

SPECIAL MAGISTRATE HEARING AGENDA

Wednesday, August 28, 2024 at 3:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

ALL MEETING ITEMS WILL BE CONTINUED UNTIL MEETING IS COMPLETE.

- 1. Call the meeting to order
- 2. Roll Call
- 3. Approval of Meeting Minutes
 - a. July 24, 2024
- 4. Deletions and changes to the agenda
- 5. Request To Identify Persons Having Cases on The Agenda
- 6. Parking Citation Appeals
 - a. Citation No. P01116FB; APPELLANT: Orjanette Bryant; POLICE OFFICER: Officer J. Saunders #7087
 - b. Citation No. P01037FB; APPELLANT: Michael Hans; POLICE OFFICER: Sergeant J. Bingham #7058
 - c. Citation No. P01053FB; APPELLANT: ; POLICE OFFICER: Sergeant D. Blank #7043
- 7. New Cases Code Enforcement NONE
- 8. Status Updates Code Enforcement
 - a. Case # EEN24-0036; Eggert Iris Claxton Life Estate c/o Liz Rubeis; ADDRESS OF VIOLATION: 1201 S Central Avenue; TAX PARCEL ID NO. 12-12-31-4500-00190-0260; VIOLATION: City of Flagler Beach Code of Ordinances Article I. In General Section 13-1 Definition (4)
- 9. Other Business

10. Adjournment

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.

Section 3, Item a.



SPECIAL MAGISTRATE HEARING MINUTES

Wednesday, July 24, 2024 at 3:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

ALL MEETING ITEMS WILL BE CONTINUED UNTIL MEETING IS COMPLETE.

1. Call the meeting to order

Magistrate Popp called the hearing to order at 3:00pm

2. Roll Call

City Attorney Drew Smith, Code Enforcement Officer John Gifford and Clerk to the Magistrate Michele Ficocello.

3. Approval of Meeting Minutes

a. June 26, 2024

Approved

4. Deletions and changes to the agenda

Code Enforcement reported Item 7a. Case EEN24-0017, 2336 South Central Avenue cured the violation and requested item pulled from agenda.

City Attorney requested Item 6b. be moved before Item 6a. Item 6a. will be a telephonic appearance.

5. Request To Identify Persons Having Cases on The Agenda

6. Parking Citation Appeals

a. Citation No. 2548; APPELLANT: Scott Klapheke; POLICE OFFICER: Sergeant D. Parthemore #405

Appellant was present via telephone and was sworn in by the Clerk. Sgt. Parthemore was not present, but provided an Affidavit in Support of Citation and photographic evidence. Appellant testified they were parked in front of Sally's Ice Cream and he was parked in the private parking lot of the business, not in the public roadway. Appellant stated the Police Officer's photographs are misleading. Appellants representative Heidi Freidman also provided testimony in support of the Appellant's case. City Attorney and Code Enforcement provided an aerial shot of the property from the property appraiser's website to help clarify the situation. It was determined the Appellant's vehicle was parked on private property. Magistrate Popp inquired as to how the Appellant entered the parking lot based on the evidence. Magistrate Popp explained the concerns with wrong direction parking even though it does not apply in this case. Based on the evidence presented, Magistrate Popp dismissed the citation.

b. Citation No. P01036FB; APPELLANT: Quentin Parker; POLICE OFFICER: Sergeant J. Bingham #7058

City Attorney stated intent to Nolle Pros this case based on the photographic evidence. Appellant was facing the correct direction on a one-way street. Appellant was present and sworn in by the Clerk. Appellant stated name, J. Quentin Parker and address, 2215 South Flagler Avenue, Flagler Beach, for the record. Sgt. Bingham was not present, but provided an Affidavit in Support of Citation and photographic evidence. Appellant testified he parks his golf cart where he can find space and this is to spare regular parking spaces. Even though it did not apply to this case, Magistrate Popp explained the concerns with parking in the wrong direction. Magistrate Popp ordered the citation dismissed.

7. New Cases - Code Enforcement - NONE

a. Case # EEN24-0017; Hauver Trust; ADDRESS OF VIOLATION: 2336 S Central Avenue; TAX PARCEL ID: 19-12-32-4550-00090-0040; VIOLATION: Article I. - In General, Chapter 13 - Nuisances Sec. 13-1. (3) Violation cured. Item pulled from agenda.

8. Status Updates - Code Enforcement

- a. Case # EEN24-0024; Thomas T & Monzell Turner; ADDRESS OF VIOLATION: 1816 S Daytona Avenue; TAX PARCEL ID NO. 18-12-32-2750-00270-0050; VIOLATION: 2015 International Property Maintenance Code, Section 303 Swimming Pools, Spas and Hot Tubs: 303.2 Enclosures
 - Representatives for the Respondent were present and sworn in by the Clerk. Code Enforcement Officer John Gifford was present and sworn in by the Clerk. Mr. Gifford testified the fence is completed, but the gate is not secured. Representatives for the Respondent stated their names, Chris Harris and Karen Gardner and address, 1816 South Daytona Avenue for the record. Mr. Harris and Ms. Gardner testified they have been in contact with the Contractor and he would be acquiring the hardware to secure the gate. Mr. Harris explained that a zip tie is currently securing the gate. Magistrate Popp stressed the importance of securing the gate in accordance with the Code. Mr. Harris stated he works at a radio station and did a segment on unsecured pools as a PSA for the community. Magistrate inquired about a timeline. Respondents stated they will purchase the hardware and install it after the sod is installed this Saturday. The City's disposition in regards to the fines is at least to recoup the administrative mailing costs and have the property in compliance with the Code by the weekend. The City would support waiving all other fines if stipulations are met. Magistrate Popp agreed and so ordered.
- b. Case #EEN23-0019; 1005 Oceanshore LLC; ADDRESS OF VIOLATION; 1005 N Ocean Shore Blvd; TAX PARCEL ID NO.: 01-12-31-1100-00040-0040; VIOLATION: City of Flagler Beach Code of Ordinances, Chapter 13, Nuisances, Article I. In General, Section 13-1 Definition (4)
 - Respondent was present and sworn in by the Clerk. Respondent stated name, Courtland Dylan and address, 1005 N Ocean Shore Blvd. for the record. Code Enforcement provided a power point presentation with photographic evidence. Respondent testified he has a timeline of what has occurred and why nothing has been done since last status hearing in February 2024. Respondent testified to his timeline of events as follows; February 28th the permit was submitted to the City, on March 1st a Notice of Commencement was provided to Flagler County, no feedback was received from City Staff until March 21st notifying disapproval of permit to include a long list of issues which Respondent believes were not applicable to the request for a permit, on March 21st the disapproval review notes were forwarded to the Respondent's attorney which extended the timeline another week and a half to review and compare to the Codes, the attorney found certain requirements indicated in the review did not apply to the project, the attorney drafted a memo to Consultant City Planner Jack Shad and Permit Coordinator Bonnie Bramer on April 16th, an email reply was received from Jack Shad on April 23rd which led to an impasse, the Respondent's attorney Michael Chiumento reached out to the City Attorney Drew Smith who advised there were personnel changes in the City and Respondent was requested to wait until the new personnel were placed in their positions, New City Planner Lupita McClenning held a zoom meeting on July 10th changing the scope of project, a new site plan was requested and is underway. City Attorney inquired as to the status of the project now and have the issues been resolved. Respondent stated yes and they have engaged a new civil engineering firm to provide a new site plan. Magistrate Popp inquired about a timeline moving forward. Respondent stated he could not speak to approvals, but he should have a new site plan within the month. City Attorney inquired of the Clerk how long prior to the Planning Board Meeting would the site plan need to be submitted. The Clerk stated thirty (30) days prior to the meeting. City Attorney stated if the site plan is completed and submitted this month, they could make the October Planning Board Meeting agenda. Magistrate Popp stated concerns over possible storm damage to the site prior to

