



# SPECIAL MAGISTRATE HEARING AGENDA

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**
2. **Roll Call**
3. **Approval of Meeting Minutes**
  - a. June 26, 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. **2548**; APPELLANT: Scott Klapheke; POLICE OFFICER: Sergeant D. Parthemore #405
  - b. Citation No. **P01036FB**; APPELLANT: Quentin Parker; POLICE OFFICER: Sergeant J. Bingham #7058
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)
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
  - 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)
  - 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)
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.



# SPECIAL MAGISTRATE HEARING MINUTES

Wednesday, June 26, 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 meeting to order at 3:00pm.

**2. Roll Call**

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

**3. Approval of Meeting Minutes**

a. May 22, 2024

Approved

**4. Deletions and changes to the agenda**

None

**5. Request To Identify Persons Having Cases on The Agenda**

**6. Parking Citation Appeals**

a. Citation No. **P00929FB**; APPELLANT: Charles Mersch \*via telephonic appearance\*; POLICE OFFICER: Sergeant D. Blank # 7043

Appellant was present via telephone and was sworn in by the Clerk. Sgt. Blank was not present. Appellant testified he was visiting the City and had never been in Flagler Beach before. He was visiting during a holiday and was having difficulty finding parking. Appellant stated he has disabilities making it difficult for him to walk. Appellant admitted he parked in the wrong direction for his own personal safety. Magistrate Popp inquired if Appellant was traveling alone or had someone with him. Appellant stated his girlfriend was with him, but she could not drive his large truck as she is a small woman. Magistrate Popp explained the safety concerns when parking in the wrong direction. Appellant testified he has a handicap placard which was displayed and there was no handicap parking available. Appellant stated his safety was paramount to parking in the wrong direction. Magistrate Popp stated, considering the circumstances, he was inclined to waive the fine for an education effort. The City had no objection. Magistrate Popp ordered Appellant to educate twenty (20) drivers on wrong direction parking with sixty (60) days to complete. The City Attorney explained the process for submitting the proof of completion. Orders to be mailed by the Clerk.

b. Citation No. **P00844FB**; APPELLANT: Luke Williams; POLICE OFFICER: Sergeant J. Bingham # 7058

Appellant was present and sworn in by the Clerk. Sgt. Bingham was not present, but provided an Affidavit in Support of Citation along with photographic evidence. Appellant submitted a photograph prior to the hearing which was provided to the Magistrate. Appellant testified he always goes to the beach in his golf cart and he did not realize he was in violation when he parked. Magistrate Popp explained the safety concerns with parking in front of a fire hydrant. Appellant stated there was no signage indicating not to park there. Magistrate Popp ordered the fine upheld with sixty (60) days to

pay with no objection from the City. The City Attorney also pointed out the Police Officer most likely cut the Appellant a break as it appears by the photographs he was also in violation of parking too close to the stop sign. The Clerk directed the Appellant where to pay the fine. Orders to be mailed by the Clerk.

- c. Citation No. **P00857FB**; APPELLANT: Robert Michael; POLICE OFFICER: Officer E. Scherr # 7078

Appellant was present and sworn in by the Clerk. Ofc. Scherr was not present, but provided an Affidavit in Support of Citation along with photographic evidence. Appellant testified he comes to Flagler Beach on vacation. Appellant stated his daughter was driving the vehicle at the time and requested mercy from the Magistrate due to the high fine cost. Appellant stated his daughter works for the Post Office and her vehicle was stolen. She is currently in federal court as a witness. City Attorney inquired how old his daughter is. Appellant stated she is thirty (30) years old. City Attorney inquired if there is any financial hardship. Appellant testified his daughter is not currently working right now and has a six (6) year old daughter. Appellant stated his daughter's car was stolen off federal property by a tow truck driver and was damaged. City Attorney recommended educational effort based on mitigating circumstances. Magistrate Popp ordered the education of twenty (20) drivers to be completed within sixty days of order. Orders will be mailed by the Clerk. Magistrate Popp explained the safety concern with parking in the wrong direction.

**7. New Cases - 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)

Code Enforcement Officer John Gifford sworn in by the Clerk. Mr. Gifford testified there is a history with this property, but the owners have always communicated with the City to come into compliance. The past cases have included being out of compliance with the length of grass, but have never come before the Magistrate. This case involves the house structure falling into disrepair to include the soffits, garage doors, etc. The property is currently vacant and is under a management company. Magistrate Popp inquired what it would take to bring property into compliance. Mr. Gifford shared a power point presentation outlining the issues along with photographic evidence. Discussion ensued regarding action to be taken. Magistrate ordered sixty (60) days for Respondent to come into compliance and for Respondent to pay mailing costs totaling \$32.00. City Attorney will prepare order for Magistrate to sign and be forwarded to the Clerk for mailing.

**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 Respondent present and sworn in by the Clerk. Representatives are Respondent's daughter Karen Turner and Chris Harris who resides there. Code Enforcement Officer John Gifford testified the fence is being put up now by the builder of the house next-door and provided a power point presentation with photographic evidence. Mr. Gifford inquired as to why previous notifications were ignored. Magistrate Popp explained the safety concerns with having a pool with no fence. Ms. Turner and Mr. Harris testified the previous hand delivered notices were given to a fifteen (15) year old child, but were not forwarded to the adults in the home. Ms. Turner explained the builder of the home next-door torn down the fence with the promise of rebuilding, but with COVID and other issues, she did not anticipate it would take this long. She also stated there is a temporary fence up. The fence was torn down due to it encroaching on the neighbor's property. The previous fence was a six (6) foot privacy fence. The fence was torn down back in 2020 with assurances from the builder it would be replaced. After listening to testimony, Magistrate Popp stated he will not make a decision about reducing the fines until he is certain the violation is cured. Magistrate Popp expressed concern over

how long the violation existed before anyone realized. City Attorney stressed the importance of communicating with the builder to complete the fence and to make sure the gate is also secure. Magistrate Popp ordered a status update for the July 2024 hearing.

**9. Other Business**

The Clerk reported one (1) parking ticket on the next agenda. Magistrate Popp ordered a status hearing for July 2024 in regards to the 1005 N Ocean Shore Blvd case. Magistrate Popp inquired about the status of 3590 S Ocean Shore Blvd. and are there any developments. Mr. Gifford stated the fence is still standing and there might have been a buyer, but the deal fell through. Magistrate Popp expressed concern over the state of the property and hurricanes causing further damage. City Attorney will look into the status and provide an update. The fines continue to accumulate and the City Attorney does not think ownership has changed.

