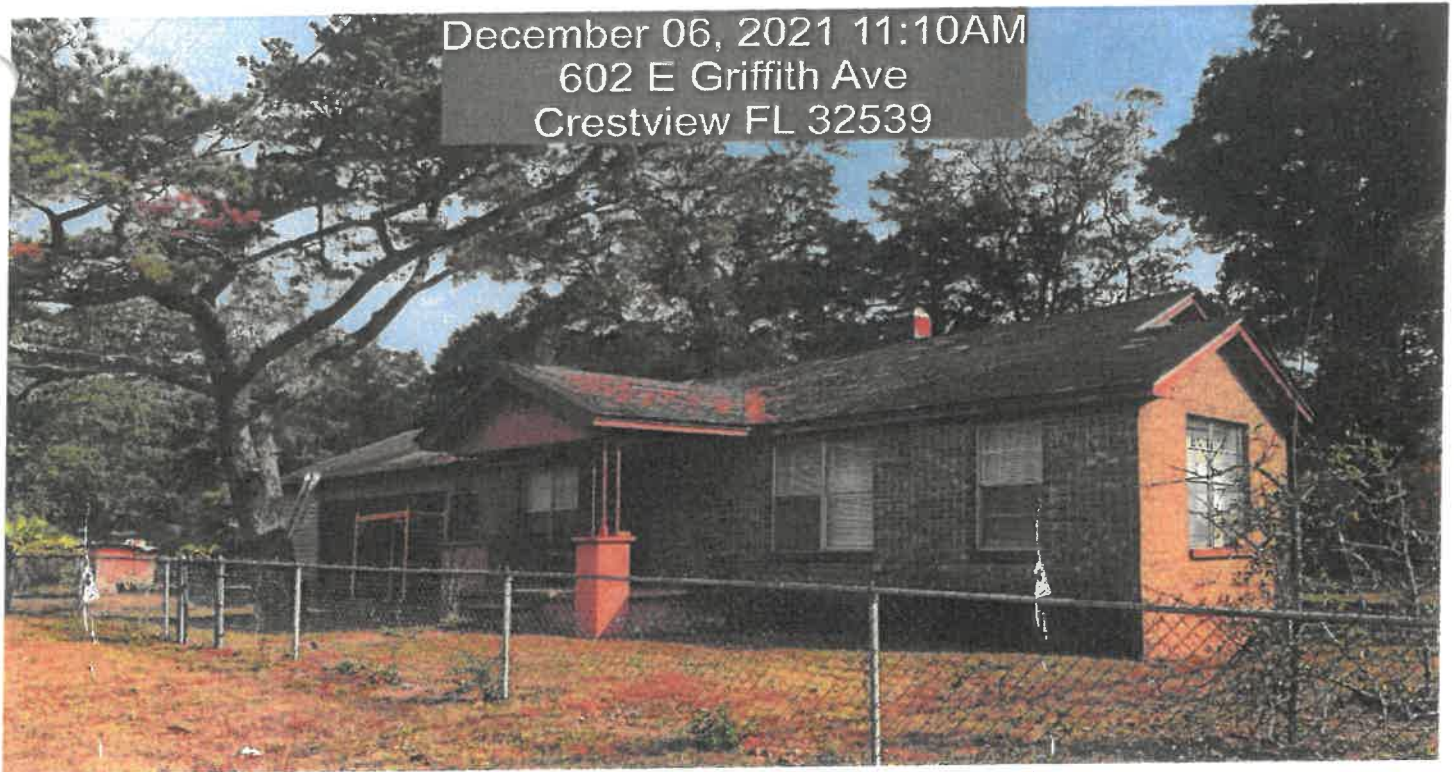
EXHIBIT # 1

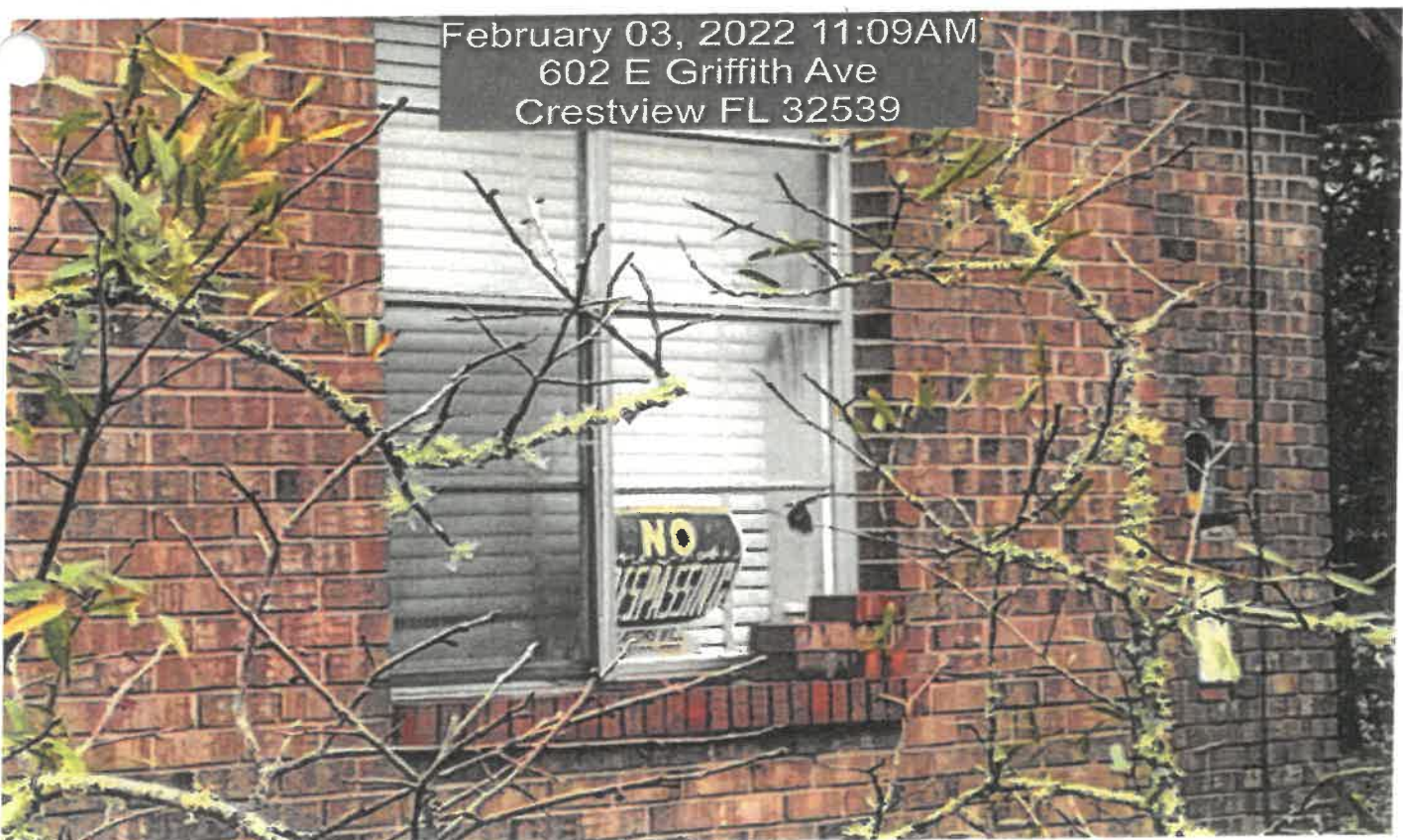
December 06, 2021 11:10AM
602 E Griffith Ave
Crestview FL 32539

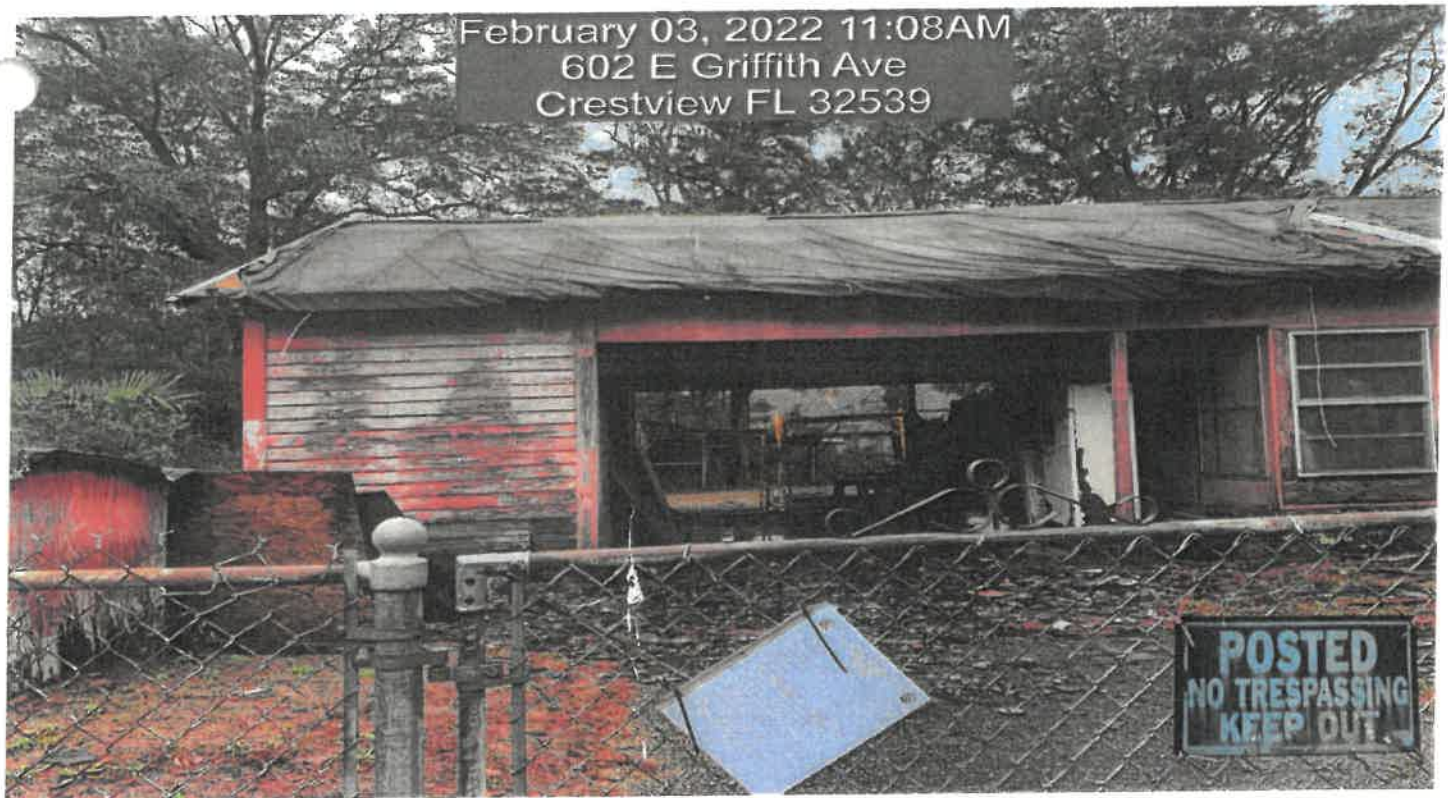


December 06, 2021 11:10AM
602 E Griffith Ave
Crestview FL 32539









February 03, 2022 12:35PM
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: 01/12/2022

Julie Fletcher/ Chau Chieu Van (Life Estate)
921 Chestnut Avenue
Crestview, FL 32539

RE: CASE# 21-1072

Dear Property Owner:

You are hereby formally notified that on February 15, 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 602 E Griffith Avenue, Crestview, FL 32539 more particularly described as:

PT# 17-3N-23-2490-0151-0070 LEGAL DESCRIPTION: CRESTVIEW LOTS 7 & 9 BLK 151

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.

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: May 25, 2021
Case #: 21-00001072

JULIE FLETCHER & CHAU C VAN
921 CHESTNUT AVE
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: 602 E GRIFFITH AVE
Tax Identification Number: 17-3N-23-2490-0151-0070
Legal: CRESTVIEW LOTS 7 8 & 9 BLK 151, ,

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 # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES 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.

38.66 - 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.

(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 POR-BAL-STA QUANTITY: 1
DESCRIPTION: PORCHES-BALCONIES-STAIRS DATE: 5/25/21
LOCATION:

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

CONTINUED

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.

(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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

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).

(a) Please Contact the Permitting Department @ 850-689-1618 EXT. 254 OR 261.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS 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,

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

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 Permit: 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 69 QUANTITY: 1
DESCRIPTION: VACANT BUILDING STANDARDS 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.

38.69 - 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

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

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 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.

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70203160000107311509

Remove X

Your item has been delivered to the original sender at 11:15 am on June 15, 2021 in CRESTVIEW, FL 32539.