Section 3, Item a.

approvals. Respondent stated he has a plan to mitigate. City Attorney expressed concern ov unauthorized entry of persons to the property. Respondent stated he would take the necessary steps to secure the property. City Attorney stated he would update the Magistrate during a regular hearing and suggested setting a status hearing for January 2025. Magistrate Popp ordered a status hearing for January 2025.

c. Case # EEN24-0036; Eggert Iris Claxton Life Estate c/o Liz Rubeis; ADDRESS OF VIOLATION: 1201 S Central Avenue; TAX PARCEL ID NO. 12-12-31-4500-00190-0260; VIOLATION: City of Flagler Beach Code of Ordinances Article I. – In General Section 13-1 Definition (4)

Respondents were not present. Code Enforcement provided a power point presentation with photographic evidence. Mr. Gifford testified the City posted the notices due to the Respondents no longer communicating with the City. City Attorney stated we are still within their cure period and short of an order reminding them there is nothing else to do. Magistrate Popp ordered if the violation is not cured within the allotted time period, a \$250.00 fine will accrue daily starting the day after the expiration of allotted time. Magistrate Popp included in the order that the Respondent must be present either in person or via telephone. Status hearing ordered for August 2024 date.

9. Other Business

Code Enforcement reported notices of violations being sent out.

The Clerk reported two (2), possibly three (3) parking citation appeals are on the next agenda.

The City Attorney reported possible requests to foreclose on some aged cases accruing fines.

Magistrate Popp inquired about the new curfew ordinance and if those will be coming before the Magistrate. City Attorney stated he will have a discussion with the Chief of Police to determine how those will be handled.

10. Adjournment

Magistrate Popp adjourned the hearing at 3:50pm.



Special Magistrate Hearing

APPEAL OF PARKING CITATION

August 28, 2024

Citation Number: P01116FB

Appellant: Orjanette Bryant

Police Officer: Office J. Saunders # 7087

Attachments: Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation

Photograph Submitted by Ofc. Saunders

Certified Mailing



City of Flagler Beach

Building & Zoning Department P.O. Box 70 * 800 South Daytona Avenue Flagler Beach Fl 32136 (386)-517-2000 EXT. 231

IN RE: APPEAL OF

PARKING CITATION NO. P01116FB

ORJANETTE BRYANT 58 FISCHER LANE PALM COAST, FL 32137

Appellant.			
v.			
CITY OF FLAGLER BE.	ACH,		
Appellee.			
		 /	

NOTICE OF HEARING

TO: ORJANETTE BRYANT

YOU ARE HEREBY NOTIFIED that a hearing on the above-styled appeal shall be conducted before the Code Enforcement Special Magistrate of the City of Flagler Beach, Florida on WEDNESDAY, AUGUST 28, 2024 @ 3:00 P.M. in City Council Chambers located at City Hall 105 S 2nd Street, Flagler Beach, Florida. The Special Magistrate shall receive testimony and evidence related to the appeal of the parking citation issued by the City of Flagler Beach.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a copy of this notice has been served via 58 Fischer Lane, Palm Coast, FL 32137, 2nd day of August, 2024 regular and certified mail to the Appellant.

Michele C. Ficocello, Clerk to the Special Magistrate

If you intend to be represented by Counsel your attorney is requested to file a Notice of Appearance with the Clerk to the Special Magistrate in person at 800 S Daytona Avenue (City of Flagler Beach Building & Zoning) 32136 or by mail at City of Flagler Beach PO Box 70, Flagler Beach, Fl 32136 at least five (5) days before the hearing date.

Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at (386) 517-2000 at least forty-eight (48) hours in advance of the meeting.

CITY OF FLAGLER BEACH HEARING REQUEST TO CONTEST LOCAL PARKING CITATION

Must be submitted within thirty calendar days of the date of citation

Local Hearing Request (must be filled out within 50 days of issuance)
POIII66B 7/25/24
Citation Number Date of Citation
Officer. I understand that a hearing will be scheduled for next available Local Hearing Officer hearing date. I understand that I have the option to reschedule a hearing once by notifying the appropriate clerk for the Local Hearing Officer in writing at least 5 days prior to the scheduled hearing. I understand that if I do not reschedule my hearing and I fail to appear I can be adjudicated guilty where I am responsible for all fines and failure to comply may result in a vehicle registration stop. I understand that by contesting the violation, I am waiving the right to pay the fine imposed on the citation and that if the Local Hearing Officer upholds the violation he or she may impose a fine of up to \$250.00 and may assess reasonable
administrative costs of up to \$1.00.00 against me. I attest that I fully understand the stipulations and the
associated penalties. 12 24 386-793-3379 Signature Date Phone #
Mailing Address:
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Michele Ficocello

Customer Service Representative P.O. Box 70, Flagler Beach FL 32136 mficocello@cityofflaglerbeach.com Phone: 386-517-2000, ext. 231

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City of Flagler Beach Building Department

UPON TIMELY SUBMISSION OF A LOCAL HEARING REQUEST, A HEARING WILL BE SCHEDULED BEFORE THE LOCAL HEARING OFFICER ON THE NEXT AVAILABLE HEARING DATE. A NOTICE OF HEARING WILL BE MAILED TO YOU AT LEAST TEN DAYS PRIOR TO THE SCHEDULED HEARING DATE. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT: Michele Ficocello

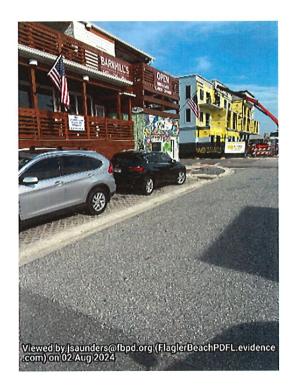


VIOLATOR INSTRUCTIONS

NOTIFICATION TO INDIVIDUAL CHARGED WITH A PARKING INFRACT A COURT APPEARANCE

Section 6, Item a.

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P01116FB

Photograph Submitted by Ofc. J. Saunders



August 13, 2024

Mailer: City of Flagler Beach

Dear ConnectSuite Inc:

The following is in response to your request for proof of delivery on your item with the tracking number: **9214 8901 9403 8372 7164 40**.