**10. Adjournment**

Magistrate Popp adjourned the meeting at 4:00pm.



## Special Magistrate Hearing

### APPEAL OF PARKING CITATION

July 24, 2024

---

**Citation Number:** 2548

**Appellant:** Scott Klapheke

**Police Officer:** Sergeant D. Parthemore # 405 (Flagler County Sheriff's Office)

**Attachments:** Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation

Affidavit in Support of Citation with Photograph Submitted by Sgt. Parthemore

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. 2548

SCOTT KLAPHEKE  
24 MICKLER BLVD  
ST. AUGUSTINE, FL 32080

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

NOTICE OF HEARING

TO: SCOTT KLAPHEKE

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, JULY 24, 2024 @ 3:00 P.M.** in City Council Chambers located at City Hall 105 S 2<sup>nd</sup> 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 24 Mickler Blvd., St. Augustine, FL 32080, 5th day of July, 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.

RECEIVED

JUN 20 2024

City of Flagler Beach  
Building Department

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)

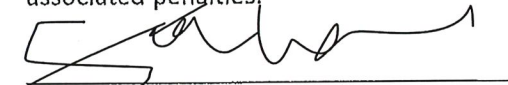
2548

06/16/2024

Citation Number

Date of Citation

I Scott Klapheke do hereby request a hearing before the City of Flagler Beach Local Hearing 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 \$100.00 against me. I attest that I fully understand the stipulations and the associated penalties.

  
Signature

6/20/24  
Date

502-558-9995  
Phone #

24 Mickler Blvd.

Mailing Address:

St. Augustine, Florida 32080

AFTER COMPLETING THIS FORM PLEASE ATTACH A COPY OF CITATION AND RETURN TO:

**Michele Ficocello**

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

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

RECEIVED  
JUN 20 2024  
City of Flagler Beach  
Building Department

PARKING VIOLATION # 2518  
 CITY of Flagler Beach, Florida  
 The undersigned certifies that they have just and reasonable grounds to believe the following occurred:

O	DAY OF WEEK	Month	Day	Year	At	AM
N	SUN	06	14	24	230	EST

Location 404 N. OCEAN SHORE BLVD  
 Tag # 49D QP3 State FL Expiration 1/1/24  
 Year 2011 Make JAGUAR Model  Color BLK  
 Owner SCOTT KLAPHEKE  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Did unlawfully commit the following offense:

- Wrong Direction - Sec 19-23 \$100
- Road right-of-way - Sec 19-24 \$60
- Blocking Private Drive - Sec 19-25 \$60
- Parked on Sea Cane - Sec 19-25 \$150
- Parked on Sidewalk/Crosswalk - Sec 19-25 \$100
- Fire Lane - Sec 19-25 \$100
- No Parking Zone - Sec 19-25 \$60
- 15ft of Fire Hydrant - Sec 19-23 \$36
- Within 8ft of Intersection - Sec 19-25 \$60
- Parking on private lot - Sec 19-26 \$60
- Extended Parking (48hrs) - Sec 19-27 \$60
- Handicapped Parking - Sec 19-28 \$150
- Tractor/Trailer Prohibited - Sec 19-29 \$60
- Overnight Public Parking - Sec 19-30 \$60
- Other in Violation of \_\_\_\_\_ Sec 19-\_\_\_\_\_

Officer/Signature [Signature] I.D. No. 4105 FC30  
 This is a non-moving parking violation. No points assessed against driver's license. This violation may result in fine of \$100.00 plus court costs.



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

Scott Klapheke

Appellant,

v.

CITATION # 2548

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 Parthemore, who deposes and says:

1. That I am over the age of eighteen and a sworn Deputy Sheriff with the Flagler County Sheriff's Office
2. On June 16, 2024, at approximately 2:30pm, I observed a Black Jaguar with license plate Florida Tag 49DQPJ parked on 406 North Ocean Shore Blvd.
3. I ascertained that the vehicle was registered to Scott Klapheke
4. The vehicle was parked in violation of 19-23 [Wrong direction].
5. Specifically, the vehicle was parked facing the wrong way on the south direction of travel on North Ocean Shore Blvd in the area of 406 North Ocean Shore Blvd.
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 citation 2548.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 15 day of July, 2024.

D. Parthemore 405  
Sergeant Parthemore FCSO 405

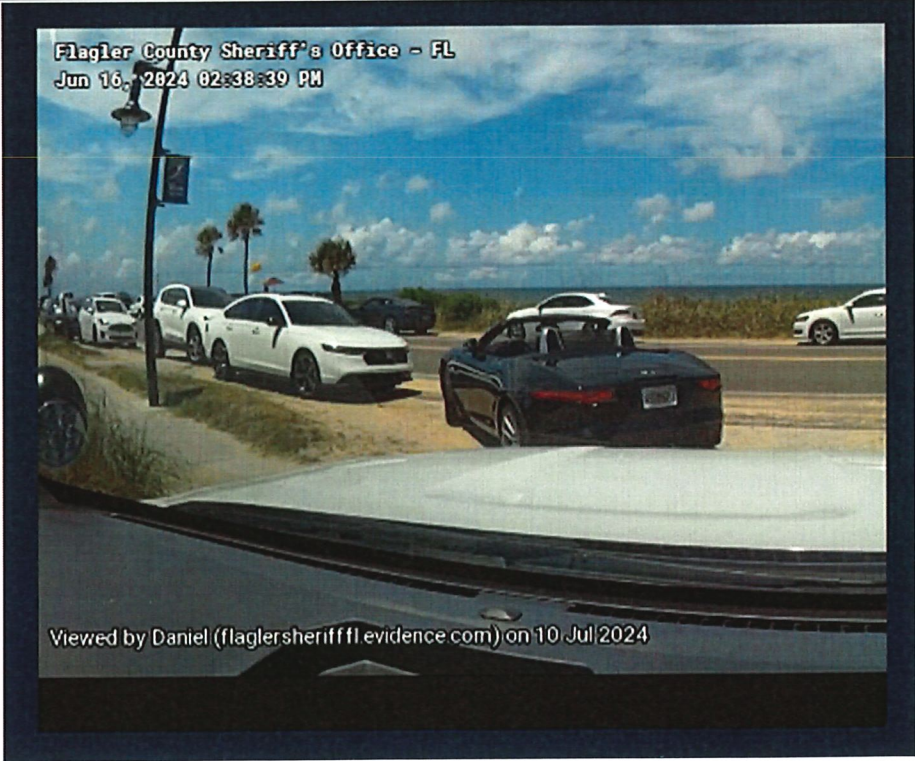
Sworn to and subscribed before me by means of  physical presence or  online  
notarization this 15 day of JULY, 2024 by D. PARTHEMORE who  
is personally known to me or produced FLORIDA DL as identification.