USPS Tracking Plus™ Available ∨

✓ Delivered, To Original Sender

June 15, 2021 at 11:15 am
CRESTVIEW, FL 32539

Feedback

U.S. Postal Service™
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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 fees as appropriate):	
☒ Return Receipt (hardcopy)	2.85
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	.61
Total Postage and Fees	6.96

Postmark: CRESTVIEW, FL 32539 MAY 26 2021

JULIE FLETCHER + CARRAN C VAN 1072
921 CRESTVIEW AVE
CRESTVIEW, FL 32539

See Reverse for Instructions

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: June 14, 2021
Case #: 21-00001072

JULIE FLETCHER & CHAU C VAN
921 CHESTNUT AVE
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: 602 E GRIFFITH AVE

Tax Identification Number: 17-3N-23-2490-0151-0070

Legal: CRESTVIEW LOTS 7 8 & 9 BLK 151, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **June 28, 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 # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES 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.

38.66 - 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.

(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 POR-BAL-STA QUANTITY: 1
DESCRIPTION: PORCHES-BALCONIES-STAIRS DATE: 5/25/21
LOCATION:

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

CONTINUED

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.

(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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

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).

(a) Please Contact the Permitting Department @ 850-689-1618 EXT. 254 OR 261.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS 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,

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

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 69 QUANTITY: 1
DESCRIPTION: VACANT BUILDING STANDARDS 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.

38.69 - 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

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

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 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 # 1

7020 3160 0001 0731 1851

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

Certified Mail Fee \$ 3.60

Postage \$.51

Total Postage and Fees \$ 4.94

Services & Fees (check box, add fee if appropriate)

☒ Return Receipt (hardcopy) \$ 2.85

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

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 JUN 15 2021
 CRESTVIEW FL 32539
 USPS

TO:
 JULIE FLETCHER + CHAUC VAN #21
 921 CHESTNUT AVE
 CRESTVIEW, FL 32639

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: JULIE FLETCHER + CHAUC VAN 921 CHESTNUT AVE CRESTVIEW, FL 32639 2. Article Number (Transfer from service label) 7020 3160 0001 0731 1851	A. Signature ☒ Agent ☐ Addressee B. Received by (Printed Name) C-16 C. Date of Delivery 6-16 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 ☐ Mail Restricted Delivery </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 ☐ Mail Restricted Delivery	☐ 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 ☐ Mail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery		

9590 9402 5522 9249 9973 48

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

EXHIBIT # 1



**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

**Chau C Van & Julie Fletcher
921 Chestnut Avenue
Crestview, FL 32539**

RE: CASE# 21-1072

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 **602 E Griffith Avenue, Crestview, FL 32539** more particularly described as:

PIN# 17-3N-23-2490-0151-0070 LEGAL DESCRIPTION: CRESTVIEW LOTS 7 8 & 9 BLK 151

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 # 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

Code Compliance Officer

850.306.3702/850.612.9714

EXHIBIT # 1

STATEMENT OF VIOLATION

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: Obtain proper permits and repair or remove accessory structure from property.

Code of Ordinance Violated: Chapter 38 Section 65 (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 an unsightly appearance, Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

Corrective Action Required: Obtain proper permits and repair the stairs leading to the front porch.

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 69 Vacant Building Standards

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.

Corrective Action Required: Secure the vacant structure to prevent the entry of unauthorized persons, either by replacing windows or boarding windows for no more than 90 days.

7224 2346 1000 0621 0201

U.S. Postal Service TM	
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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 as appropriate)	2.89
☒ Return Receipt (hardcopy)	
☐ Return Receipt (electronic)	
☐ Certified Mail Restricted Delivery	
☐ Adult Signature Required	
☐ Adult Signature Restricted Delivery	
Postage	.51
Total Postage and Fees	4.90
CHAU C VAN + JULIE FLETCHER #21 921 CHESTNUT AVE 1092 CRESTVIEW, FL 32639	

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 X  ☐ Agent ☐ Addressee B. Received by (Printed Name) C-15 C. Date of Delivery 7-15 D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:
1. Article Addressed to: CHAU C VAN + JULIE FLETCHER 921 CHESTNUT AVE CRESTVIEW, FL 32539  9590 9402 5522 9249 9967 54	3. Service Type ☐ Adult Signature ☐ Priority Mail Express[®] ☐ Adult Signature Restricted Delivery ☐ Registered MailTM ☒ Certified Mail[®] ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Collect on Delivery ☐ Signature ConfirmationTM ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Mail Restricted Delivery
2. Article Number (Transfer from service label) 7202 1290 0001 2346 7224	
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: September 29, 2021
Case #: 21-00001072

JULIE FLETCHER & CHAU C VAN
921 CHESTNUT AVE
CRESTVIEW, FL 32539

Dear JULIE FLETCHER & CHAU C VAN,

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: 602 E GRIFFITH AVE
Tax Identification Number: 17-3N-23-2490-0151-0070
Legal: CRESTVIEW LOTS 7 8 & 9 BLK 151, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **October 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,


Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 1

VIOLATION DETAIL

PAGE 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

VIOLATION: CH 38 SEC 66 QUANTITY: 1
DESCRIPTION: ACCESSORY STRUCTURES DATE: 5/25/21
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.

VIOLATION: CH 38 SEC 65 POR-BAL-STA QUANTITY: 1
DESCRIPTION: PORCHES-BALCONIES-STAIRS DATE: 5/25/21
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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

CORRECTIVE ACTION REQUIRED :

EXHIBIT # 1

VIOLATION DETAIL

PAGE 2

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

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).

(a) Please Contact the Permitting Department @ 850-689-1618 EXT. 254 OR 261.

VIOLATION: CH 38 SEC 65 ROOFS QUANTITY: 1
DESCRIPTION: ROOFS DATE: 5/25/21
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 69 QUANTITY: 1
DESCRIPTION: VACANT BUILDING STANDARDS DATE: 5/25/21
LOCATION:

ORDINANCE DESCRIPTION :
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

EXHIBIT # 1

CASE NUMBER 21-00001072
PROPERTY ADDRESS 602 E GRIFFITH AVE

ORDINANCE DESCRIPTION :

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. Remove the wood from the window(s).
2. If the window glass is broken, or missing, a building permit is required for new glass installation.

You may contact the permitting department @ 850-689-1619 ext. 254 or 261.

[FAQs >](#)

USPS Tracking®

[Track Another Package +](#)[Remove X](#)**Tracking Number:** 70183090000144301850

Your item was picked up at the post office at 10:03 am on October 4, 2021 in CRESTVIEW, FL 32539.

USPS Tracking Plus™ Available **✓ Delivered, Individual Picked Up at Post Office**

October 4, 2021 at 10:03 am
CRESTVIEW, FL 32539

Feedback

7018 3090 0001 4430 1850

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
Postmark Here SEP 30 2021	
Sent To JULIE FLETCHER + CHAU 921 HESINDY AVE CRESTVIEW, FL 32539	

[See Less ^](#)**EXHIBIT # 1**



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: 01/12/2022

Julie Fletcher/ Chau Chieu Van (Life Estate)
921 Chestnut Avenue
Crestview, FL 32539

RE: CASE# 21-1072

Dear Property Owner:

You are hereby formally notified that on **February 15, 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 **602 E Griffith Avenue, Crestview, FL 32539** more particularly described as:

PIN# 17-3N-23-2490-0151-0070 LEGAL DESCRIPTION: CRESTVIEW LOTS 7 8 & 9 BLK 151

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 # 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 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

21-1072 602 E Griffith Ave
Statement of Violation

Code of Ordinance Violated: Chapter 38 Section 65 (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 an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code

Corrective Action Required: Repair the stairs in accordance with Florida Building Code.

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: Repair the roof with like materials

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. Maintenance of accessory structures shall comply with the following:

(a) The exterior of the building and premises to include by not limited to parking areas and landscaped areas shall be maintained in a sound, clean and neat condition.

Corrective Action Required: Repair or remove the accessory structure from the property.

Code of Ordinance Violated: Chapter 38 Section 69 Vacant Building Standards

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 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: Secure the vacant building by replacing the glass in broken windows or boarding the broken windows for no more than 90 days.

EXHIBIT # 1

7014 3490 0000 4156 7472

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)	3.05
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.38

#21-1072

Sent To: JULIE FLETCHER / CHAU CHIEU VAN (LIFE ESTATE)
Street & Apt. No., or PO Box No. 921 CHESTNUT AVE
City, State, ZIP+4 CRESTVIEW, FL 32539

PS Form 3800, July 2014 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>Chau Chau</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>CHAU CHIEU VAN</i> C. Date of Delivery <i>1-18-22</i> D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: JAN 18 2022
1. Article Addressed to: JULIE FLETCHER / CHAU CHIEU VAN (LIFE ESTATE) 921 CHESTNUT AVE CRESTVIEW, FL 32539 9590 9402 6373 0303 1236 76	3. Service Type <i>STVIEW</i> ☐ 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 ☐ Mail Restricted Delivery
2. Article Number (Transfer from service label) 7014 3490 0000 4156 7472	

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

Domestic Return Receipt

EXHIBIT # 1

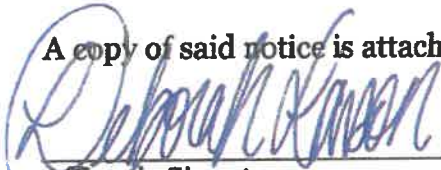
**CITY OF CRESTVIEW
CODE COMPLIANCE DIVISION
P.O. Box 1209, Crestview, Florida 32536**

**AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)**

CASE # 21-1072

I Deborah Lawson, being duly sworn, deposes and state, that I am employed by the City of Crestview, Florida, that on the 3rd day of February 2022, I personally posted said Notice of Hearing at: 602 E Griffith Avenue, Crestview, Florida, in the County of Okaloosa.

A copy of said notice is attached hereto.

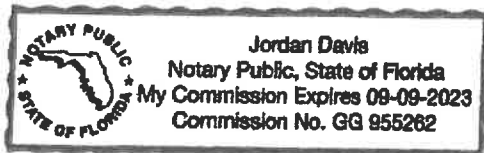

Affiant's Signature

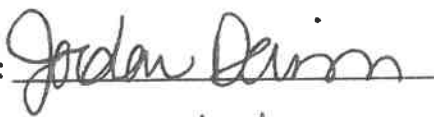
2/3/2022
Date

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 3rd day of February 2022.

(SEAL)



NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 9/9/23

BUILDING OFFICIAL DETERMINATION

5-12-21
MONTH/DAY/YEAR

602 E Griffith Ave
ADDRESS/LOCATION OF VIOLATION

Rotten wood, broken steps, exposed untreated wood, unsafe accessory structures
NATURE OF VIOLATION(S) OBSERVED

No Access inside, this is based on what was seen from the public R.O.W

Permits required for repairs to be made
CORRECTIVE ACTION(S) REQUIRED

CHAPTER 38-65 IMPROVED PROPERTY STANDARDS

- ☐ FOUNDATION:
- ☐ WOOD SUPPORTS:
- ☐ SKIRTING:
- ☒ EXTERIOR WALLS: Area at corner of carport rotten
- ☐ WINDOWS:
- ☐ SHUTTERS:
- ☐ EXTERIOR DOORS:
- ☐ EXTERIOR DOOR FRAMES AND STOREFRONTS:
- ☒ EXTERIOR SURFACE TREATMENT: carport ceiling falling in
- ☒ STRUCTURAL SUPPORTS: Exposed rafter tails rotten, this may continue inside attic
- ☐ PORCHES AND BALCONIES:
- ☒ STAIRS: Steps leading to front porch are broken and falling apart
- ☒ ROOFS: portion of roof has old tarp covering, needs to be replaced
- ☐ GUTTERS AND DOWNSPOUTS:
- ☐ CHIMNEYS, FLUES, AND VENT ATTACHMENTS:
- ☐ OVERHANG EXTENSIONS:
- ☐ INSECT SCREENS:
- ☒ ACCESSORY STRUCTURES: unsafe accessory structures on property
- ☐ SWIMMING POOLS:
- ☐ RODENT HARBORAGE:
- ☐ EXTERIOR LIGHTING:
- ☐ FENCES AND WALLS:


SIGNATURE OF BUILDING OFFICIAL

Ronald Raybon
PRINTED NAME OF BUILDING OFFICIAL

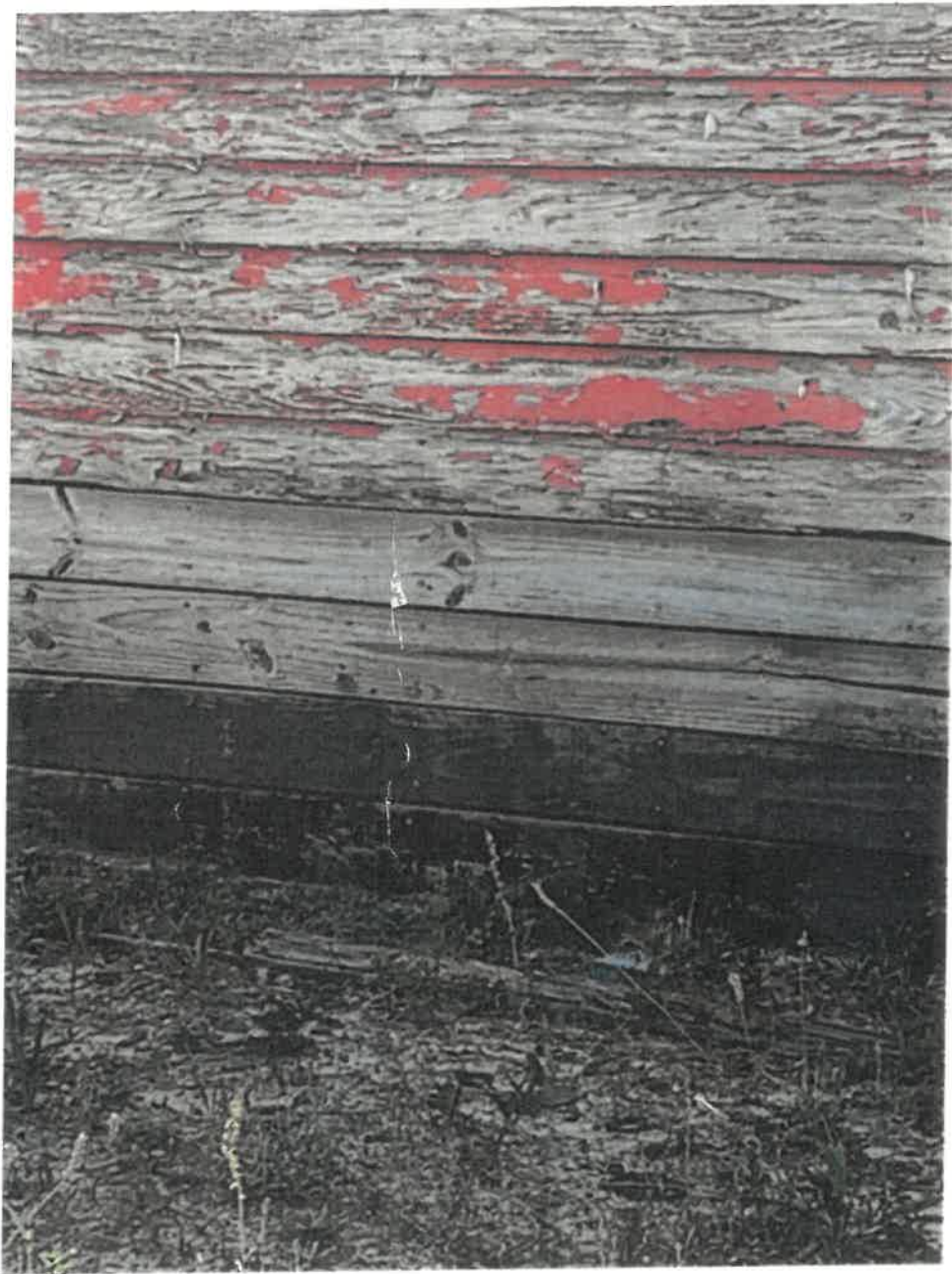
EXHIBIT # 1A



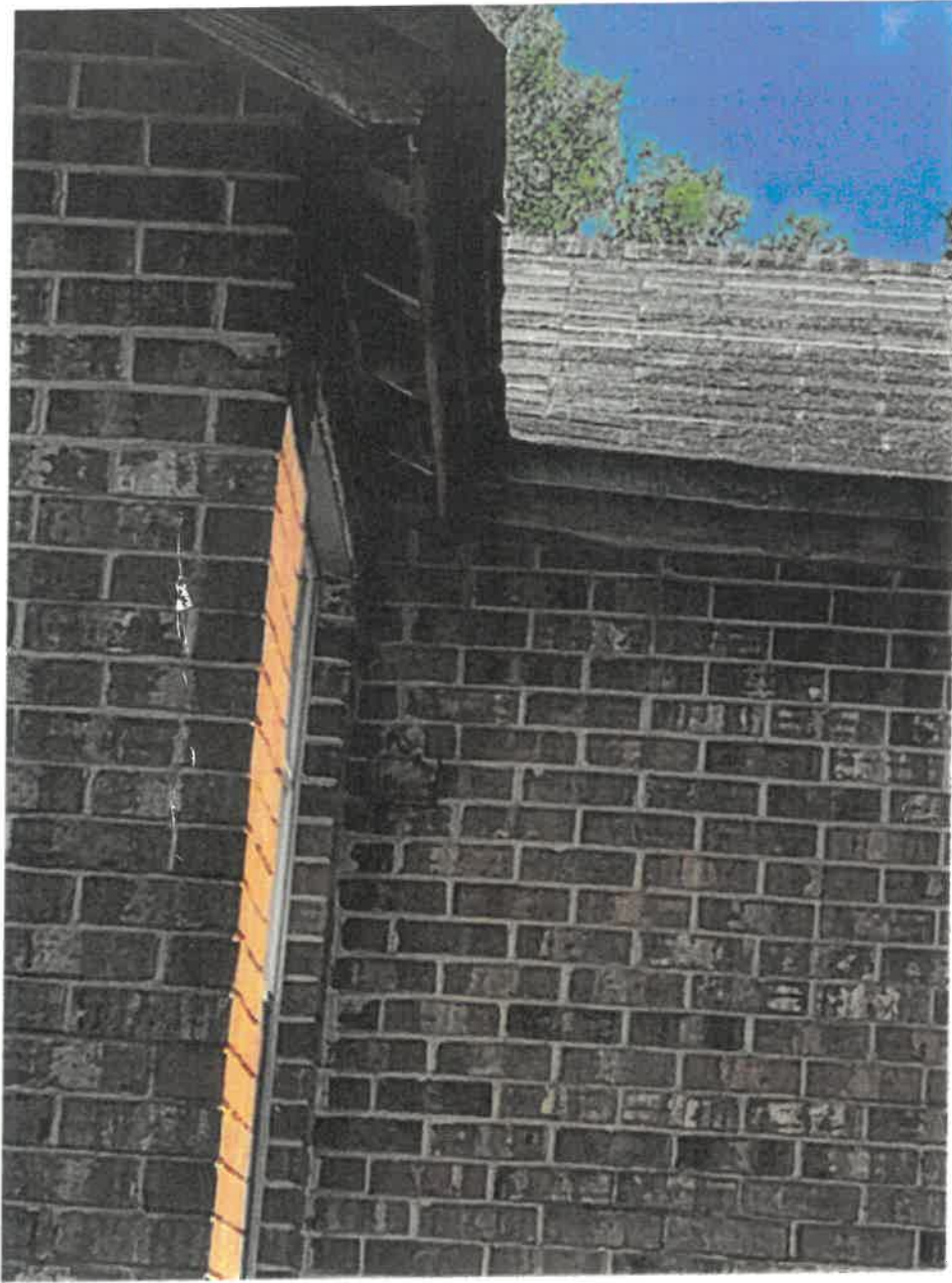
EXHIBIT# 1A



EXHIBIT# 1A



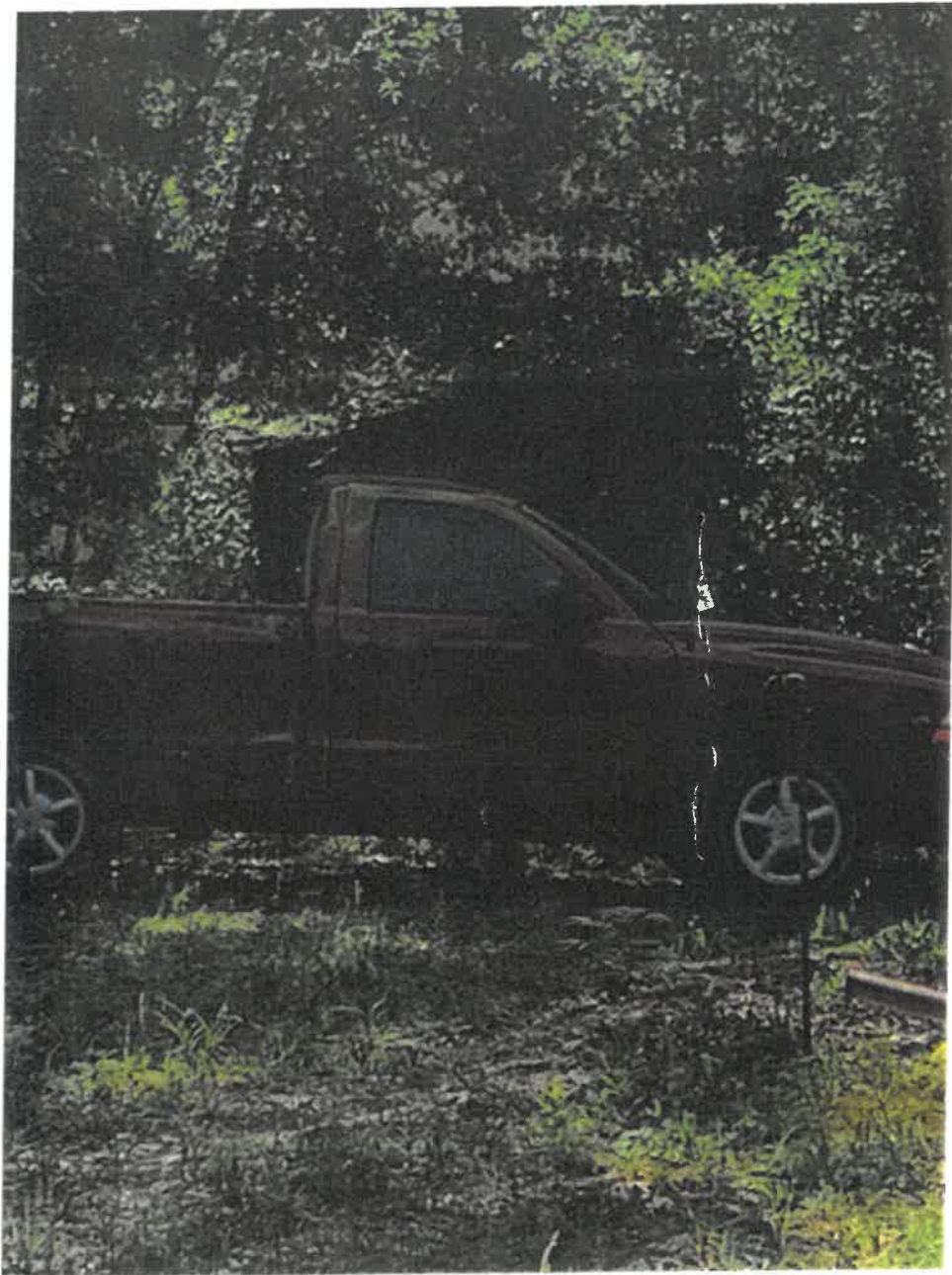
EXHIBIT# 1A



EXHIBIT# 1A



EXHIBIT# 1A



EXHIBIT# 1A



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



City of Crestview, Florida,

Petitioner,

vs.

CASE# 21-1072

Julie Fletcher/ Chau Chieu Van (Life Estate)
921 Chestnut Avenue
Crestview, FL 32539

Inst. #3527992 Blk: 3605 Pg: 1509
Page 1 of 4 Recorded: 2/18/2022 12:44 PM
RECORDING ARTICLE V: \$16.00 RECORDING: \$19.50

DEPUTY CLERK APRESTWOOD
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 February 15, 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, Julie Fletcher/ Chau Chieu Van (Life Estate), whose last known mailing address is 921 Chestnut Avenue, Crestview, FL 32539, is the owner of the property located at, 602 E Griffith Avenue, Crestview, FL 32539, AKA PIN# 17-3N-23-2490-0151-0070, and more particularly described as: CRESTVIEW LOTS 7 8 & 9 BLK 151
2. The conditions on the property consist of an unsecured deteriorating structure and an unsafe accessory structure. The violation(s) were first observed on May 25, 2021. A Notice of Violation was mailed by certified mail May 26, 2021, and received by respondent on June 16, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (m), (n), Sec. 66, Sec. 69. - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and

requested correction of the violation by June 28, 2021. Re inspection of the property on June 28, 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. 65 (m), (n), Sec. 66, Sec. 69. - 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 May 14, 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 May 14, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
 - a. Repair the stairs and roof.
 - b. Demolish the accessory structure and remove all demolition debris from the property.
 - c. Secure the vacant structure to prevent the entry of unauthorized persons, by replacing the windows or boarding windows for no more than 90 days.
10. If the violation(s) are not corrected by May 14, 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 15th day of February 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.02.18 09:51:31
-06'00'

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. #3593611 Bk: 3653 Pg: 818
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# 21-1072

Julie Fletcher/ Chau Chieu Van (Life Estate)
921 Chestnut Avenue
Crestview, FL 32539

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case was presented for public hearing before the Special Magistrate on February 15, 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, Julie Fletcher/ Chau Chieu Van (Life Estate), whose last known mailing address is 921 Chestnut Avenue, Crestview, FL 32539, is the owner of the property located at, 602 E Griffith Avenue, Crestview, FL 32539, AKA PIN# 17-3N-23-2490-0151-0070, and more particularly described as: CRESTVIEW LOTS 7 8 & 9 BLK 151
2. The conditions on the property consist of an unsecured deteriorating structure and an unsafe accessory structure. The violation(s) were first observed on May 25, 2021. A Notice of Violation was mailed by certified mail May 26, 2021, and received by respondent on June 16, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 65 (m), (n), Sec. 66, Sec. 69. - Maintain a public nuisance prohibited, of the City of Crestview's Code of Ordinances and

requested correction of the violation by June 28, 2021. Re inspection of the property on June 28, 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. 65 (m), (n), Sec. 66, Sec. 69. - 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 May 14, 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 May 14, 2022, the Respondent is to correct the violation(s) by conducting the following action(s):
- a. Repair the stairs and roof.
 - b. Demolish the accessory structure and remove all demolition debris from the property.
 - c. Secure the vacant structure to prevent the entry of unauthorized persons, by replacing the windows or boarding windows for no more than 90 days.
10. If the violation(s) are not corrected by May 14, 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 15th day of February 2022.