Item Details

Status:

Delivered, Left with Individual

Status Date / Time:

August 6, 2024, 12:26 pm

Location:

PALM COAST, FL 32137

Postal Product:

First-Class Mail®

Extra Services:

Certified Mail™

Return Receipt Electronic

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Recipient Name:

ORJANETTE BRYANT

Recipient Signature

Signature of Recipient:

Bryant 58 FISCHER LN, PALM COAST,

FL 32137

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

ORJANETTE BRYANT 58 FISCHER LANE PALM COAST, FL 32137



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

MAILING DATE: 08/02/2024 DELIVERY DATE: 08/06/2024

Recipient address:

ORJANETTE BRYANT 58 FISCHER LANE PALM COAST, FL 32137

USPS CERTIFIED MAIL



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USPS Tracking Label Number: 9214 8901 9403 8372 7164 40

USPS Tracking History	Location	Date / Time
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USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	08/02/2024 15:47
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	08/02/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/02/2024 23:39
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OUT FOR DELIVERY	PALM COAST,FL 32137	08/06/2024 06:10
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CUSTOM 1:



Special Magistrate Hearing

APPEAL OF PARKING CITATION

August 28, 2024

Citation Number: P01037FB

Appellant: Michael Hans

Police Officer: Sergeant J. Bingham # 7058

Attachments: Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation

Affidavit in Support of Citation Submitted by Sgt. Bingham

Certified Mailing



City of Flagler Beach

Building & Zoning Department P.O. Box 70 * 800 South Daytona Avenue Flagler Beach Fl 32136 (386)-517-2000 EXT. 231

IN RE: APPEAL OF

PARKING CITATION NO. P01037FB

MICHAEL HANS 307 S 22ND STREET FLAGLER BEACH, FL 32136

Appellant.	
v .	
CITY OF FLAGLER BEACH,	
Appellee.	

NOTICE OF HEARING

TO: MICHAEL HANS

YOU ARE HEREBY NOTIFIED that a hearing on the above-styled appeal shall be conducted before the Code Enforcement Special Magistrate of the City of Flagler Beach, Florida on WEDNESDAY, AUGUST 28, 2024 @ 3:00 P.M. in City Council Chambers located at City Hall 105 S 2nd Street, Flagler Beach, Florida. The Special Magistrate shall receive testimony and evidence related to the appeal of the parking citation issued by the City of Flagler Beach.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a copy of this notice has been served via 307 S. 22nd Street, Flagler Beach, FL 32136, 2nd day of August, 2024 regular and certified mail to the Appellant.

Michele C. Ficocello, Clerk to the Special Magistrate

If you intend to be represented by Counsel your attorney is requested to file a Notice of Appearance with the Clerk to the Special Magistrate in person at 800 S Daytona Avenue (City of Flagler Beach Building & Zoning) 32136 or by mail at City of Flagler Beach PO Box 70, Flagler Beach, Fl 32136 at least five (5) days before the hearing date.

Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at (386) 517-2000 at least forty-eight (48) hours in advance of the meeting.

CITY OF FLAGLER BEACH HEARING REQUEST TO CONTEST LOCAL PARKING CITATION

Must be submitted within thirty calendar days of the date of citation

Local Hearing Request (must be filled out within 30 days of issuance)							
PO1037FB	6.29	. 24					
Citation Number	Date of Citation						
Officer. I understand that a hearing will be sch date. I understand that I have the option to r clerk for the Local Hearing Officer in writin understand that if I do not reschedule my hear I am responsible for all fines and failure to understand that by contesting the violation, citation and that if the Local Hearing Officer u to \$250.00 and may assess reasonable admini I fully understand the stipulations and the ass	reschedule a hearing once by any at least 5 days prior to ing and I fail to appear I can be to comply may result in a veral I am waiving the right to pay pholds the violation he or sh strative costs of up to \$100.0	ral Hearing Officer hearing notifying the appropriate the scheduled hearing. I e adjudicated guilty where whicle registration stop. I the fine imposed on the e may impose a fine of up					
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AFTER COMPLETING THIS FORM PLEASE ATTA	CH A COPY OF CITATION AND	RETURN TO:					

Michele Ficocello

Customer Service Representative P.O. Box 70, Flagler Beach FL 32136 <u>mficocello@cityofflaqlerbeach.com</u> Phone: 386-517-2000, ext. 231

RECEIVED

JUL 26 2024

City of Flagler Beach Building Department



PARKING VIOLATION

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VIOLATOR INSTRUCTIONS

NOTIFICATION TO INDIVIDUAL CHARGED WITH A PARKING INFRACTION NOT REQUIRING A COURT APPEARANCE

FAILURE TO PAY THIS PARKING TICKET WITHIN 30 DAYS WILL RESULT IN A DELINQUENT FEE OF \$42.82, IN ADDITION TO THE AMOUNT INDICATED ON THE CITATION. FAILURE TO FULLY COMPLY WILL RESULT IN A SUMMONS BEING ISSUED.

INSTRUCTIONS

YOU MUST ELECT ONE OF THE FOLLOWING OPTIONS WITHIN 30 DAYS OF THE DATE OF THIS TICKET.

- 1. PAYMENT MUST BE MADE IN PERSON TO THE CITY OF FLAGLER BEACH BETWEEN THE HOURS OF 8:30 A.M. AND 5:00 P.M. MON - FRI (HOLIDAYS EXCLUDED), 105 S. SECOND ST., FLAGLER BEACH, FL 32136
- 2. BY MAILTO: CITY OF FLAGLER BEACH, P.O. BOX 70, FLAGLER BEACH, FL 32136 3. PAYTHE CITATION ONLINE AT WWW.CITYOFFLAGLERBEACH.COM
- <HTTP://WWW.CITYOFFLAGLERBEACH.COM> UNDER THE ONLINE BILL PAY SECTION

NOTE: YOU MUST ENCLOSE THIS TICKET IF YOU MAIL IN PAYMENT.

PAYMENT SHOULD BE IN THE FORM OF MONEY ORDER, CASH, CARD OR CASHIER'S CHECK. PERSONAL CHECKS ARE ACCEPTED, MAKE CHECKS PAYABLE TO: CITY OF FLAGLER BEACH

THERE WILL BE NO POINTS ASSESSED ON YOUR DRIVER'S LICENSE FOR PARKING VIOLATIONS,

IF YOU ELECT A HEARING AND THE COMMISSION OF AN INFRACTION HAS BEEN PROVEN, A LOCAL HEARING OFFICER MAY IMPOSE A PENALTY NOT TO EXCEED \$250.00.

CONTACT THE CITY POLICE DEPARTMENT FOR INSTRUCTIONS ON HOW TO CONTEST A TICKET, 386-517-2020.

RECEIVED

JUL 26 2024

City of Flagler Beach Building Department

REPORTING OFF	ICER					
OFFICER SIGNA	BADGE#		D#		TROOP UNIT	
To affer		7058		7058		7058
RANK	FIRST		MIDDLE		LAST	
SERGEANT	Јонии:	Υ				BINGHAM

Section 6. Item b.