Section 6, Item a.

J. Moorehead 1087  
Notary Public -- State of Florida

Print name: D/S J. Moorehead 1087

My Commission Expires: Deputy Sheriff  
Flagler County Sheriff's Office



Citation #2548  
Photograph Submitted by Sgt. Parthemore, FCSO #405

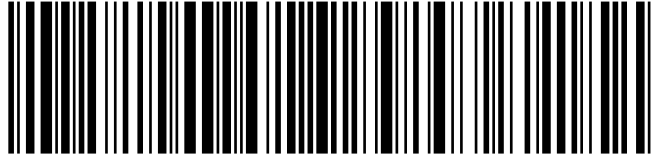
**Return address:**

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

**Recipient address:**

SCOTT KLAPHEKE  
24 MICKLER BLVD  
ST. AUGUSTINE, FL 32080

**USPS CERTIFIED MAIL**



9214 8901 9403 8368 6919 28

**USPS Tracking Label Number: 9214 8901 9403 8368 6919 28**

<b>USPS Event</b>	<b>Postal Facility</b>	<b>Date/Time</b>
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/05/2024 15:18
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/08/2024 11:08
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/08/2024 17:09
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 22:42
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 19:59
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 21:13
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/10/2024 12:15
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/11/2024 09:10
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/12/2024 07:35
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/14/2024 07:52
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/15/2024 21:13
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	07/16/2024 23:38



## Special Magistrate Hearing

### APPEAL OF PARKING CITATION

July 24, 2024

---

**Citation Number:** P01036FB

**Appellant:** Quentin Parker

**Police Officer:** Sergeant J. Bingham # 7058

**Attachments:** Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation

Photographs Submitted by Appellant

Affidavit in Support of Citation with Photograph 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. P01036FB

QUENTIN PARKER  
2215 S FLAGLER AVE  
FLAGLER BEACH, FL 32136

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

NOTICE OF HEARING

TO: QUENTIN PARKER

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, JULY 24, 2024 @ 3:00 P.M.** in City Council Chambers located at City Hall 105 S 2<sup>nd</sup> 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 2215 S Flagler Avenue, Flagler Beach, FL 32136, 5th day of July, 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)

PO1036 FB  
Citation Number

06/29/24  
Date of Citation

I QUENTIN PARKER do hereby request a hearing before the City of Flagler Beach Local Hearing 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 \$100.00 against me. I attest that I fully understand the stipulations and the associated penalties.

Quentin Parker  
Signature

07/01/2024  
Date

703-843-5962  
Phone #

2215 S FLAGLER Ave FLAGLER BEACH, FL. 32136  
Mailing Address:

AFTER COMPLETING THIS FORM PLEASE ATTACH A COPY OF CITATION AND RETURN TO:

Michele Ficocello  
Customer Service Representative  
P.O. Box 70, Flagler Beach FL 32136  
[mficocello@cityofflaglerbeach.com](mailto:mficocello@cityofflaglerbeach.com)  
Phone: 386-517-2000, ext. 231

RECEIVED  
JUL - 1 2024  
City of Flagler Beach  
Building Department



VIOLATOR INSTRUCTIONS

PARKING VIOLATION

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.

AGENCY CASE # 2024-00011691		CITATION # P01036FB		DATE 06/29/2024		TIME 9:22 AM	
AGENCY NAME FLAGLER BEACH POLICE DEPARTMENT				TYPE OF DEPARTMENT 2-PD			
COUNTY OF CITATION FLAGLER			PLACE OR CITY OF CITATION FLAGLER BEACH				
<b>VIOLATOR INFORMATION</b>							
CHECK IF OWNER IS BUSINESS OR THE GOVERNMENT <input type="checkbox"/>		BUSINESS NAME					
FIRST QUETIN		MIDDLE		LAST PARKER		SUFFIX	
STREET 2215 S FLAGLER AVE			CITY FLAGLER BEACH		STATE FL	ZIP 32136	
DL/ID #		STATE	BIRTH DATE	RACE	GENDER	TELEPHONE	
YR VEHICLE		TAG #	TRAILER TAG #		TAG EXP DATE	STATE	
COLOR RED	STYLE GOLF CART	MAKE EXGO	MODEL	V.I.N. OR MOTOR #			
<b>ROADWAY INFORMATION</b>							
BUSINESS NAME							
ADDRESS #		OCCURRED ON STREET, ROAD, HIGHWAY S 3RD ST					
FEET 53	MILES	DIRECTION EAST	AT/FROM STREET, ROAD, HIGHWAY S CENTRAL AVE				
LATITUDE -81.127519		LONGITUDE 29.479443			ZONE		
<b>VIOLATION</b>							
CODE # 19-23		CHARGE DESCRIPTION PARKING - WRONG DIRECTION					
OTHER VIOLATION COMMENTS							
<b>PAYMENT INFORMATION</b>							
NAME CITY OF FLAGLER BEACH							
ADDRESS P.O. BOX 70							
CITY FLAGLER BEACH			ZIP 32136		PHONE #		
EMAIL ADDRESS				WEB SITE PAGE WWW.CITYOFFLAGLERBEACH.COM			
IF PAID 30 WITHIN DAYS		FINE \$100.00	IF PAID 30 AFTER DAYS		FINE \$142.82	FILING FEE	
<b>COURT INFORMATION (if applicable)</b>							
COURT DATE		COURT TIME		COURTROOM # / OTHER DETAIL			

**INSTRUCTIONS**

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

- 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
- BY MAIL TO: CITY OF FLAGLER BEACH, P.O. BOX 70, FLAGLER BEACH, FL 32136
- PAY THE CITATION ONLINE AT [WWW.CITYOFFLAGLERBEACH.COM](http://WWW.CITYOFFLAGLERBEACH.COM) <[HTTP://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 - 1 2024