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.02.18 09:51:31
-06'00'

Special Magistrate
City of Crestview, Florida

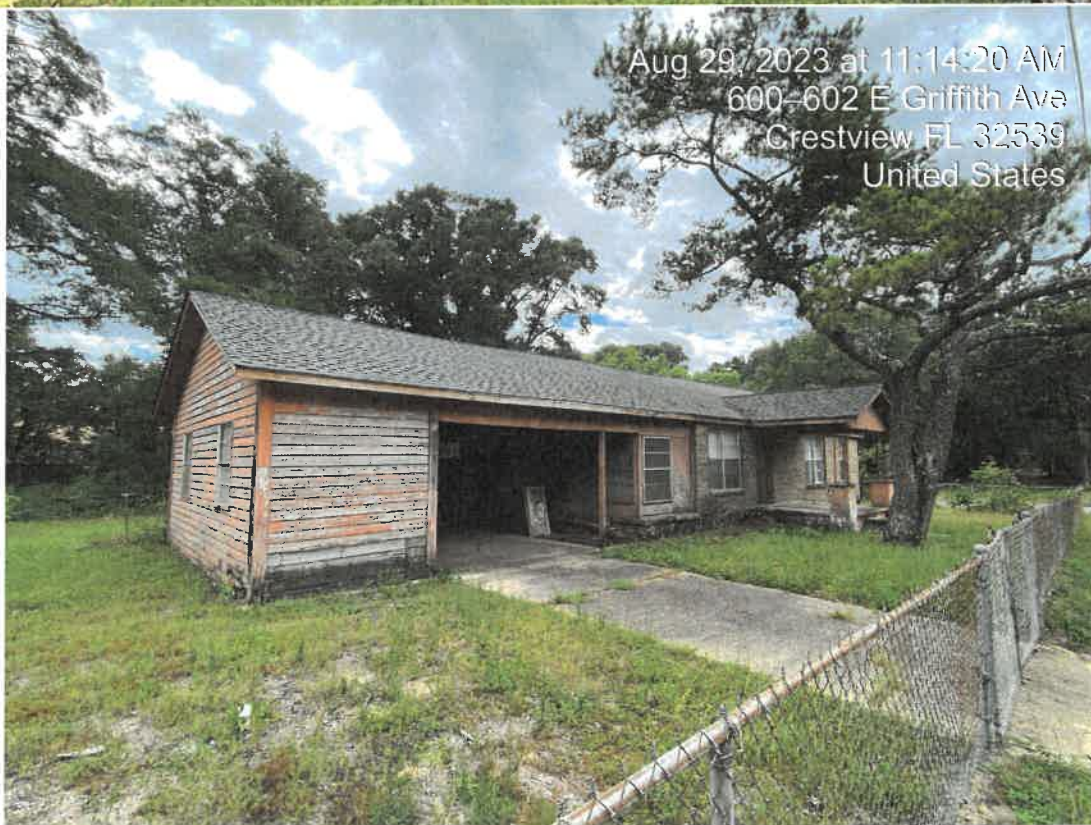
**CERTIFIED A TRUE
AND
CORRECT COPY**



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.



21-1072

602 E GRIFFITH AVE

Aug 29, 2023 at 11:13:16 AM
600-602 E Griffith Ave
Crestview FL 32539
United States



Case # 21-1131

293 PATTON ST

Owner of Record: Roman Portugal 1005 Mapoles St. Crestview FL 32536

Origination Date: 06/07/2021 Origination Code: Anonymous Complaint

Violations: FL Building Code Section 105.1 Building Permit Required

Corrective Action Required:

a.) Obtain a building permit for the accessory structure, or remove it from the property.

Notice Sent: 06/08/2021 Signed: 06/17/21 Compliance Date: 06/18/21

Inspected: 06/21/21 Results: In Violation

Notice Sent: 06/21/21 Signed: 06/24/21 Compliance Date: 07/01/21

Inspected: 07/06/21 Results: In Violation

Public Hearing Notice Sent: 10/12/21 Signed: NA

Hearing Date: 11/16/2021

Property remains in violation.

Order Recorded: 11/18/21 **Re-recorded with wet stamp 12/13/22**

Hearing fee: \$250 Due by 12/17/21

Daily fine: \$250 Start: 12/20/21

Fines: \$153,500 **as of August 25, 2023 (not including interest)**

Property Value: \$92,498

Related Properties:

218 Stillwell Blvd 08-3N-23-0742-0003-0020 Roman Portugal

Case# 22-161 In Violation Hearing: 02/15/22

Case # 21-1131

293 PATTON ST

298 Stillwell Blvd

08-3N-23-0742-0003-0050

Roman M Portugal

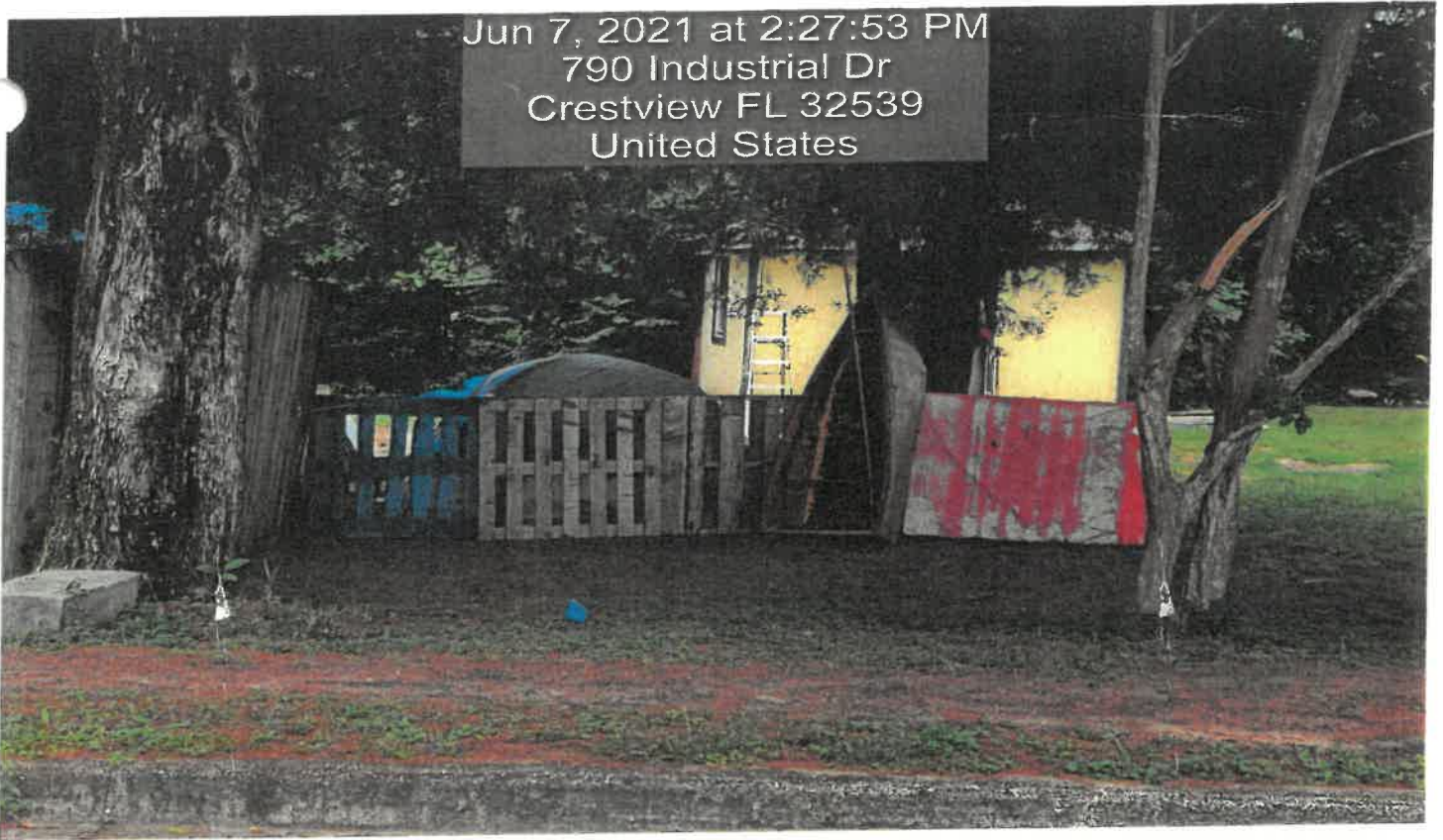
Case# 22-819

In Violation

Hearing: 07/19/22

EXHIBIT 5
CASE # 21-1131
293 PATTON
TUESDAY, NOVEMBER 16, 2021

Jun 7, 2021 at 2:27:53 PM
790 Industrial Dr
Crestview FL 32539
United States



Jun 21, 2021 at 8:57:15 AM
200-298 Patton St
Crestview FL 32539
United States

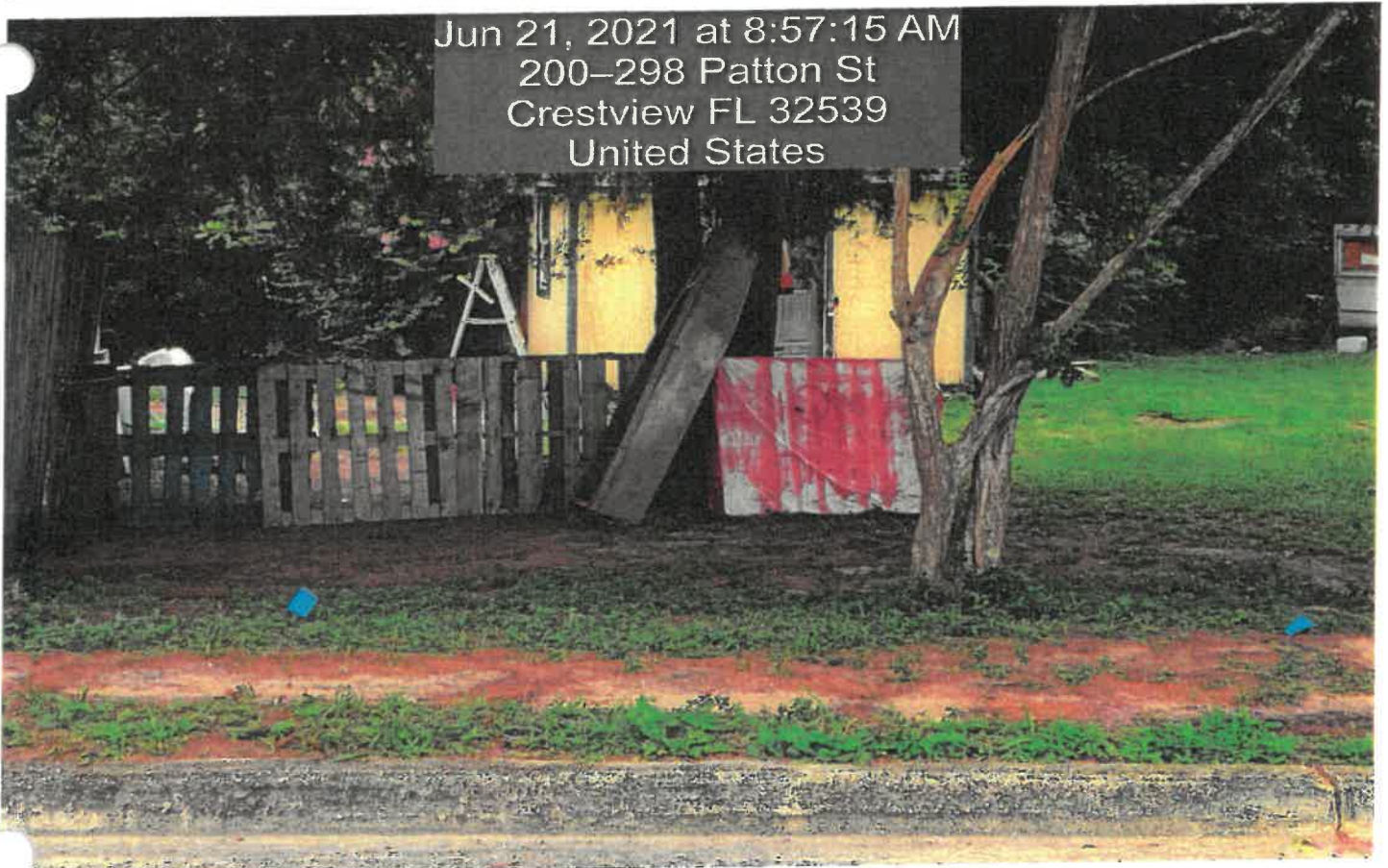
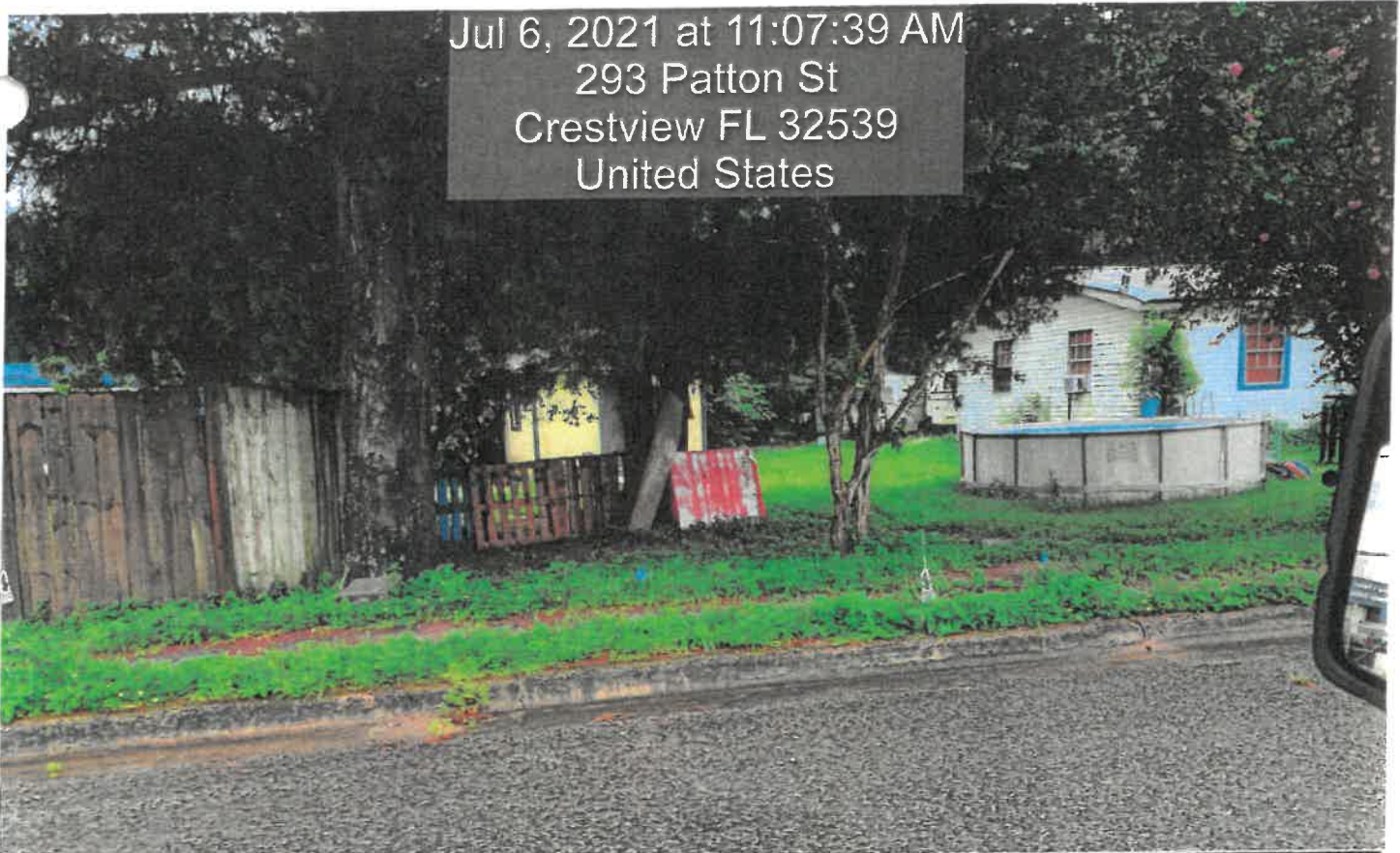


EXHIBIT # 5

Jul 6, 2021 at 11:07:39 AM
293 Patton St
Crestview FL 32539
United States



October 11, 2021 03:18PM
790 Industrial Dr
Crestview FL 32539
United States

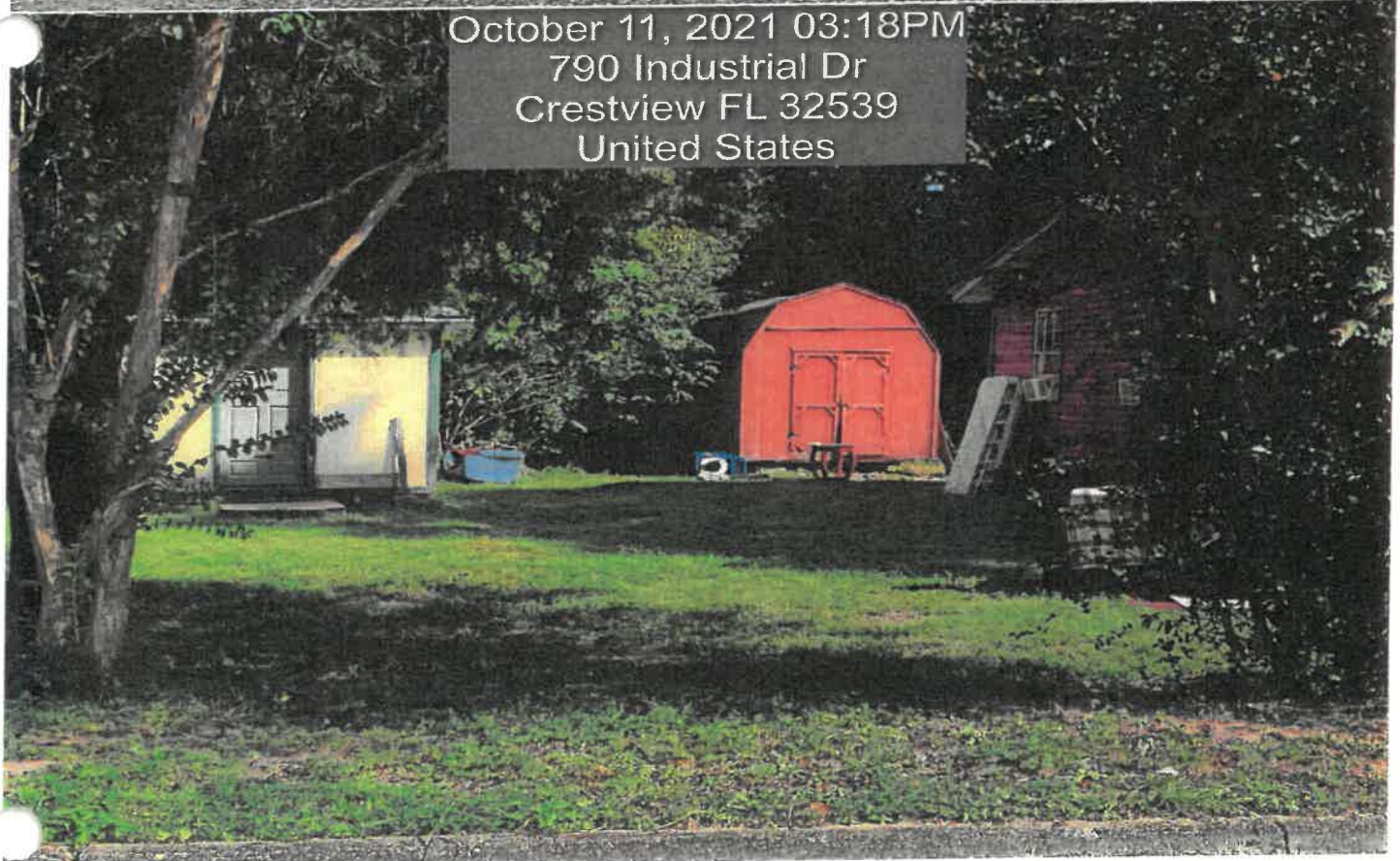


EXHIBIT # 5

November 04, 2021 08:51AM
293 Patton St
Okaloosa County

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

Roman Portugal
4493 Wolftrack Ridge
Crestview, FL 32539
RE: CASE# 21-1131

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 293 Patton Street, Crestview, FL 32539 more particularly described as:

PTNS 08-3N-23-0742-0003-0010 LEGAL DESCRIPTION: EDNEY 2ND ADD LOT 1 BLK 3

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 fine authorized under FS 162.09(3).

Each 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

Roman Portugal
4493 Wolftrack Ridge
Crestview, FL 32539
RE: CASE# 21-1131

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 293 Patton Street, Crestview, FL 32539 more particularly described as:

PTNS 08-3N-23-0742-0003-0010 LEGAL DESCRIPTION: EDNEY 2ND ADD LOT 1 BLK 3

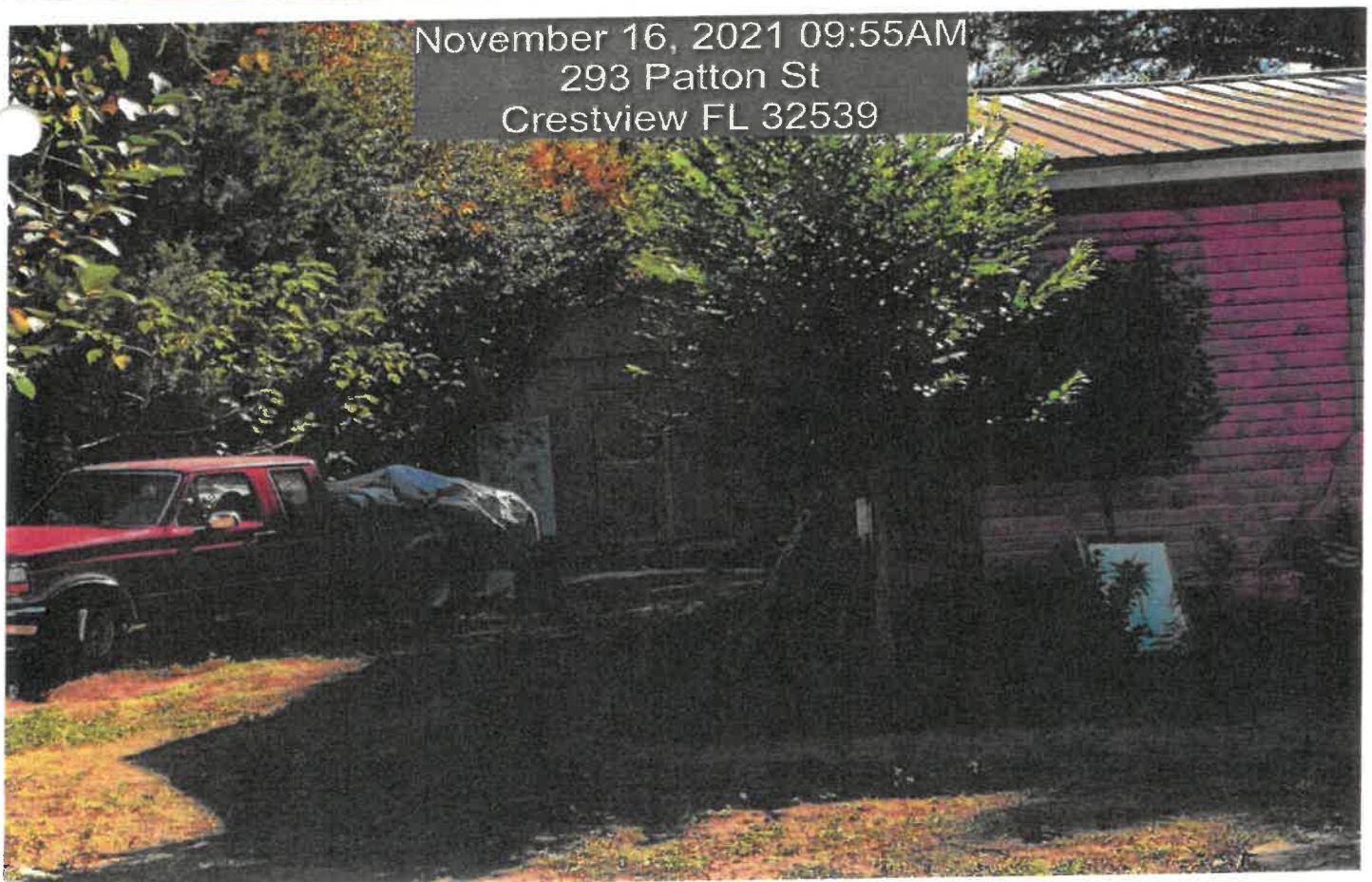
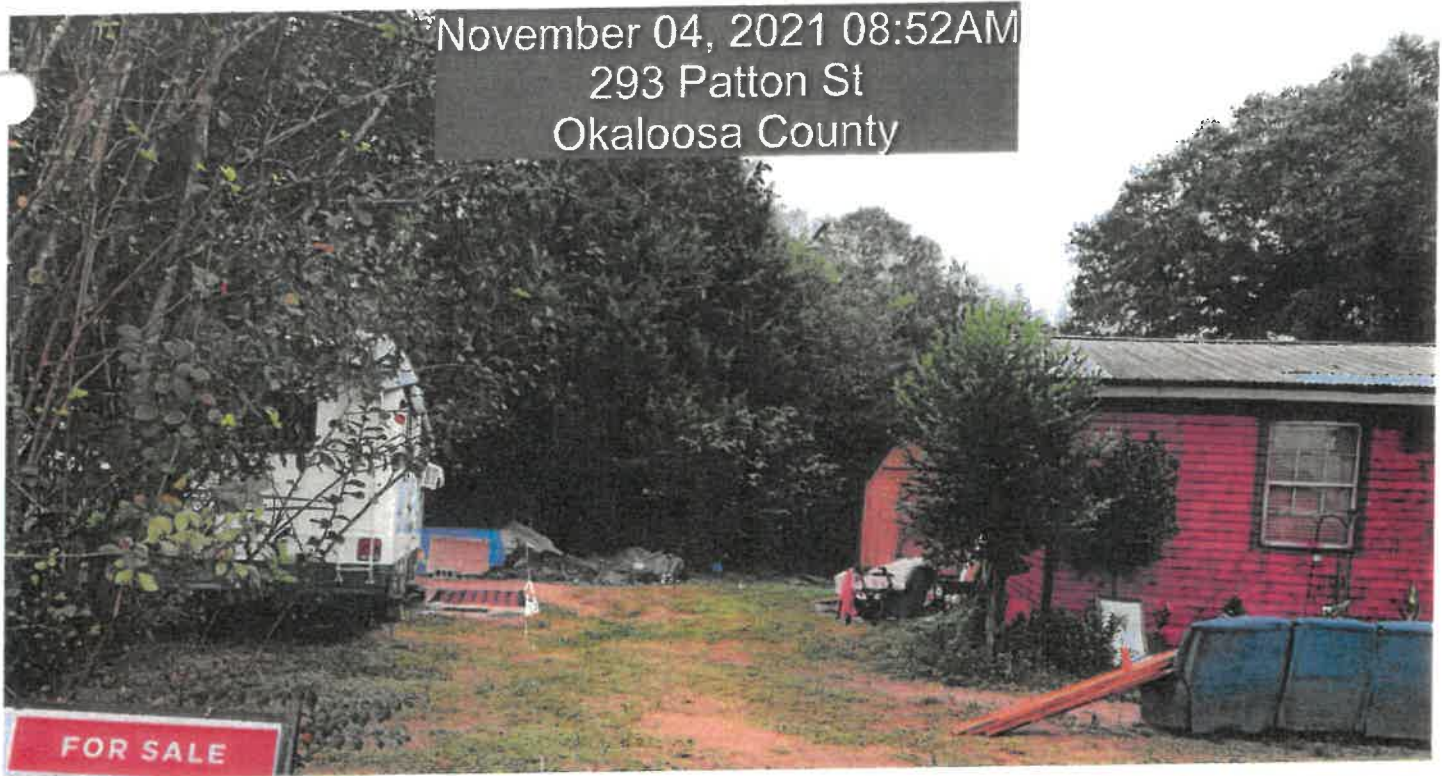
The Special Magistrate has the power to levy fines up to \$250 per day for a first violation, and up to \$500 per day for a repeat violation. If the Special Magistrate finds the violation to be irreparable or irreversible in nature, a fine, not to exceed \$5,000 per violation, may be imposed.

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 fine authorized under FS 162.09(3).

Each Notice of Violation

EXHIBIT # 5





CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: June 8, 2021
Case #: 21-00001131

ROMAN PORTUGAL
4493 WOLFTRACK RIDGE
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: 293 PATTON ST
Tax Identification Number: 08-3N-23-0742-0003-0010
Legal: EDNEY 2ND ADD LOT 1 BLK 3, ,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by June 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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 6/08/21
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 850-689-1618 for further information.

VIOLATION: LDC CH 7 SEC. 7.05.03 QUANTITY: 1
DESCRIPTION: RECREATIONAL CAMPS/TENTS DATE: 6/08/21
LOCATION:

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

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

ORDINANCE DESCRIPTION :

- 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 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.

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

ORDINANCE DESCRIPTION :

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

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 # 5

7020 3160 0001 0731 1783

**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 as appropriate)

☒ Return Receipt (hardcopy) \$ 2.89

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$.61

Total Postage and Fees \$ 4.91

Postmark Here **JUN 9 2021**

ROMAN PORTUGAL
4493 WOLF TRACK RIDGE
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. 1. Article Addressed to: ROMAN PORTUGAL 4493 WOLF TRACK RIDGE CRESTVIEW, FL 32539  9590 9402 5522 9249 9950 30 2. Article Number (Transfer from service label) 7020 3160 0001 0731 1783		A. Signature X <i>Roman Portugal</i> ☒ Agent ☐ Addressee B. Received by (Printed Name) ROMAN PORTUGAL C. Date of Delivery 6-17-21 D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:	
3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Mail Restricted Delivery		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

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

EXHIBIT # 5



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

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

Date: June 21, 2021
Case #: 21-00001131

ROMAN PORTUGAL
4493 WOLFTRACK RIDGE
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: 293 PATTON ST
Tax Identification Number: 08-3N-23-0742-0003-0010
Legal: EDNEY 2ND ADD LOT 1 BLK 3, ,

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,

Deborah Lawson
Code Compliance Officer
850.306.3702/850.612.9714

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 6/08/21
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 850-689-1618 for further information.

EXHIBIT # 5

USPS Tracking®

Track Another Package +

Remove X

Tracking Number: 70203160000107311349

Your item was delivered to an individual at the address at 2:24 pm on June 24, 2021 in CRESTVIEW, FL 32539.

✓ Delivered, Left with Individual

June 24, 2021 at 2:24 pm
CRESTVIEW, FL 32539

Feedback

7020 3160 0001 0731 1349

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 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	\$ 6.96
ROMAN PORTUGAL #13 WOLF TRACK RIDER CRESTVIEW, FL 32039	
PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for instructions	

EXHIBIT # 5

Can't find what you're looking for?

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

USPS TRACKING#



9590 9402 5522 9249 9969 90

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Page 1 of 1

[Help](#)



USPS Corporate
Accounts

June 25, 2021

• Sender: Please print your name, address, and ZIP+4® in this box®

CODE COMPLIANCE
P.O. BOX 1209
CRESTVIEW, FL
32536

21-1131

ing data on domestic competitive products
ackling Statement via email.

ulations. Users will no longer enter fees for
to be collected for COD or the insured value

This item was delivered on 06/24/2021 at 14:24:00

[Return to Tracking Number View](#)

Signature	
Address	Remind 4497

Enter up to 35 items separated by commas.

Select Search Type:

Product Tracking & Reporting, All Rights Reserved
Version: 21.3.1.1.1.6

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: 10/11/2021

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539

RE: CASE# 21-1131

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 **293 Patton Street, Crestview, FL 32539** more particularly described as:

PIN# 08-3N-23-0742-0003-0010 LEGAL DESCRIPTION: EDNEY 2ND ADD LOT 1 BLK 3

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 # 5

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

EXHIBIT # 5

CASE NUMBER 21-00001131
PROPERTY ADDRESS 293 PATTON ST

VIOLATION: FBC SEC 105.1 PERMIT REQ. QUANTITY: 1
DESCRIPTION: BUILDING PERMIT REQUIRED DATE: 6/08/21
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 850-689-1618 for further information.

EXHIBIT # 5

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70092250000365041929

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

7009 2250 0003 6504 1929

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: Roman Portugal
 Street, Apt. No., or PO Box No.: 4493 Wolftrack Rd 32539
 City, State, ZIP+4: DC 21-1131

PS Form 3800, August 2008 See reverse for instructions

for?

ing questions.

EXHIBIT # 5

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

AFFIDAVIT OF SERVICE
(POSTING OF NOTICE OF HEARING)

CASE # 21-1131

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: 293 Patton Street, Crestview, Florida, 32539 in the County of Okaloosa.

A copy of said notice is attached hereto.

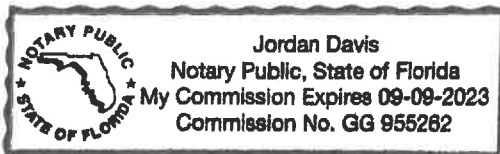
Deborah Lawson
Affiant's Signature

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 # 5



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



City of Crestview, Florida,

Petitioner,

vs.

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539
Respondents.

Inst. #3506548 Blk 3588 Pg: 476
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# 21-1131

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, Roman Portugal, whose last known mailing address is 4493 Wolfrack Ridge, Crestview, FL 32539 , is the owner of the property located at, 293 Patton Street, Crestview, FL 32539, AKA PIN# 08-3N-23-0742-0003-0010, and more particularly described as: EDNEY 2ND ADD LOT 1 BLK 3

The conditions on the property consist of an unpermitted accessory structure. The violation(s) were first observed on June 7, 2021. A Notice of Violation was mailed by certified mail June 21, 2021 . The Notice stated that the condition(s), constituted a violation of Florida Building Code, Chapter 1, Section 105.1 Permits Required, and requested correction of the violation by June 18, 2021. Re inspection of the property on June 21, 2021, confirmed that violation(s) continue to exist on the property.

2. 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:

3. 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 1, Section 105.1 Permits Required.
4. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
5. 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.
6. 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:

7. 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.
8. 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 for the accessory structure or remove it from the property.
9. 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.

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 16th, Day of November 16, 2021.

**Samuel B.
Taylor**

**Special Magistrate
City of Crestview, Florida**

Digitally signed by Samuel B.
Taylor
Date: 2021.11.17 16:05:27
+06'00'

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



Inst. #3595742 Bk: 3654 Pg: 3382
Page 1 of 3 Recorded: 12/13/2022 2:07 PM
RECORDING ARTICLE V: \$12.00 RECORDING: \$15.00

City of Crestview, Florida,

Petitioner,

vs.

Roman Portugal
4493 Wolfrack Ridge
Crestview, FL 32539
Respondents.

CASE# 21-1131

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, Roman Portugal, whose last known mailing address is 4493 Wolfrack Ridge, Crestview, FL 32539, is the owner of the property located at, 293 Patton Street, Crestview, FL 32539, AKA PIN# 08-3N-23-0742-0003-0010, and more particularly described as: EDNEY 2ND ADD LOT 1 BLK 3

The conditions on the property consist of an unpermitted accessory structure. The violation(s) were first observed on June 7, 2021. A Notice of Violation was mailed by certified mail June 21, 2021. The Notice stated that the condition(s), constituted a violation of Florida Building Code, Chapter 1, Section 105.1 Permits Required, and requested correction of the violation by June 18, 2021. Re inspection of the property on June 21, 2021, confirmed that violation(s) continue to exist on the property.

2. 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:

3. 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 1, Section 105.1 Permits Required.
4. The Respondents were provided a reasonably sufficient time to voluntarily correct the Violations, which they failed to do within the time prescribed.
5. 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.
6. 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:

7. 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.
8. 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 for the accessory structure or remove it from the property.
9. 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.
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 16th, Day of November 16, 2021

**Samuel B.
Taylor**

Digitally signed by
Samuel B. Taylor
Date: 2022.12.06 11:05:54
-06'00'

Special Magistrate
City of Crestview, Florida

**CERTIFIED A TRUE
AND
CORRECT COPY**



BY: Maryanne Schuster, 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.

21-1131

293 PATTON ST



21-1131

293 PATTON ST



21-391

108 S Booker

Owner of Record: Hayvard Lee 879 McDonald

Origination Date: 1/15/2021 Origination Code: Police Dept Referral

Violations: Chapter 38 Section 4: (1) – Inoperable vehicles (4)- Trash, debris, junk.

Chapter 70 Section 70-27 (7) Refuse not acceptable for collection

Corrective Action Required: Remove the vegetation, junk/debris, trash and bring the inoperable vehicle to a state of being ready for highway use and affix a license plate to it or remove it from the property.