BEFORE THE CODE ENFORCMENT MAGISTRATE FOR THE CITY OF FLAGLER BEACH, FLORIDA

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Iν	ш	VΓ	٦ <i>⊢</i>	۱Г	, ,	П	/	11.

Appellant,		
v.		CITATION # P01037FB
CITY OF FLAGLER BEACH,		
Appellee.	/	

AFFIDAVIT IN SUPPORT OF CITATION

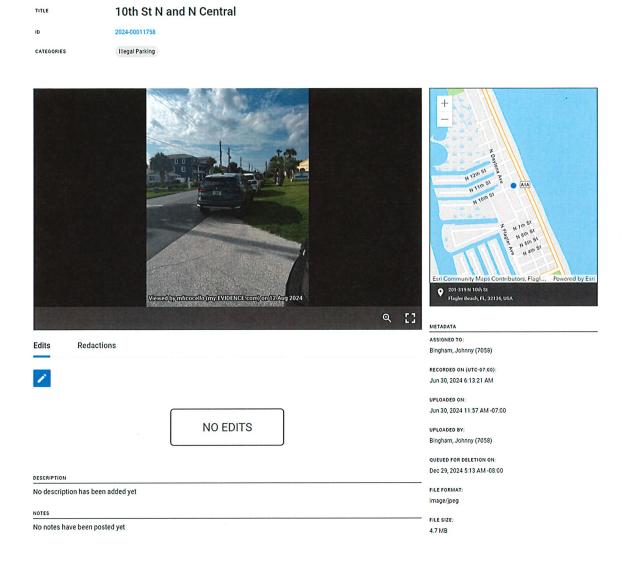
STATE OF FLORIDA COUNTY OF FLAGLER

Before the undersigned officer duly authorized by the State of Florida to administer oaths this day personally appeared Sergeant J. Bingham #7058, who deposes and says:

- 1. That I am over the age of eighteen and a sworn police officer employed by the City of Flagler Beach.
- 2. On 6-29-2024 at approximately 9:22 a.m., I observed a red golf cart with city decal #359, 2024, parked on 3rd Street South near South Central Avenue Flagler Beach, Flagler County, Fl. 32136.
 - 3. I ascertained that the vehicle was registered to Michael Hans of Flagler Beach.
 - 4. The vehicle was parked in violation of 19-23 Parking in the wrong direction.
- 5. Specifically, the Golf Cart was parked on the city right-of-way, facing southwest (angled) in the grass on the south side of the road. It was parked on a section of 3rd Street South that does not have legal access to golf carts.
- 6. During my investigation, I took a still photograph of the vehicle. This photograph is attached to this affidavit. The photograph is a fair and accurate representation of the vehicle and the manner it was parked at the time of my investigation.
- 7. Due to my observation of a vehicle parked in violation of the relevant code section, I issued city citation # P01037FB.

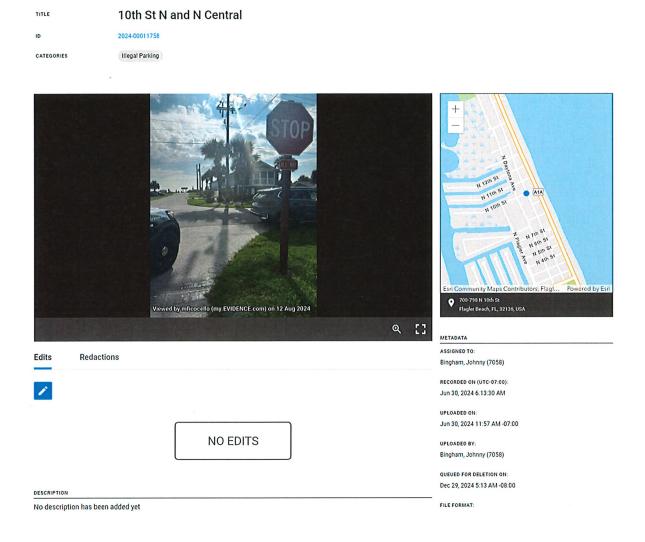
FURTHER AFFIANT SAYETH NAUGHT.

Dated this 30th day of Answer, 2024.	
	Sergeant J. Bingham #7058
Sworn to and subscribed before me by notarization this day of Angust, 2 is personally known to me or produced	y means of χ physical presence or online 2024 by χ = χ where χ as identification.
	Min CM
	Notary Public – State of Florida
MICHELE C. FICOCELLO MY COMMISSION # HH 437434 EXPIRES: August 24, 2027	Print name:
	My Commission Expires:



P01037FB

Photograph Submitted by Sgt. Bingham



P01037FB

Photograph Submitted by Sgt. Bingham



August 13, 2024

Mailer: City of Flagler Beach

Dear ConnectSuite Inc:

The following is in response to your request for proof of delivery on your item with the tracking number: 9214 8901 9403 8372 7169 14.

Item Details

Status:

Delivered, Left with Individual

Status Date / Time:

August 5, 2024, 1:01 pm

Location:

FLAGLER BEACH, FL 32136

Postal Product: Extra Services:

First-Class Mail®

Certified Mail™

Return Receipt Electronic

Recipient Name:

MICHAEL HANS

Recipient Signature

Signature of Recipient:

MI-

Address of Recipient:

38

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

MICHAEL HANS 307 S 22ND STREET FLAGLER BEACH, FL 32136



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

MAILING DATE: 08/02/2024 DELIVERY DATE: 08/05/2024

Recipient address:

MICHAEL HANS 307 S 22ND STREET FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8372 7169 14

USPS Tracking Label Number: 9214 8901 9403 8372 7169 14

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	08/02/2024 09:35
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	08/02/2024 15:47
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	08/02/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/02/2024 23:39
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/03/2024 09:32
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	08/04/2024 00:20
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	08/05/2024 02:41
DELIVERED LEFT WITH INDIVIDUAL	FLAGLER BEACH,FL 32136	08/05/2024 13:01

CUSTOM 1:



Special Magistrate Hearing

APPEAL OF PARKING CITATION

August 28, 2024

Citation Number: P01053FB

Appellant: [

Police Officer: Sergeant D. Blank # 7043

Attachments: Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation

Certified Mailing



City of Flagler Beach

Building & Zoning Department P.O. Box 70 * 800 South Daytona Avenue Flagler Beach Fl 32136 (386)-517-2000 EXT. 231

IN RE: APPEAL OF	` '
PARKING CITATION NO. P01053FB	
	•
2624 S CENTRAL AVE	
FLAGLER BEACH, FL 32136	
Appellant.	
v.	
CITY OF FLAGLER BEACH,	
Appellee.	