City of Flagler Beach Building Department

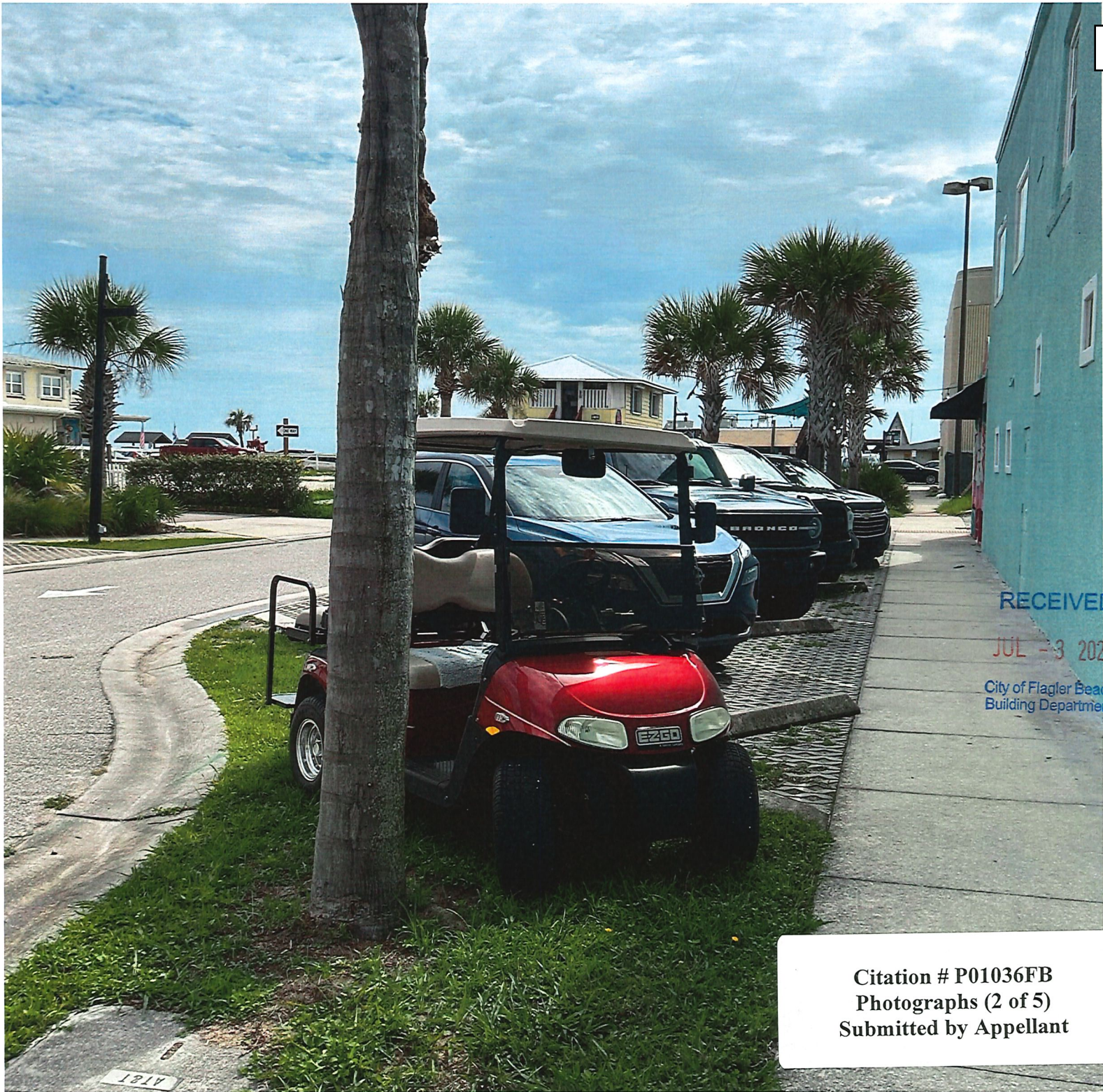
<b>REPORTING OFFICER</b>			
OFFICER SIGNATURE <i>[Signature]</i>	BADGE # 7058	D # 7058	TROOP UNIT 7058
RANK SERGEANT	FIRST JOHNNY	MIDDLE	LAST BINGHAM

VIOLATOR SIGNATURE: \_\_\_\_\_





**Citation # P01036FB  
Photographs (1 of 5)  
Submitted by Appellant**



RECEIVED

JUL -3 2024

City of Flagler Beach  
Building Department

**Citation # P01036FB  
Photographs (2 of 5)  
Submitted by Appellant**



Citation # P01036FB  
Photographs (3 of 5)  
Submitted by Appellant

Section 6, Item b.

RECEIVED  
JUL - 3 2024  
City of Flagler Beach  
Building Department



Citation # P01036FB  
Photographs (4 of 5)  
Submitted by Appellant



RECEIVED

JUL - 3 2024

City of Flagler Beach  
Building Department

Citation # P01036FB  
Photographs (5 of 5)  
Submitted by Appellant

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

Section 6, Item b.

QUENTIN PARKER

Appellant,

v.

CITATION # P01036FB

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 #020, 2024, parked on 3<sup>rd</sup> Street South near South Central Avenue Flagler Beach, Flagler County, Fl. 32136.

3. I ascertained that the vehicle was registered to Quentin Parker of Flagler Beach.

4. The vehicle was parked in violation of 19-23 Parking in the wrong direction.

5. Specifically, the vehicle was parked on the city right-of-way, facing southwest (angled) in the grass on the south side of the road. The golf cart was parked on a section of 3<sup>rd</sup> Street South that does not have legal access for 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 citation # P01036FB.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 12<sup>th</sup> day of July, 2024.

[Signature]  
Sergeant J. Bingham #7058

Sworn to and subscribed before me by means of X physical presence or \_\_\_ online notarization this 12<sup>th</sup> day of July, 2024 by Sergeant J. Bingham who is personally known to me or produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public – State of Florida

Print name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_





SHARED EVIDENCE

TITLE **100 Blk 3rd St S**

ID [2024-00011691](#)

CATEGORIES **Illegal Parking**



Edits Redactions

NO EDITS

DESCRIPTION

No description has been added yet

NOTES

No notes have been posted yet

METADATA

ASSIGNED TO:  
Bingham, Johnny (7058)

RECORDED ON (UTC-07:00):  
Jun 29, 2024 6:31:53 AM

UPLOADED ON:  
Jun 30, 2024 3:41 AM -07:00

UPLOADED BY:  
Bingham, Johnny (7058)

QUEUED FOR DELETION ON:  
Dec 28, 2024 5:31 AM -08:00

FILE FORMAT:  
image/jpeg

FILE SIZE:  
1.6 MB

DOCUMENT CHECKSUM:  
7143ee397d78722f9c6a32bd7eafa4959d23d  
71347501c6ad

EVIDENCE GROUP:

EXIF DATA

Modified Date: 2024:06:29 09:31:53  
 Software: 17.5.1  
 Orientation: Rotate 90 CW  
 Image Width: 4032

[VIEW MORE](#)

CASES



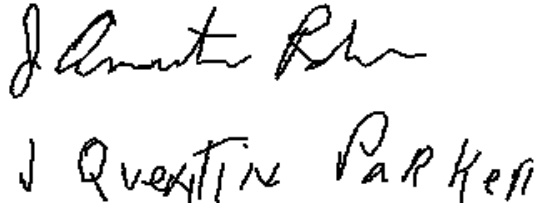
Mailer: City of Flagler Beach

Date Produced: 07/15/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8368 6918 43. Our records indicate that this item was delivered on 07/13/2024 at 10:46 a.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :



QUENTIN PARKER

Address of Recipient :

2215 S FLAGLER AVE  
FLAGLER BEACH, FL 32136-4000

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

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

QUENTIN PARKER  
2215 S FLAGLER AVE  
FLAGLER BEACH, FL 32136

Customer Reference Number: C5141519.31015177

Return Reference Number P01036FB

**Return address:**

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

**Recipient address:**

QUENTIN PARKER  
2215 S FLAGLER AVE  
FLAGLER BEACH, FL 32136

MAILING DATE: 07/05/2024  
DELIVERY DATE: 07/13/2024

**USPS CERTIFIED MAIL**



9214 8901 9403 8368 6918 43

**USPS Tracking Label Number: 9214 8901 9403 8368 6918 43**

<b>USPS Tracking History</b>	<b>Location</b>	<b>Date / Time</b>
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/05/2024 15:18
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/08/2024 11:08
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/08/2024 17:09
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 22:42
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 19:59
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 21:13
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/10/2024 00:25
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/11/2024 00:48
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	07/11/2024 13:07
DELIVERED INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	07/13/2024 10:46

CUSTOM 1:



## Special Magistrate Hearing

Code Enforcement

July 24, 2024

---

**Case Number:** EEN24-0017

**Respondent:** Hauver Trust

**Address of Violation:** 2336 S Central Avenue

**Tax Parcel ID Number:** 19-12-32-4550-00090-0040

**Violation:** Article I. – In General, Chapter 13 – Nuisances Sec. 13-1. (3)

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

Notice of Violation (Dated March 1, 2024)

Mailing Cost (March 1, 2024)

Certified Mailing (March 1, 2024)

**Total Cost of Mailings** \$24.00

AFFIDAVIT OF POSTING

STATE OF FLORIDA

COUNTY OF FLAGLER

Ref: City of Flagler Beach

vs.

Hauver Trust  
340 Smith Lane  
Lancaster, VA 22503

CODE ENFORCEMENT CASE NO.: EEN24-0017

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 10<sup>th</sup> day of July, 2024. I posted the foregoing notice to Hauver Trust at 2336 S. Central Av. Flagler Beach 32136, as well as a posted notice 105 S. 2<sup>nd</sup> Street Flagler Beach, Florida (City Hal), for the Hearing dated July 24<sup>th</sup>, 2024.

FURTHER, Affiant saith not.

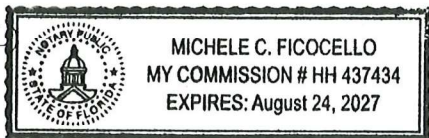
  
 \_\_\_\_\_  
 Code Enforcement Officer

STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of physical presence notarization the 10<sup>th</sup> 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 ENFORCEMENT SPECIAL MAGISTRATE  
OF THE CITY OF FLAGLER BEACH, FLORIDA

Section 7, Item a.

Hauver Trust  
340 Smith Lane  
Lancaster, VA 22503

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
HAUVER TRUST, owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0017

NON COMPLIANCE - NOTICE OF HEARING

Premises: 2336 S CENTRAL AVE FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, 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 **July 24, 2024, at 3:00 PM**, there will be a HEARING before the Special Magistrate in the City Commission Chambers, 105 2<sup>nd</sup> Street South, Flagler Beach, Florida, concerning your failure to comply with the Code Enforcement Officer's notice of violation dated **March 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.

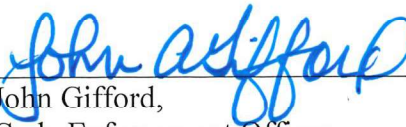
YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

Should you be found in violation of the Code of Ordinances at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing.

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 South Daytona Av., Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: July 10, 2024

  
\_\_\_\_\_  
John Gifford,  
Code Enforcement Officer  
City of Flagler Beach, Florida

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

Section 7, Item a.

HAUVER TRUST  
340 SMITH LANE  
LANCASTER, VA 22503

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
HAUVER TRUST, owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0017

NOTICE OF VIOLATION

Premises: 2336 S CENTRAL AVENUE, FLAGLER BEACH, FL 32136

YOU ARE NOTIFIED that violations of **ARTICLE I. - IN GENERAL; CHAPTER 13 – NUISANCES SEC. 13-1. (3)** exist on the premises located at 2336 S CENTRAL AVENUE, FLAGLER BEACH, FL 32136. The premises are more particularly described as follows:

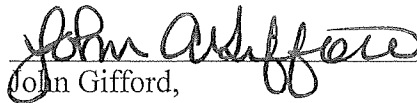
Legal Description: MORNINGSIDE SUB DIV BL 9 LT 4 OR 48 PG 510 OR 315 PG 926 OR 415 PG 873 OR 570 PG 1239 OR and has **Tax Parcel ID # 19-12-32-4550-00090-0040**

The condition giving rise to the violation is described as follows:

**OVERGROWN YARD AND BUILDING IN DISREPAIR**

**You must correct the violations by no later than 5:00 p.m. on the 29th day March, 2024.** If the violation is not cured by the time stated above, a hearing will be scheduled before the City’s Code Enforcement Special Magistrate. Should you be found in violation at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing. To clear up this matter please notify this office as soon as the violation is in compliance by calling 386-517-2000 Extension 249.

DATED March 01, 2024

  
John Gifford,  
Code Enforcement Officer  
City of Flagler Beach, Florida

I hereby certify that a copy of the foregoing was delivered by Certified Mail™ # 9214 8901 9403 8351 0466 81 and 9214 8901 9403 8351 0467 35 and 9214 8901 9403 8351 0476 02 March 01, 2024.

Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 3/1/2024

Code Enforcement Complaint # **EEN24-0017**

Name: HAUVER TRUST

Mailing Address: 2336 S CENTRAL AVE  
FLAGLER BEACH, FL 32136

Name (2): HAUVER TRUST

Mailing Address (2): 340 SMITH LANE  
LANCASTER, VA 22503

Name (3): HARRIS S. HOWARD, ESQ

Mailing Address (3): 4755 TECHNOLOGY WAY, SUITE 104  
BOCA RATON, FL 33431

	Mailings	Cost Per Item	Total
Certified Mail Cost	3	\$7.36	\$22.08
Regular Mail Cost	3	\$0.64	\$1.92
		<b>TOTAL</b>	<b>\$24.00</b>



**Firm Mailing Book For Accountable Mail**

Name and Address of Sender  
 CITY OF FLAGLER BEACH  
 105 S 2ND ST  
 FLAGLER BEACH FL 32136

- Check type of mail or service
- Adult Signature Required
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted Delivery
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail
  - Priority Mail Express
  - Registered Mail
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

**Affix Stamp Here**  
 (for additional copies of this receipt).  
 Postmark with Date of Receipt.



USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1. 9214 8901 9403 8350 9600 25	VICTOR BERGSTEDT III & CAROL BERGSTEDT 1021 ROUTE # 9 BAYVILLE, NJ 08721	0.64	4.40								2.32			
2. 9214 8901 9403 8350 9603 39	VICTOR BERGSTEDT III & CAROL BERSTEDT 2554 S CENTRAL AVE FLAGLER BEACH FL 32136	0.64	4.40								2.32			
3. 9214 8901 9403 8350 9692 64	BERNIE & ELIZABETH JOERGER 345 N 11TH ST FLAGLER BEACH FL 32136-3126	0.64	4.40								2.32			
4. 9214 8901 9403 8350 9693 56	BERNIE & ELIZABETH JOERGER 916 N. OCEAN SHORE BLVD. FLAGLER BEACH, FL 32136	0.64	4.40								2.32			
5. 9214 8901 9403 8351 0294 55	FRED & CHERYL GOODWIN 904 S DAYTONA AVE FLAGLER BEACH, FL 32136	0.64	4.40								2.32			
6. 9214 8901 9403 8351 0362 79	THOMAS T & MONZELL TURNER 1816 S DAYTONA AVENUE FLAGLER BEACH, FL 32136	0.64	4.40								2.32			
7. 9214 8901 9403 8351 0380 51	ROBERTS LANYA A 205 N FLAGLER AVENUE FLAGLER BEACH, FL 32136	0.64	4.40								2.32			
8. 9214 8901 9403 8351 0466 81	HALVER TRUST 2336 S CENTRAL AVE FLAGLER BEACH, FL 32136	0.64	4.40								2.32			

Total Number of Pieces Listed by Sender	10
Total Number of Pieces Received at Post Office	
Postmaster, Per (Name of receiving employee)	

Section 7, Item a.





**Firm Mailing Book For Accountable Mail**

Name and Address of Sender  
 CITY OF FLAGLER BEACH  
 105 S 2ND ST  
 FLAGLER BEACH FL 32136

Check type of mail or service  
 Adult Signature Required  
 Adult Signature Restricted Delivery  
 Certified Mail  
 Certified Mail Restricted Delivery  
 Collect on Delivery (COD)  
 Insured Mail  
 Priority Mail  
 Priority Mail Express  
 Registered Mail  
 Return Receipt for Merchandise  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

Affix Stamp Here  
 (for additional copies of this receipt).  
 Postmark with Date of Receipt.

USPS Tracking/Article Number	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
9. 9214 8901 9403 8351 0467 35	0.64	4.40								2.32			
Addressee (Name, Street, City, State, & ZIP Code™) HAUVER TRUST 340 SMITH LANE LANCASTER, VA 22503 HARRIS S. HOWARD, ESQ. 4755 TECHNOLOGY WAY, SUITE 104 BOCA RATON, FL 33431													
10. 9214 8901 9403 8351 0476 02	0.64	4.40	Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
Total Number of Pieces Listed by Sender: 10 Total Number of Pieces Received at Post Office: 10 Postmaster, Per (Name of receiving employee)													

Section 7, Item a.

**Return address:**

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

**Recipient address:**

HAUVER TRUST  
2336 S CENTRAL AVE  
FLAGLER BEACH, FL 32136

**RETURN TO SENDER**

USPS CERTIFIED MAIL



9214 8901 9403 8351 0466 81

**USPS Tracking Label Number: 9214 8901 9403 8351 0466 81**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33
FORWARD EXPIRED	FLAGLER BEACH,FL 32136	03/02/2024 08:30
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/08/2024 12:07
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/09/2024 09:04
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/09/2024 10:18
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/11/2024 05:03
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	03/11/2024 14:38
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	03/14/2024 10:06

**Return address:**

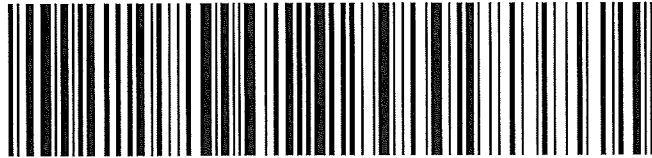
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

**Recipient address:**

HAUVER TRUST  
340 SMITH LANE  
LANCASTER, VA 22503

---

**USPS CERTIFIED MAIL**



9214 8901 9403 8351 0467 35

---

**USPS Tracking Label Number: 9214 8901 9403 8351 0467 35**

<b>USPS Event</b>	<b>Postal Facility</b>	<b>Date/Time</b>
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33
ARRIVAL AT UNIT	LANCASTER,VA 22503	03/05/2024 08:27
OUT FOR DELIVERY	LANCASTER,VA 22503	03/05/2024 08:38
ADDRESSEE UNKNOWN	LANCASTER,VA 22503	03/05/2024 12:33