Notice Sent: 01/15/2021 Signed: 1/16/2021 Compliance Date: 01/25/2021

Inspected: 01/20/2021 Results: In Violation

Notice Sent: 01/21/2021 Signed: 01/23/2021 Compliance Date: 01/28/2021

Inspected: 02/09/2021 Results: In Violation

Notice Sent: 03/09/2021 Signed: 03/10/2021 Compliance Date: 03/16/2021

Inspected: 05/18/2021 Results: In Violation

Public Hearing Notice Sent: 04/28/2021 Signed: 04/28/2021

Hearing Date: 05/18/2021

After May 18, 2021, property remains in violation.

Order Recorded: May 26, 2021 **Wet Stamp Recorded: November 18, 2022**

Hearing fee: \$250 Due by 06/19/2021

Daily fine: \$250 Start: 06/19/2021

Fines: \$198,750 as of August 23, 2023 Property Value: \$4236

Related Properties:

Vacant Lot Benjamin St 20-3N-23-0000-0117-0180 Hayvard Lee

No cases found

Vacant Lot McDonald St 20-3N-23-0830-0001-0240 Hayvard Lee

No cases found

879 McDonald St 20-3N-23-0830-0003-0080 Hayvard Lee

Case # 20-416 Hearing Date: November 17, 2020 Fines: \$248,750

Violations: Inoperable vehicles

CASE # 21-391
112 BOOKER STREET SOUTH
STREET
EXHIBIT 2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 15, 2021

Case #: 21-00000391

LEE HAYVARD
879 MCDONALD 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: 112 S BOOKER ST

Tax Identification Number: 17-3N-23-2490-0076-0130

Legal: CRESTVIEW LOT 13 & N1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by January 25, 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 21-00060391
PROPERTY ADDRESS 112 S BOOKER ST

ORDINANCE DESCRIPTION :

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 :

You may abate the violation by removing the debris.

VIOLATION: CHAPTER 38 SECT. 38-4 (4) QUANTITY: 1
DESCRIPTION: VEGETATION/DEBRIS/JUNK/TRASH DATE: 1/15/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards

Chapter 38 Property

Section 38 - 4

(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT #

2

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:

LEE HAYWARD
879 McDONALD ST
CRESTVIEW, FL 32536



9590 9402 5148 9122 3717 00

2. Article Number (Transfer from service label)

7019 2970 0000 9142 1303

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)

C. Date of Delivery

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 #

2



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: January 21, 2021

Case #: 21-00000391

LEE HAYVARD
879 MCDONALD 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: 112 S BOOKER ST

Tax Identification Number: 17-3N-23-2490-0076-0130

Legal: CRESTVIEW LOT 13 & N1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by **January 28, 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 #

2

CASE NUMBER 21-00000391
PROPERTY ADDRESS 112 S BOOKER ST

ORDINANCE DESCRIPTION :

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 :

You may abate the violation by removing the debris.

VIOLATION: CHAPTER 38 SECT. 38-4 (4) QUANTITY: 1
DESCRIPTION: VEGETATION/DEBRIS/JUNK/TRASH DATE: 1/15/21
LOCATION:

ORDINANCE DESCRIPTION :

Maintenance and Housing Standards Chapter 38 Property
Section 38 - 4
(4) Maintain a public nuisance prohibited

The existence of any accumulation of vegetation, debris, rubbish, trash, garbage, garden trash or junk, as defined in this Chapter, upon any parcel of land, improved or unimproved, within the city, to the extent that such parcel may threaten or endanger the public health, safety or welfare or may reasonably cause disease or adversely affect and impair the economic welfare of adjacent property, is hereby prohibited and declared to be a public nuisance.

CORRECTIVE ACTION REQUIRED :

You may abate the violation by removing the vegetation, debris, rubbish, trash, garbage, garden trash or junk from the property.

EXHIBIT #

2

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:

LEE HAYWARD
879 McDONALD ST.
CRESTVIEW, FL 32536



9590 9402 5896 0049 4825 55

2. Article Number (Transfer from front)

7018 3090 0001 4427 6127

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Corina-19*

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

John Lee

C. Date of Delivery

1-23-20

D. Is delivery address different from item 1?

If YES, enter delivery address below:

- ☐ Yes
☐ 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 |
| ☐ Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Insured Mail Restricted Delivery (over \$500) | |



CITY OF CRESTVIEW

COMMUNITY DEVELOPMENT SERVICES

Code Enforcement Division

P.O. Drawer 1209, Crestview, Florida 32536

Phone (850) 683-0896

Date: March 9, 2021

Case #: 21-00000391

LEE HAYVARD
879 MCDONALD ST
CRESTVIEW, FL 32536

Dear LEE HAYVARD,

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: 112 S BOOKER ST

Tax Identification Number: 17-3N-23-2490-0076-0130

Legal: CRESTVIEW LOT 13 & N1/2 OF LOT, 14 BLK 76,

If the violation(s) noted in the attached Statement of Violation (Violation Detail), are not corrected by March 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 21-00000391
PROPERTY ADDRESS 112 S BOOKER ST

ORDINANCE DESCRIPTION :

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 :

You may abate the violation by removing the debris.

VIOLATION: CHAPTER 38 SECT. 38-4 (4) QUANTITY: 1
DESCRIPTION: VEGETATION/DEBRIS/JUNK/TRASH DATE: 1/15/21
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: 1/21/21
LOCATION:

NARRATIVE :

1/21/2021, 3:28:06 PM CRESFMA

EXHIBIT # 2

CASE NUMBER 21-00000391
PROPERTY ADDRESS 112 S BOOKER ST

ORDINANCE DESCRIPTION :

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 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 #

2

Tracking number
70201290000123467545

Delivered



March 10, 02:58PM

Crestview, FL

EXHIBIT # 2

EXHIBIT # 2

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 ☒ Agent ☐ Addressee B. Received by (Printed Name) ☐ Date of Delivery D. Is delivery address different from item 1? ☐ Yes ☐ No if YES, enter delivery address below:															
1. Article Addressed to: HAYWARD LEE 879 McDONALD ST DESVUE, FL 32536  9590 9402 5896 0049 5113 23		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>☐ Return Receipt for Merchandise</td></tr><tr><td>☐ Collect on Delivery</td><td>☐ Signature Confirmation™</td></tr><tr><td>☐ Collect on Delivery Restricted Delivery</td><td>☐ Signature Confirmation Restricted Delivery</td></tr><tr><td>☐ Insured Mail</td><td>☐ Restricted Delivery</td></tr></table>		☒ 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
☒ 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																
2. Article Number (Transfer from service label) 7020 1290 0001 2346 7545 PS Form 3817, July 2016 PSN 7530-02-000-9053		Domestic Return Receipt															

Certified Mail

- A receipt (the return receipt) for the mailpiece.
- A unique identifier for the mailpiece.
- Electronic verification of delivery.
- A record of delivery (signature) that is valid for a specified period.
- Important restrictions: You may purchase Certified Mail® service in First-Class Mail®, First-Class Mail® Extra®, or Priority Mail® service.
- Certified Mail service is international mail.
- Insurance coverage is provided for Certified Mail sent with Certified Mail service.
- Insurance coverage is not provided for Priority Mail sent with Certified Mail service.
- For an additional fee, an endorsement on the return receipt may be added.
- Return receipt service of delivery (including electronic return receipt) You can request a free electronic version. For complete PS Form 3817, Receipt attach PS Form 3800, April 2012.



**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: 4/13/2021

**Lee Hayvard
879 McDonald Street
Crestview, FL 32536**

RE: CASE# 21-386

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 124 Booker Street, Crestview, FL, 32536, more particularly described as:

**PIN# 17-3N-23-2490-0076-0150 LEGAL DESCRIPTION: CRESTVIEW LOT 15 & S ½ OF LOT
14 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).

Encl: Notice of Violation

EXHIBIT #

2

STATEMENT OF VIOLATION

1. Code of Ordinance Violated: CHAPTER 38 SECT. 38-4 (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: Remove all vegetation, debris, rubbish, trash, garbage, garden trash or junk, from the property.

2. Code of Ordinance Violated: CHAPTER 70 SECTION. 70-27 (7). - 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 nonacceptable refuse.

Corrective Action: Remove the solid waste and tires from the property.

3. 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 property, 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.

EXHIBIT # 2

7020 1290 0001 2347 0842

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 if applicable)

☒ 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 **LEE HAYWARD**

Street **879 MCDONALD STR**

City **CRESTVIEW, FL 32536**

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

CRESTVIEW, FL 32539
APR 25 2021
USPS

21.386 / 391

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:

LEE HAYWARD
879 MCDONALD STR
CRESTVIEW, FL 32536



9590 9402 5523 9249 0069 71

2. Article Number (Transfer from service label)

7020 1290 0001 2347 0842

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

☐ Agent

☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☒ Adult Signature
- ☒ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Registered Mail 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

USPS Tracking®

[FAQs >](#)[Track Another Package +](#)

Notice of Hearings

[Remove X](#)**Tracking Number:** 70201290000123470842

Your item was delivered to an individual at the address at 1:49 pm on April 28, 2021 in CRESTVIEW, FL 32536.

✓ Delivered, Left with Individual

April 28, 2021 at 1:49 pm
CRESTVIEW, FL 32536

[Feedback](#)[Get Updates ∨](#)

Text & Email Updates

Tracking History**April 28, 2021, 1:49 pm**

Delivered, Left with Individual

CRESTVIEW, FL 32536

Your item was delivered to an individual at the address at 1:49 pm on April 28, 2021 in CRESTVIEW, FL 32536.

April 27, 2021, 1:11 pm

Departed USPS Regional Facility

PENSACOLA FL PROCESSING CENTER

EXHIBIT #

2

21-391

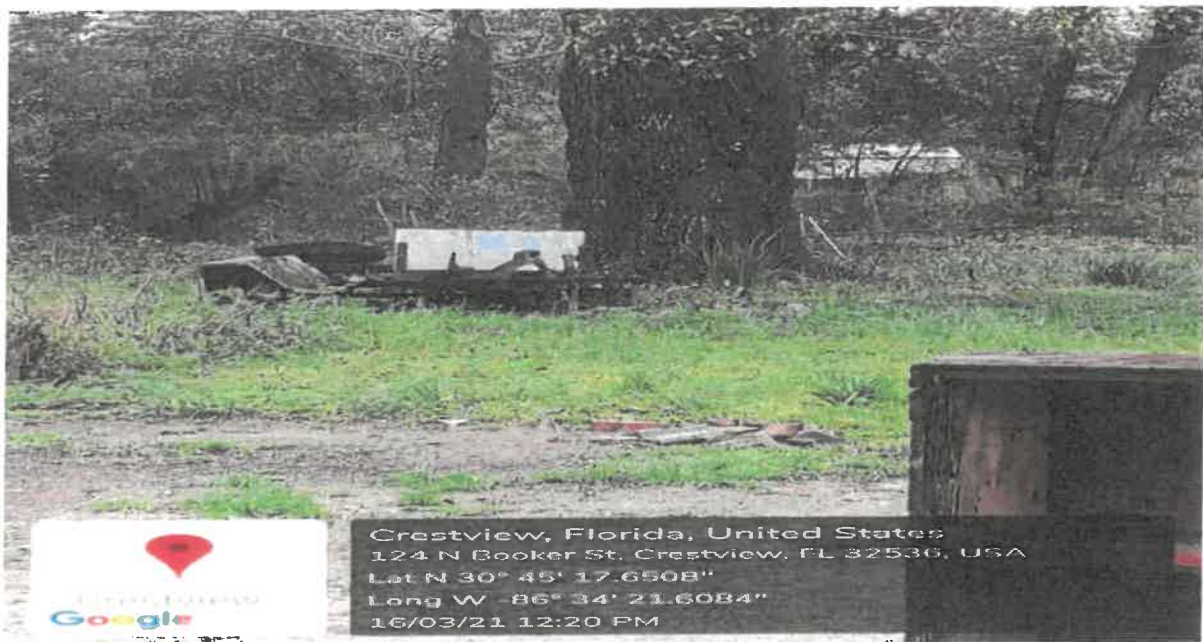
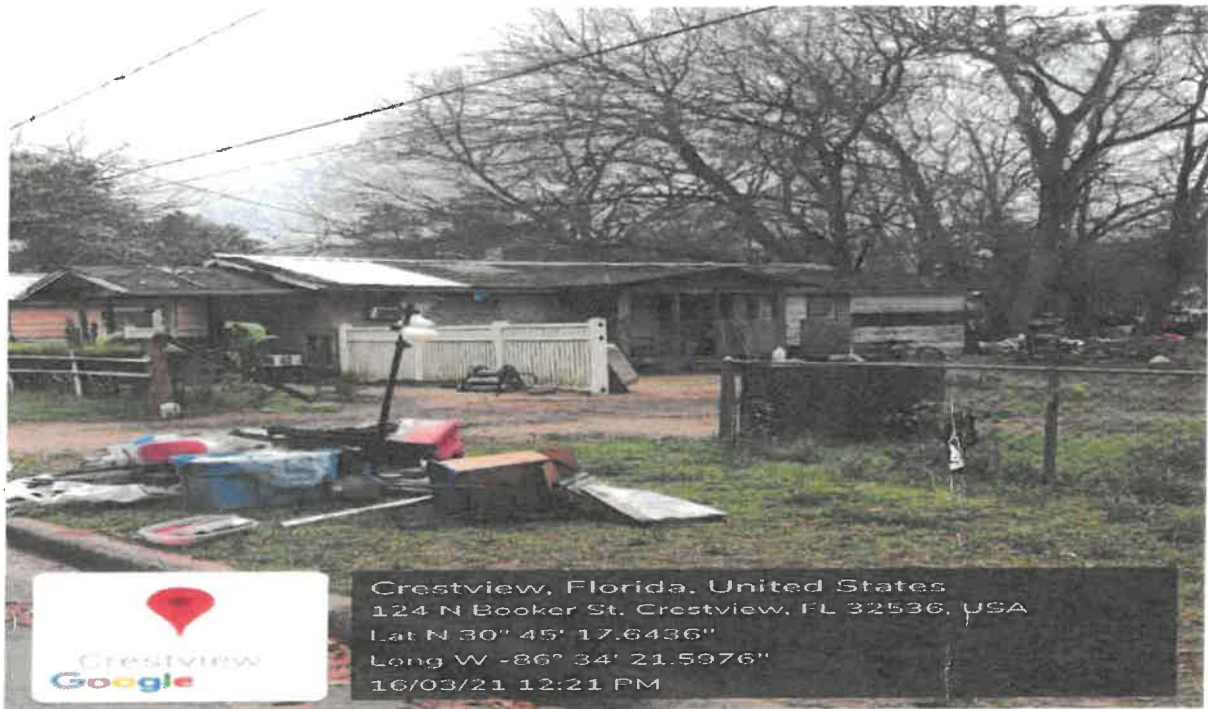