NOTICE OF HEARING

TO:

YOU ARE HEREBY NOTIFIED that a hearing on the above-styled appeal shall be conducted before the Code Enforcement Special Magistrate of the City of Flagler Beach, Florida on WEDNESDAY, AUGUST 28, 2024 @ 3:00 P.M. in City Council Chambers located at City Hall 105 S 2nd Street, Flagler Beach, Florida. The Special Magistrate shall receive testimony and evidence related to the appeal of the parking citation issued by the City of Flagler Beach.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a copy of this notice has been served via 2624 S Central Avenue, Flagler Beach, FL 32136, 2nd day of August, 2024 regular and certified mail to the Appellant.

Michele C. Ficocello, Clerk to the Special Magistrate

If you intend to be represented by Counsel your attorney is requested to file a Notice of Appearance with the Clerk to the Special Magistrate in person at 800 S Daytona Avenue (City of Flagler Beach Building & Zoning) 32136 or by mail at City of Flagler Beach PO Box 70, Flagler Beach, Fl 32136 at least five (5) days before the hearing date.

Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at (386) 517-2000 at least forty-eight (48) hours in advance of the meeting.

CITY OF FLAGLER BEACH HEARING REQUEST TO CONTEST LOCAL PARKING CITATION

Must be submitted within thirty calendar days of the date of citation

Local Hearing Request (must be filled out	within 30 days of issuance	e)
P 01053 FB	6/3/12	4
Citation Number	Date of Citati	on
Officer. I understand that a hearing will be date. I understand that I have the option clerk for the Local Hearing Officer in wunderstand that if I do not reschedule my I am responsible for all fines and failur understand that by contesting the violatic citation and that if the Local Hearing Officer to \$250.00 and may assess reasonable ad I fully understand the stipulations and the	e scheduled for next avail to reschedule a hearing writing at least 5 days phearing and I fail to appeare to comply may result ion, I am waiving the right cer upholds the violation dministrative costs of up to	once by notifying the appropriate prior to the scheduled hearing. I ar I can be adjudicated guilty where t in a vehicle registration stop. I at to pay the fine imposed on the he or she may impose a fine of up
. Signature ()	7/1/7 Y	425.7543.714 Phone#
2624 S CENTANLAVE	FLAGLER BEA	KH, FL 32136
Mailing Address:		
AFTER COMPLETING THIS FORM PLEASE	ATTACH A COPY OF CITAT	TION AND RETURN TO:
Michele Ficocello Customer Service Representative P.O. Box 70, Flagler Beach FL 32136		

City of Flagler Beach Building Department

mficocello@cityofflaqlerbeach.com Phone: 386-517-2000, ext. 231



PARKING VIOLATION

2024	\SE# 1-000118	304	PO	on# 1053F	В	DATE 06/30	2024	TIME 7:43 PM
AGENCY NA FLAGL		:H POLICE D	EPARTME	ENT	TYPE C	F DEPAR	TMENT 2-PD	
COUNTY OF CITATION PLACE OR CITY OF CITATION FLAGLER BEACH								
/IOLATOR	INFORM	ATION						
HECK IF OW BUSINESS OR	/NER IS		NESS N	AME				
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STREET	1 S CEN	TRAL AVE	- 1	OITY FLAC	SLER BE	EACH	STATE	ZIP 32136
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ADDRESS # DCCURRED ON STREET, ROAD, HIGHWAY								
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106 LATITUDE		RECTION WEST		M STREE	N 2ND S T, ROAL N OCEA	ST D,HIGHWA	BLVD	
106 LATITUDE -81	1.128020	RECTION WEST	AT/FRO	M STREE	N 2ND S T, ROAL N OCEA	T D,HIGHWA I NSHORE	BLVD	
106 LATITUDE	1.128020 I	RECTION WEST	AT/FRO	M STREE UDE 29.4814	N 2ND S T, ROAL N OCEA	T D,HIGHWA I NSHORE	BLVD	
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106 LATITUDE -81 VIOLATION CODE # 19-24 OTHER VIO	1.128020	RECTION WEST CHARGE D	AT/FRO	M STREE UDE 29.4814 TION P/	N 2ND S T, ROAL N OCEA 888 ARKING IN	D,HIGHWA	BLVD	
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VIOLATOR INSTRUCTIONS

NOTIFICATION TO INDIVIDUAL CHARGED WITH A PARKING INFRACTION NOT REQUIRING A COURT APPEARANCE

FAILURE TO PAY THIS PARKING TICKET WITHIN 30 DAYS WILL RESULT IN A DELINQUENT FEE OF \$42.82, IN ADDITION TO THE AMOUNT INDICATED ON THE CITATION. FAILURE TO FULLY COMPLY WILL RESULT IN A SUMMONS BEING ISSUED.

INSTRUCTIONS

YOU MUST ELECT ONE OF THE FOLLOWING OPTIONS WITHIN 30 DAYS OF THE DATE OF THIS TICKET.

1. PAYMENT MUST BE MADE IN PERSON TO THE CITY OF FLAGLER BEACH BETWEEN THE HOURS OF 8:30 A.M. AND 5:00 P.M. MON - FRI (HOLIDAYS EXCLUDED), 105 S. SECOND ST., FLAGLER BEACH, FL 32136

NOTE: YOU MUST ENCLOSE THIS TICKET IF YOU MAIL IN PAYMENT.

TYMENT SHOULD BE IN THE FORM OF MONEY ORDER, CASH, CARD OR CASHIER'S CHECK.
PLRSONAL CHECKS ARE ACCEPTED, MAKE CHECKS PAYABLE TO: CITY OF FLAGLER BEACH

THERE WILL BE NO POINTS ASSESSED ON YOUR DRIVER'S LICENSE FOR PARKING VIOLATIONS.

IF YOU ELECT A HEARING AND THE COMMISSION OF AN INFRACTION HAS BEEN PROVEN, A LOCAL HEARING OFFICER MAY IMPOSE A PENALTY NOT TO EXCEED \$250.00.

CONTACT THE CITY POLICE DEPARTMENT FOR INSTRUCTIONS ON HOW TO CONTEST A TICKET, 386-517-2020.

RECEIVED

JUL - 1 2024

City of Flagler Beach Building Department

REPORTING OF	FICER							
OFFICER SIGNA	TURE		BADGE #	ŧ	D#		TROOP UNI	Т
3g7 d Gald	Alex		704	13			PATR	OL
RANK	FIRST			MIDDLE		LAST		
SERGEANT		D					BLANK	25



August 13, 2024

Mailer: City of Flagler Beach

Dear ConnectSuite Inc:

The following is in response to your request for proof of delivery on your item with the tracking number: **9214 8901 9403 8372 7158 87**.