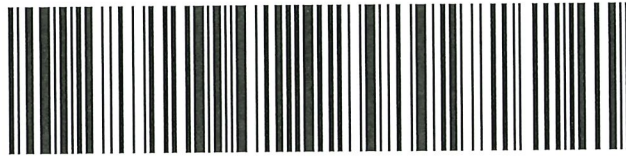
**Return address:**

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

**Recipient address:**

HARRIS S. HOWARD, ESQ.  
4755 TECHNOLOGY WAY, SUITE 104  
BOCA RATON, FL 33431

USPS CERTIFIED MAIL



9214 8901 9403 8351 0476 02

**USPS Tracking Label Number: 9214 8901 9403 8351 0476 02**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33



# Special Magistrate Hearing

Code Enforcement

July 24, 2024

**Case Number:** EEN24-0024

**Respondent:** Thomas T & Monzell Turner

**Address of Violation:** 1816 S Daytona Avenue

**Tax Parcel ID Number:** 18-12-32-2750-00270-0050

**Violation:** 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS: 303.2 ENCLOSURES

- Attachments:** Notice of Status Hearing (Dated July 5, 2024)  
 Mailing Costs (Dated July 5, 2024)  
 Certified Mailings (Dated July 5, 2024)  
 Findings of Fact, Conclusions of Law and Order (Dated June 28, 2024)  
 Mailing Costs (Dated July 1, 2024)  
 Certified Mailings (Dated July 1, 2024)  
 Invoice for Mailing Costs Per Order (Dated April 28, 2024)

<b>Total Cost of Mailings</b>	MAILING DATE	TOTAL COST
	3/1/2024	\$8.00
	4/2/2024	\$8.00
	4/10/2024	\$8.00
	<b>TOTAL INVOICED</b>	<b>\$24.00</b>
	<b>PER MAGISTRATE ORDER</b>	
	<b>DATED 4.28.2024 (UNPAID)</b>	

MAILING DATE	TOTAL COST
4/26/2024	\$16.00
5/6/2024	\$16.00
5/23/2024	\$16.00
5/31/2024	\$16.00
7/1/2024	\$16.00
7/5/2024	\$16.00
<b>TOTAL COST</b>	<b>\$96.00</b>

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

Section 8, Item a.

THOMAS T & MONZELL TURNER  
10696 MOUNTAINLAUREL WAY  
UNION, KY 41091

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
THOMAS T & MONZELL )  
TURNER, owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0024

NOTICE OF STATUS HEARING

Premises: 1816 S DAYTONA AVENUE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, 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 @ 3:00 PM**, there will be a STATUS HEARING before the Special Magistrate in the City Commission Chambers, 105 2<sup>nd</sup> Street South, Flagler Beach, Florida, concerning **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER** dated **June 28, 2024**. 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 provide a status update.

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 5, 2024

  
John Gifford,  
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 8368 6933 28 and 9214 8901 9403 8368 6933 42 July 5, 2024.

Code Enforcement

Notice Type: STATUS HEARING

Date: 7/5/2024

Code Enforcement Complaint # **EEN24-0024**

Name: THOMAS T & MONZELL TURNER

Mailing Address: 1816 S DAYTONA AVE  
FLAGLER BEACH, FL 32136

Name (2): THOMAS T & MONZELL TURNER

Mailing Address (2): 10696 MOUNTAINLAUREL WAY  
UNION, KY 41091

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

**Return address:**

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

**Recipient address:**

THOMAS T & MONZELL TURNER  
10696 MOUNTAINLAUREL WAY  
UNION, KY 41091

USPS CERTIFIED MAIL



9214 8901 9403 8368 6933 42

**USPS Tracking Label Number: 9214 8901 9403 8368 6933 42**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/05/2024 15:18
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/08/2024 11:08
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/08/2024 17:09
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 22:42
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 17:37
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 21:13
PROCESSED THROUGH USPS FACILITY	CINCINNATI OH DISTRIBUTION CENT 45234	07/13/2024 20:38
PROCESSED THROUGH USPS FACILITY	CINCINNATI OH DISTRIBUTION CENT 45234	07/17/2024 15:19



**Return address:**

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

**Recipient address:**

THOMAS T & MONZELL TURNER  
1816 S DAYTONA AVENUE  
FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8368 6933 28

**USPS Tracking Label Number: 9214 8901 9403 8368 6933 28**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/05/2024 15:18
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/08/2024 11:08
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/08/2024 17:09
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 22:42
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 19:59
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 21:13
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/10/2024 00:25
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/11/2024 01:09
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	07/11/2024 11:24
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	07/16/2024 03:50

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

CITY OF FLAGLER BEACH,

Petitioner,

vs.

CASE NUMBER EEN 24-0024

THOMAS T. TURNER and  
MONZELL TURNER,

Respondents.

\_\_\_\_\_ /

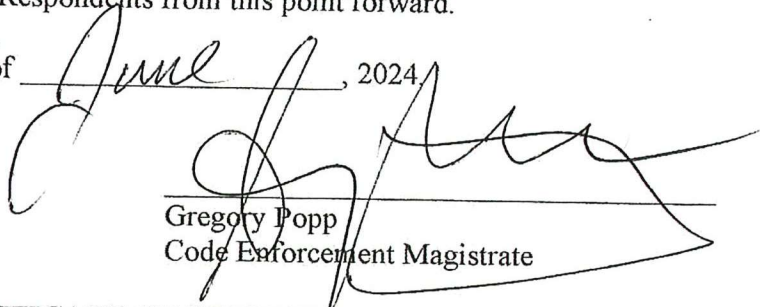
**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

**THIS MATTER** having come before the Code Enforcement Magistrate for the City of Flagler Beach, Florida on June 26, 2024 for a status hearing after due notice to Respondents and the undersigned having received evidence and heard testimony under oath thereupon issues the following Order:

1. The property subject to this proceeding is located at 1816 S Daytona Avenue, Flagler Beach, Florida, and has Flagler County Tax Parcel ID 18-12-32-2750-00270-0050 (the "Subject Property").
2. Thomas T. Turner and Monzell Turner are the record owners of the Subject Property.
3. Respondents have not complied with the undersigned's prior orders requiring securing of the pool.
4. As of June 26, 2024, however, it appears the contractor for the construction project on the adjacent property has begun installation of the missing portion of fence.
5. Provided the fence is completed and Respondents correct the installation of the gates so that they function in the manner required by law to secure the pool area, it appears this case is progressing toward compliance.
6. Respondents shall continue to communicate with the Code Enforcement Officer and allow the access necessary to inspect the pool enclosure once repairs are completed.
7. This matter shall be scheduled and noticed for a hearing in July. At such hearing the undersigned shall consider imposition and/or mitigation of the fines that have accrued as a

result of the noncompliance with prior orders. The undersigned will take into account the responsiveness and cooperation of the Respondents from this point forward.