EXHIBIT 2

21-391

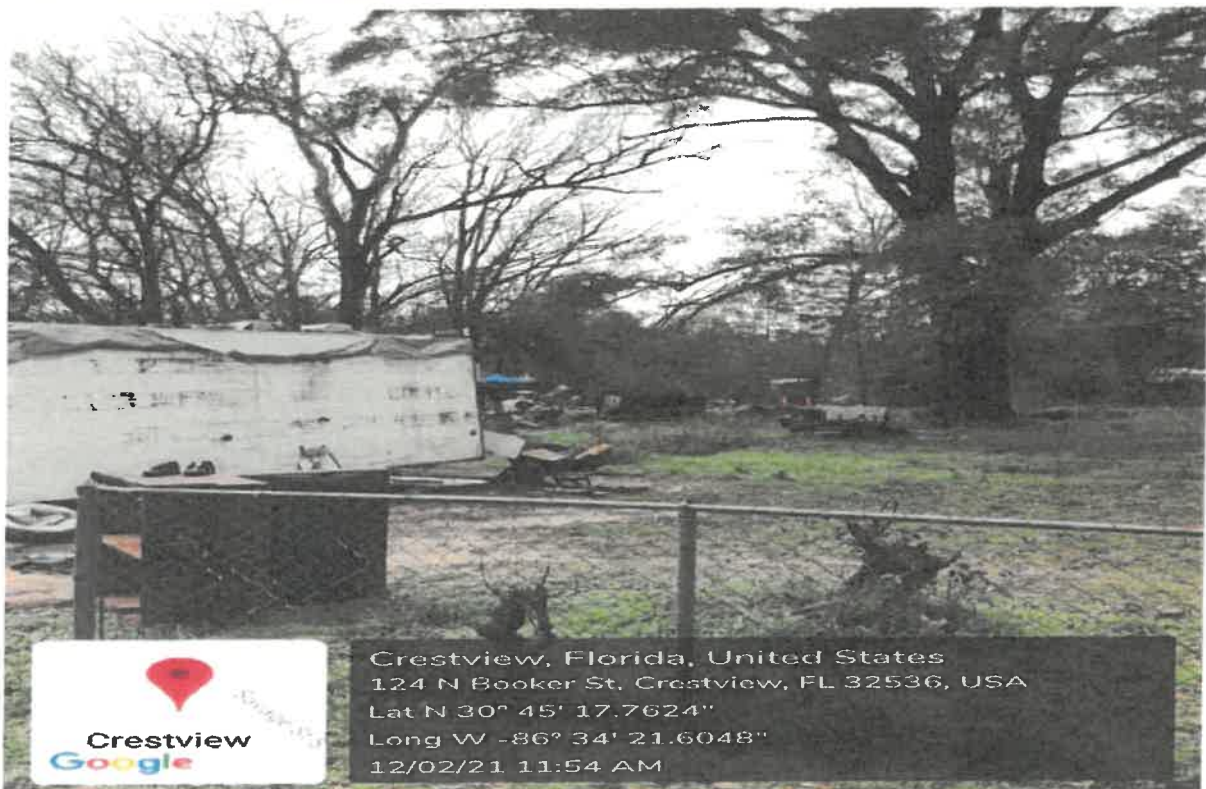
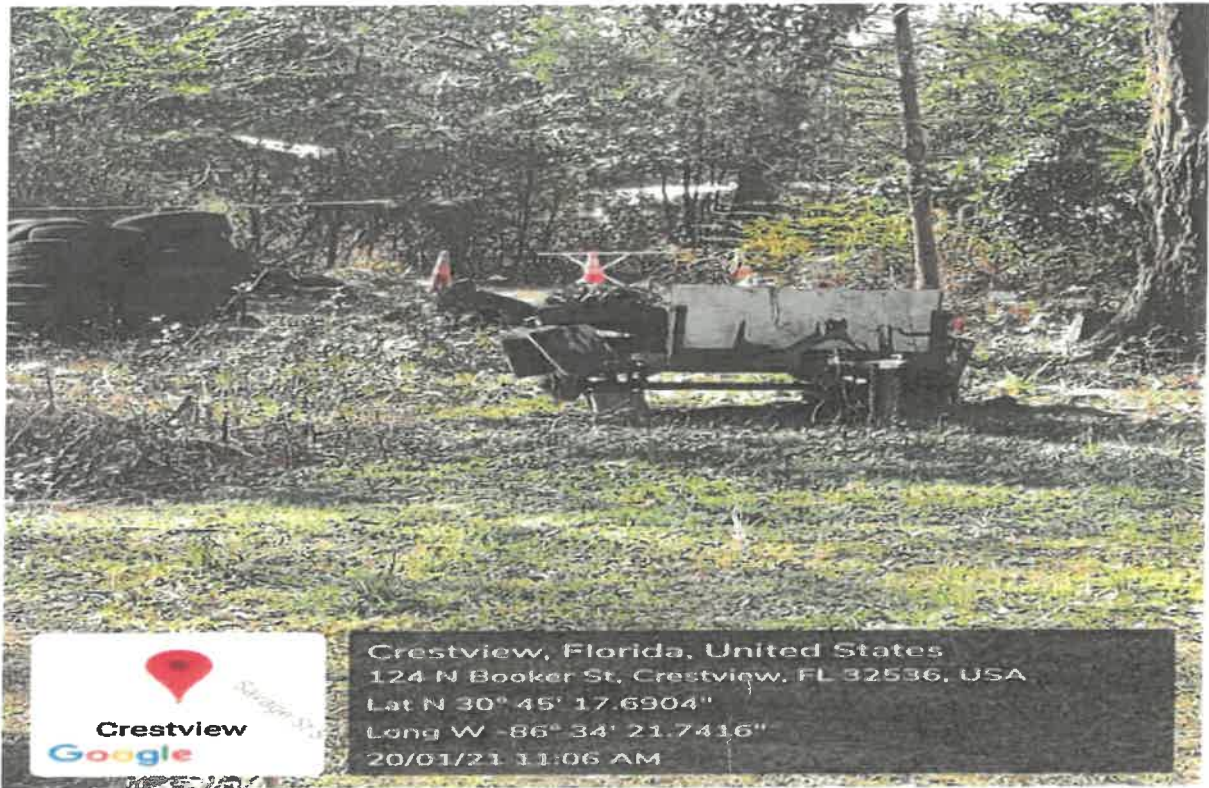


EXHIBIT 2

21-391

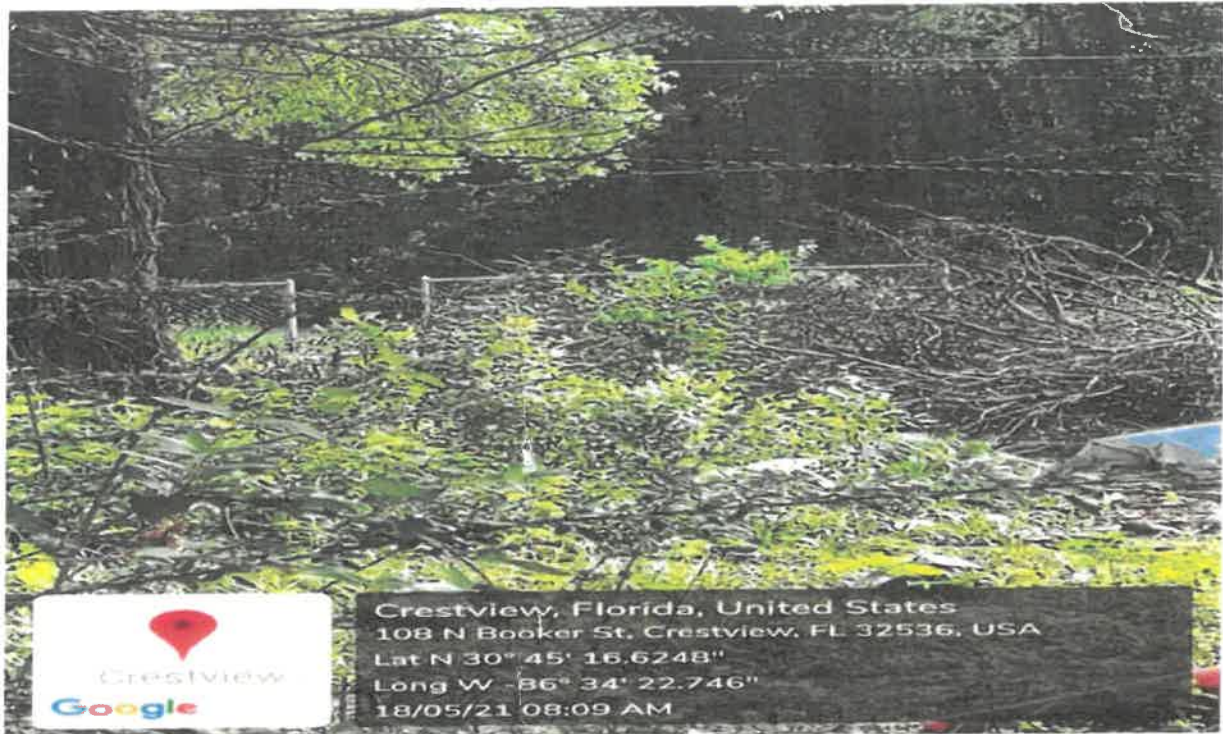


EXHIBIT 2



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



Inst. #3458480 Blk: 3549 Pg: 1742
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# 21-391

Hayvard Lee,

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, Hayvard Lee, whose last known mailing address is 879 McDonald St Crestview, FL 32536, is the owner of the property located at, 108 Booker Street, Crestview, FL 32536, AKA PIN# 17-3N-23-2490-0076-0130, and more particularly described as:

CRESTVIEW LOT 13 & N1/2 OF LOT 14 BLK 76

2. The conditions on the property consist of a large amount of trash, debris, and an inoperable vehicle. The violation(s) were first observed on January 12, 2021. A Notice of Violation was mailed by certified mail January 15, 2021 and received by respondent on January 16, 2021. The Notice stated that the condition(s), constituted a violation of Chapter 38 Property Maintenance and Housing Standards - Sec. 38-4(1), (4). - Maintain a public nuisance prohibited, and Chapter 70, of the City

of Crestview's Code of Ordinances and requested correction of the violation by January 25, 2021.

Re inspection of the property on February 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.

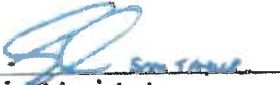
CONCLUSIONS OF LAW:

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 - Sec. 38-4, (1),(4). - Maintain a public nuisance prohibited, and Chapter 70, 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): remove the vegetation, junk/debris, trash and bring the inoperable vehicle to a state of being ready for highway use and affix a license plate to it or remove it from 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. #3591816 Bk: 3651 Pg: 4516
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# 21-391

Hayvard Lee,

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

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CRESTVIEW LOT 13 & N1/2 OF LOT 14 BLK 76

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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. 38-4, (1),(4). - Maintain a public nuisance prohibited, and Chapter 70, of the City of Crestview's Code of Ordinances.
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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

CERTIFIED A TRUE
AND
CORRECT COPY
BY: 
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: September 11, 2023

TYPE OF AGENDA ITEM: Presentation

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Tim Bolduc, City Manager
DATE: 9/8/2023
SUBJECT: City Manager Updates

BACKGROUND:

A brief overview of current projects is presented.

DISCUSSION:

Project Update:

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