Item Details

Status:

Delivered, Individual Picked Up at Post Office

Status Date / Time:

August 5, 2024, 4:21 pm

Location:

FLAGLER BEACH, FL 32136

Postal Product: Extra Services:

First-Class Mail®

Certified Mail™

Return Receipt Electronic

Recipient Name:

Recipient Signature

Signature of Recipient:

2824 S CENTRAL AVE

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

2624 S CENTRAL AVE FLAGLER BEACH, FL 32136



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

MAILING DATE: 08/02/2024 DELIVERY DATE: 08/05/2024

Recipient address:

2624 S CENTRAL AVE FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8372 7158 87

USPS Tracking Label Number: 9214 8901 9403 8372 7158 87

USPS Tracking History	Location	Date / Time	
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	08/02/2024 09:35	
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	08/02/2024 15:47	
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	08/02/2024 17:02	
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/02/2024 23:39	
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/03/2024 09:32	
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	08/04/2024 00:20	
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	08/05/2024 00:46	
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	08/05/2024 09:36	
DELIVERED INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	08/05/2024 16:21	

CUSTOM 1:



Special Magistrate Hearing

Code Enforcement

August 28, 2024

Case Number: EEN24-0036

Respondent: Eggert Iris Claxton Life Estate c/o/ Liz Rubeis

Address of Violation: 1201 S. Central Avenue

Tax Parcel ID Number: 12-12-31-4500-00190-0260

Violation: City of Flagler Beach Code of Ordinances, Chapter 13, Nuisances, Article I. In

General, Section 13-1 Definition (4)

Attachments: Notice of Status Hearing (Dated August, 2, 2024)

Mailing Cost (August 2, 2024)

Certified Mailing (August 2, 2024)

Findings of Fact, Conclusions of Law and Order (Dated July 29, 2024)

Mailing Cost (July 31, 2024)

Certified Mailing (July 31, 2024)

Notice of Hearing & Affidavit of Posting (Dated July 10, 2024)

Findings of Fact, Conclusions of Law and Order (Dated June 28, 2024)

Invoice for Mailing Costs Per Order

Mailing Cost (July 1, 2024)

Certified Mailing (July 1, 2024)

Total Cost of Mailings \$33.70

\$32.00 (Ordered on June 28, 2024)

Section 8. Item a.

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE OF THE CITY OF FLAGLER BEACH, FLORIDA

EGGERT IRIS CLAXTON		
LIFE ESTATE C/O LIZ RUBEIS		
2563 87TH DR SW STE 10		
GAINESVILLE, FL 32608		
CITY OF FLAGLER BEACH,)	
FLORIDA, a municipal corporation	,)	
70-111)	
Petitioner,)	
VS.)	CASE NO: <u>EEN24-0036</u>
EGGERT IRIS CLAXTON,)	
LIFE ESTATE C/O LIZ RUBEIS,)	
owner,)	
Respondent.)	
)	

NOTICE OF STATUS HEARING

Premises:

1201 S CENTRAL AVE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statues*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY**, **AUGUST 28**, **2024** @ **3:00PM**, there will be a HEARING before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, concerning STATUS HEARING ORDER dated **July 29**, **2024**, and consideration of imposition of fines for such non-compliance. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: August 2, 2024

Code Enforcement Officer
City of Flagler Beach, Florida

I hereby certify that a copy of the foregoing was delivered by regular and certified mail # 9214 8901 9403 8372 7220 38 and 9214 8901 9403 8372 7220 45 August 2, 2024.

Code Enforcement

Notice Type: STATUS HEARING

Date: 8/2/2024

\$17.70

TOTAL

Code Enforcement Complaint # EEN24-0036

Name: EGGERT IRIS CLAXTON

LIFE ESTATE C/O LIZ RUBEIS

Mailing Address: 1201 S CENTRAL AVENUE

FLAGLER BEACH, FL 32136

Name (2): EGGERT IRIS CLAXTON

LIFE ESTATE C/O LIZ RUBEIS

Mailing Address (2): 2563 SW 87TH DR STE 10

GAINESVILLE, FL 32608

Certified Mail Cost	Mailings	Cost Per Item	Total
	2	\$8.16	\$16.32
Regular Mail Cost	2	\$0.69	\$1.38



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

Recipient address:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 1201 S CENTRAL AVE FLAGLER BEACH, FL 32136



9214 8901 9403 8372 7220 38

USPS Tracking Label Number: 9214 8901 9403 8372 7220 38

USPS Event		Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		FLAGLER BEACH,FL 32136	08/02/2024 09:35
USPS IN POSSESSION OF ITEM		FLAGLER BEACH,FL 32136	08/02/2024 15:47
DEPART POST OFFICE		FLAGLER BEACH,FL 32136	08/02/2024 17:02
PROCESSED THROUGH USPS FACILITY	•	ORLANDO FL DISTRIBUTION CENTER 32862	08/02/2024 23:39
DEPARTED USPS REGIONAL FACILITY		ORLANDO FL DISTRIBUTION CENTER 32862	08/03/2024 09:32
PROCESSED THROUGH USPS FACILITY		LAKE MARY FL DISTRIBUTION CENTE 32799	08/04/2024 00:20
PROCESSED THROUGH USPS FACILITY		LAKE MARY FL DISTRIBUTION CENTE 32799	08/05/2024 03:45
NO SUCH NUMBER		FLAGLER BEACH,FL 32136	08/05/2024 09:41
PROCESSED THROUGH USPS FACILITY		FORT MYERS FL DISTRIBUTION CENT 33913	08/06/2024 21:54
DEPARTED USPS REGIONAL FACILITY		FORT MYERS FL DISTRIBUTION CENT 33913	08/07/2024 07:49
PROCESSED THROUGH USPS FACILITY		FORT MYERS FL DISTRIBUTION CENT 33913	08/08/2024 04:48
PROCESSED THROUGH USPS FACILITY		ORLANDO FL DISTRIBUTION CENTER 32862	08/09/2024 09:51
PROCESSED THROUGH USPS FACILITY		LAKE MARY FL DISTRIBUTION CENTE 32799	08/10/2024 00:04
AVAILABLE FOR PICKUP		FLAGLER BEACH,FL 32136	08/10/2024 08:53
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO		FLAGLER BEACH,FL 32136	08/14/2024 12:46
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		FLAGLER BEACH,FL 32136	08/16/2024 03:48



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

Recipient address:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 2563 SW 87TH DR STE 10 GAINESVILLE, FL 32608

USPS CERTIFIED MAIL



9214 8901 9403 8372 7220 45

USPS Tracking Label Number: 9214 8901 9403 8372 7220 45

Postal Facility	Date/Time
FLAGLER BEACH,FL 32136	08/02/2024 09:35
FLAGLER BEACH,FL 32136	08/02/2024 15:47
FLAGLER BEACH,FL 32136	08/02/2024 17:02
ORLANDO FL DISTRIBUTION CENTER 32862	08/02/2024 23:39
ORLANDO FL DISTRIBUTION CENTER 32862	08/03/2024 09:32
JACKSONVILLE FL DISTRIBUTION CE 32203	08/03/2024 14:57
JACKSONVILLE FL DISTRIBUTION CE 32203	08/04/2024 14:12
GAINESVILLE FL DISTRIBUTION CEN 32608	08/09/2024 14:54
GAINESVILLE FL DISTRIBUTION CEN 32608	08/11/2024 04:28
JACKSONVILLE FL DISTRIBUTION CE 32203	08/12/2024 12:04
JACKSONVILLE FL DISTRIBUTION CE 32203	08/13/2024 09:06
GAINESVILLE,FL 32608	08/13/2024 12:44
FLAGLER BEACH,FL 32136	08/16/2024 03:48
GAINESVILLE FL DISTRIBUTION CEN 32608	08/19/2024 21:09
	FLAGLER BEACH,FL 32136 FLAGLER BEACH,FL 32136 FLAGLER BEACH,FL 32136 ORLANDO FL DISTRIBUTION CENTER 32862 ORLANDO FL DISTRIBUTION CENTER 32862 JACKSONVILLE FL DISTRIBUTION CE 32203 JACKSONVILLE FL DISTRIBUTION CE 32203 GAINESVILLE FL DISTRIBUTION CEN 32608 GAINESVILLE FL DISTRIBUTION CEN 32608 JACKSONVILLE FL DISTRIBUTION CE 32203 JACKSONVILLE FL DISTRIBUTION CE 32203 GAINESVILLE FL DISTRIBUTION CE 32203 GAINESVILLE,FL 32608 FLAGLER BEACH,FL 32136

BEFORE THE CODE ENFORCMENT MAGISTRATE FOR THE CITY OF FLAGLER BEACH, FLORIDA

CITY OF FLAGLER BEACH,	
Petitioner,	
VS.	CASE NUMBER EEN24-0036
EGGERT IRIS CLAXTON LIFE ESTATE c/o LIZ RUBEIS,	
Respondent.	

STATUS HEARING ORDER

THIS MATTER having come before the Code Enforcement Magistrate for the City of Flagler Beach, Florida for hearing and determination on July 24, 2024 and the undersigned having received evidence and heard testimony under oath thereupon issues the following Finding of Fact and Order:

FINDINGS OF FACT

- 1. The property subject to this proceeding is located at 1201 S. Central Avenue, Flagler Beach, FL 32136 and has Flagler County Tax Parcel ID 12-12-31-4500-00190-0260 (the "Subject Property").
- 2. On June 28, 2024, the undersigned entered an order finding Respondent in violation of Section 13-1 of the City of Flagler Beach Code of Ordinances due to the state of disrepair of the exterior of the structure located on the Subject Property and allowed Respondent sixty (60) days to cure said violation.
 - 3. As of July 24, 2024 no progress has been made.
- 4. Pursuant to the June 28 order, Respondent still has until August 27, 2024 to complete the work necessary to cure the violation. Respondent, and its representatives, however, are cautioned not to wait until the last minute to begin work to cure the violation.
- 5. If the violation is not cured within the time allowed in the June 28, 2024 order, the undersigned will impose fines of \$250.00 per day for each day the violation remains uncured.

6. This matter shall be scheduled and noticed for another status hearing in August. At such status hearing a representative of the Estate shall appear. Appearance may be made telephonically. If telephonic appearance is requested, the Respondent's representative should promptly contact the Clerk to the Magistrate, Michele Ficocello at (386) 517-2000 ext. 231 to make arrangements.

day of July, 2024

ORDERED on this

Gregory Popp Code Enforcement Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon Respondent by Certified and Regular Mail to Respondent at 1201 S: Central Avenue, Flagler Beach, FL 32136 and 2563 SW 87th Dr. Suite 10, Gainesville, FL 32608 on this 3 day of July, 2024.

Michele Ficocello,

Clerk to the Magistrate

Code Enforcement

Notice Type: MAGISTRATE ORDER

Date: 7/31/2024

Code Enforcement Complaint # EEN24-0036

Name: EGGERT IRIS CLAXTON

LIFE ESTATE C/O LIZ RUBEIS

Mailing Address: 1201 S CENTRAL AVENUE

FLAGLER BEACH, FL 32136

Name (2): EGGERT IRIS CLAXTON

LIFE ESTATE C/O LIZ RUBEIS

Mailing Address (2): 2563 SW 87TH DR STE 10

GAINESVILLE, FL 32608

	Mailings	Cost Per Item	Total
Certified Mail Cost	2	\$7.36	\$14.72
Regular Mail Cost	2	\$0.64	\$1.28
		TOTAL	\$16.00



August 13, 2024

Mailer: City of Flagler Beach

Dear ConnectSuite Inc:

The following is in response to your request for proof of delivery on your item with the tracking number: **9214 8901 9403 8372 3363 41**.

Item Details

Status:

Delivered, Individual Picked Up at Post Office

Status Date / Time:

August 6, 2024, 10:04 am

Location:

FLAGLER BEACH, FL 32136

Postal Product:

First-Class Mail®

Extra Services:

Certified Mail™

Return Receipt Electronic

Recipient Name:

EGGERT IRIS CLAXTON

Recipient Signature

Signature of Recipient:

RESIDE

Late Settle

Address of Recipient:

Box 70

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 1201 S CENTRAL AVE FLAGLER BEACH, FL 32136



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

MAILING DATE: 07/31/2024 DELIVERY DATE: 08/06/2024

Recipient address:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 1201 S CENTRAL AVE FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8372 3363 41

USPS Tracking Label Number: 9214 8901 9403 8372 3363 41

Location	Date / Time	
FLAGLER BEACH,FL 32136	07/31/2024 08:57	
FLAGLER BEACH,FL 32136	07/31/2024 15:24	
FLAGLER BEACH,FL 32136	07/31/2024 17:07	
FORT MYERS FL DISTRIBUTION CENT 33913	08/05/2024 00:55	
FORT MYERS FL DISTRIBUTION CENT 33913	08/05/2024 06:07	
FLAGLER BEACH,FL 32136	08/06/2024 09:39	
FLAGLER BEACH,FL 32136	08/06/2024 10:04	
	FLAGLER BEACH,FL 32136 FLAGLER BEACH,FL 32136 FLAGLER BEACH,FL 32136 FORT MYERS FL DISTRIBUTION CENT 33913 FORT MYERS FL DISTRIBUTION CENT 33913 FLAGLER BEACH,FL 32136	

CUSTOM 1:



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

Recipient address:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 2563 SW 87TH DR STE 10 GAINESVILLE, FL 32608

USPS CERTIFIED MAIL



9214 8901 9403 8372 3363 89

USPS Tracking Label Number: 9214 8901 9403 8372 3363 89

USPS Event	Postal Facility	Date/Time	
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/31/2024 08:57	
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/31/2024 15:24	
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/31/2024 17:07	
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/01/2024 00:50	
FORWARD EXPIRED	GAINESVILLE,FL 32608	08/02/2024 12:53	
PROCESSED THROUGH USPS FACILITY	GAINESVILLE FL DISTRIBUTION CEN 32608	08/19/2024 20:20	
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	08/20/2024 11:22	

Section 8. Item a.

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE OF THE CITY OF FLAGLER BEACH, FLORIDA

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 2563 87TH DR SW STE 10 GAINESVILLE, FL 32608	
CITY OF FLAGLER BEACH, FLORIDA, a municipal corporation,) ,))
Petitioner,)) CASE NO:EEN24-0036
EGGERT IRIS CLAXTON, LIFE ESTATE C/O LIZ RUBEIS, owner, Respondent.))))
)

NOTICE OF STATUS HEARING

Premises:

1201 S CENTRAL AVE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statues*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **WEDNESDAY**, **JULY 24**, 2024 @ 3:00PM, there will be a HEARING before the Special Magistrate in the City Commission Chambers, 105 2nd Street South, Flagler Beach, Florida, concerning FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER dated **June 28**, 2024, and consideration of imposition of fines for such non-compliance. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: July 10, 2024

John Gifford

Code Enforcement Officer City of Flagler Beach, Florida

AFFIDAVIT OF POSTING

STATE OF FLORIDA

COUNTY OF FLAGLER

Ref: City of Flagler Beach

VS.

Eggert Iris Claxton Life Estate C/O Liz Rubeis

2563 SW 87th Dr Ste 10

Gainesville, FL 32608

CODE ENFORCEMENT CASE NO.: EEN24-0036

John Gifford, Code Enforcement Officer states:

1. That I am employed as a Code Enforcement Officer by the City of Flagler Beach.

2. That pursuant to Florida Statute 162.12, Notices on the 10th day of July, 2024. I posted the foregoing notice to Eggert Iris Claxton Life Estate C/O Liz Rubeis at 1201 S. Central Av. Flagler Beach 32136, as well as a posted notice 105 S. 2nd Street Flagler Beach, Florida (City Hal), for the dated July 24th, 2024.

FURTHER, Affiant saith not.

Code Enforcement Officer

STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of physical presence notarization the 10th day of July, 2024 by John Gifford, City of Flagler Beach Code Enforcement Officer, who is personally known to me.

(SEAL



NOTARY PUBLIC

BEFORE THE CODE ENFORCMENT MAGISTRATE FOR THE CITY OF FLAGLER BEACH, FLORIDA

CITY OF FLAGLER BEACH,	
Petitioner,	
VS.	CASE NUMBER EEN24-0036
EGGERT IRIS CLAXTON LIFE ESTATE c/o LIZ RUBEIS,	

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS MATTER having come before the Code Enforcement Magistrate for the City of Flagler Beach, Florida for hearing and determination on June 26, 2024 and the undersigned having received evidence and heard testimony under oath thereupon issues the following Finding of Fact and Order:

FINDINGS OF FACT

- 1. The property subject to this proceeding is located at 1201 S. Central Avenue, Flagler Beach, FL 32136 and has Flagler County Tax Parcel ID 12-12-31-4500-00190-0260 (the "Subject Property").
- 2. On April 8, 2024, the Code Enforcement Officer for the City of Flagler Beach properly served a Notice of Violation on Respondent. Said Notice of Violation cited a violation of Section 13-1 of the City of Flagler Beach Code of Ordinances related to the exterior of the Subject Property being in a state of disrepair.
- 3. The undersigned finds that the Respondent is in violation of Section 31-1 of the City of Flagler Beach Code of Ordinances and the exterior of the Subject Property remains in a state of disrepair. Specifically, portions of the soffits are missing or deteriorated and the door into the Subject Property is not properly secured.
 - 4. The Notice of Violation required correction of the condition by May 8, 2024.
 - 5. The violation was not cured within the time allowed.

BASED UPON THE FOREGOING, IT IS ORDERED:

- 6. Respondent shall cure the violation within sixty (60) days of the date of this Order.
- 7. If the violation is not cured within the time allowed herein, the undersigned shall consider imposition of fines for noncompliance at a subsequently noticed hearing.
- 8. Within thirty (30) days of the date of this Order, Respondent shall pay to the City of Flagler Beach the costs incurred in prosecution of this case in the amount of \$32.00.
- 9. Any future violation of the same Code section by Respondent within five years of the date of this Order may be prosecuted as a repeat violation.

ORDERED on this 2024 day of June, 2024.

Gregory Popp

Code Enforcement Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon Respondent by Certified and Regular Mail to Respondent at 1201 S. Central Avenue, Flagler Beach, FL 32136 and 2563 SW 87th Dr. Suite 10, Gainesville, FL 32608 on this day of June, 2024.

Michele Ficocello,

Clerk to the Magistrate

City of Flagler Beach

800 SOUTH DAYTONA AVENUE / PO BOX 70 Flagler Beach, FL 32136 (386) 517-2000

Invoice For Enforcement: EEN24-0

Print Dat

Section 8, Item a.

Pay by Account In Full

\$ 32.00

EGGERT IRIS CLAXTON
2563 87TH DR SW STE 10
GAINESVILLE FL 32608

	Invoice No	Invoice Date	. CO Number	Address		Amount Due
	00072218	07/05/24	EEN24-0036	1201 S CENTE	RAL AVE	\$ 32.00
Fee Details: Quantit	y Desc	cription			Amount Cost	Balance
32.000	Cert	cified Mailing	ıs		\$32.00	\$ 32.00
Total Amount Due						\$ 32.00

City of Flagler Beach

Code Enforcement

Notice Type: FINDINGS OF FACT

Date: 7/1/2024

Code Enforcement Complaint # EEN24-0036

Name: EGGERT IRIS CLAXTON

LIFE ESTATE C/O LIZ RUBEIS

Mailing Address: 1201 S CENTRAL AVENUE

FLAGLER BEACH, FL 32136

Name (2): EGGERT IRIS CLAXTON

LIFE ESTATE C/O LIZ RUBEIS

Mailing Address (2): 2563 SW 87TH DR STE 10

GAINESVILLE, FL 32608

Certified Mail Cost	Mailings 2	Cost Per Item \$7.36	Total \$14.72
Regular Mail Cost	2	\$0.64	\$1.28
		TOTAL	\$16.00



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

Recipient address:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 1201 S CENTRAL AVE FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8367 9817 16

USPS Tracking Label Number: 9214 8901 9403 8367 9817 16

USPS Event	Postal Facility	Date/Time	
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/01/2024 07:56	
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/01/2024 11:04	
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/01/2024 17:04	
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/01/2024 23:58	
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/02/2024 19:11	
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/05/2024 11:42	
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/06/2024 08:23	
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 12:09	
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/11/2024 09:49	
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	07/15/2024 10:24	
DELIVERED INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	07/17/2024 16:46	



Return address:

CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136

Recipient address:

EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 2563 SW 87TH DR STE 10 GAINESVILLE, FL 32608

USPS CERTIFIED MAIL



9214 8901 9403 8367 9817 23

USPS Tracking Label Number: 9214 8901 9403 8367 9817 23

USPS Event	Postal Facility	Date/Time	
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/01/2024 07:56	
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/01/2024 11:04	
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/01/2024 17:04	
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/01/2024 23:58	
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/02/2024 17:29	
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/04/2024 09:40	
FORWARDED	GAINESVILLE,FL 32608	07/05/2024 13:40	
PROCESSED THROUGH USPS FACILITY	GAINESVILLE FL DISTRIBUTION CEN 32608	07/14/2024 23:25	
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/17/2024 06:33	
DEPARTED USPS REGIONAL FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/18/2024 10:18	