ORDERED on this 25<sup>th</sup> 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 Respondents at 1816 S Daytona Avenue, Flagler Beach, Florida 32136 and 10696 Mountain Laurel Way, Union, Kentucky 41091, on this 19 day of July, 2024.



Michele, Ficocello,  
Clerk to the Special Magistrate

Code Enforcement

Notice Type: FINDINGS OF FACT

Date: 7/1/2024

Code Enforcement Complaint # **EEN24-0024**

Name: THOMAS T & MONZELL TURNER

Mailing Address: 1816 S DAYTONA AVE  
FLAGLER BEACH, FL 32136

Name (2): THOMAS T & MONZELL TURNER

Mailing Address (2): 10696 MOUNTAINLAUREL WAY  
UNION, KY 41091

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



**Return address:**

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

**Recipient address:**

THOMAS T & MONZELL TURNER  
10696 MOUNTAINLAUREL WAY  
UNION, KY 41091

USPS CERTIFIED MAIL



9214 8901 9403 8367 9819 45

**USPS Tracking Label Number: 9214 8901 9403 8367 9819 45**

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	CINCINNATI OH DISTRIBUTION CENT 45234	07/04/2024 16:34
NO AUTHORIZED RECIPIENT AVAILABLE	UNION,KY 41091	07/05/2024 14:08
REMINDER TO SCHEDULE REDELIVERY	UNION,KY 41091	07/10/2024 03:09



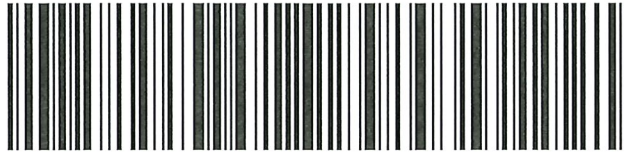
**Return address:**

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

**Recipient address:**

THOMAS T & MONZELL TURNER  
1816 S DAYTONA AVENUE  
FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8367 9819 21

**USPS Tracking Label Number: 9214 8901 9403 8367 9819 21**

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
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	07/03/2024 11:18
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	07/08/2024 03:14
PACKAGE RETURN NOTICE GENERATED	FLAGLER BEACH,FL 32136	07/18/2024 03:03

**City of Flagler Beach**

800 SOUTH DAYTONA AVENUE / PO BOX 70

Flagler Beach, FL 32136

(386) 517-2000

Invoice For Enforcement: EEN24-0024

Print Date: 07/11/24

Section 8, Item a.


TURNER THOMAS T & MONZELL

Pay by Account In Full



Pay by Account In Full

\$ 24.00

Invoice No	Invoice Date	CO Number	Address	Amount Due
 00071816	04/26/24	EEN24-0024	1816 S DAYTONA AVE	\$ 24.00
Fee Details:	Quantity	Description	Amount Cost	Balance
	1.000	REGULAR MAILING	\$ .64	\$ 0.64
	1.000	REGULAR MAILING	\$ .64	\$ 0.64
	1.000	REGULAR MAILING	\$ .64	\$ 0.64
	1.000	Certified Mailings	\$7.36	\$ 7.36
	1.000	Certified Mailings	\$7.36	\$ 7.36
	1.000	Certified Mailings	\$7.36	\$ 7.36
<b>Total Amount Due</b>				<b>\$ 24.00</b>



## Special Magistrate Hearing

Code Enforcement

July 24, 2024

**Case Number:** EEN23-0019

**Respondent:** 1005 Oceanshore LLC

**Address of Violation:** 1005 Ocean Shore Blvd.

**Tax Parcel ID Number:** 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)

**Attachments:** Notice of Status Hearing (Dated July 5, 2024)

Mailing Costs (Dated July 5, 2024)

Certified Mailings

**Total Cost of Mailings** \$16.00



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

Section 8, Item b.

1005 OCEANSHORE LLC  
58 Island Estates Parkway  
Palm Coast, Fl 32137

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
1005 OCEANSHORE LLC, owner, )  
 )  
Respondent. )  
 )

CASE NO: EEN23-0019

NON COMPLIANCE - NOTICE OF HEARING

Premises: 1005 N OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, 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 **STATUS HEARING** before the Special Magistrate in the City Commission Chambers, 105 2<sup>nd</sup> Street South, Flagler Beach, Florida, concerning NOTICE OF VIOLATION dated May 18, 2023. 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 Avenue, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: July 5, 2024

  
\_\_\_\_\_  
John Gifford,  
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 8368 6940 11 and 9214 8901 9403 8368 6940 28 July 5, 2024.

Code Enforcement

Notice Type: STATUS HEARING

Date: 7/5/2024

Code Enforcement Complaint # **EEN23-0019**

Name: 1005 OCEAHSORE LLC

Mailing Address: 1005 N OCEAN SHORE BLVD  
FLAGLER BEACH, FL 32136

Name (2): 1005 OCEAHSORE LLC

Mailing Address (2): 58 ISLAND ESTATES PARKWAY  
PALM COAST, FL 32137

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

Mailer: City of Flagler Beach

Date Produced: 07/12/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8368 6940 28. Our records indicate that this item was delivered on 07/11/2024 at 01:18 p.m. in PALM COAST, FL 32137. The scanned image of the recipient information is provided below.

Signature of Recipient :  
(Authorized Agent)

A/A 21372033  
Dillon

Address of Recipient :

**58 ISLAND ESTATES PKWY,  
PALM COAST, FL 32137**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

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

1005 OCEANSHORE LLC  
58 ISLAND ESTATES PARKWAY  
PALM COAST, FL 32137

Customer Reference Number: C5141519.31015183

Return Reference Number EEN23-0019 STATUS HEARING



**Return address:**

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

**Recipient address:**

1005 OCEANSHORE LLC  
58 ISLAND ESTATES PARKWAY  
PALM COAST, FL 32137

MAILING DATE: 07/05/2024  
DELIVERY DATE: 07/12/2024

**USPS CERTIFIED MAIL**



9214 8901 9403 8368 6940 28

**USPS Tracking Label Number: 9214 8901 9403 8368 6940 28**

<b>USPS Tracking History</b>	<b>Location</b>	<b>Date / Time</b>
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/05/2024 15:18
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/08/2024 11:08
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/08/2024 17:09
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 22:42
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 19:59
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 21:13
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/10/2024 00:25
ARRIVAL AT UNIT	PALM COAST,FL 32137	07/11/2024 08:38
OUT FOR DELIVERY	PALM COAST,FL 32137	07/11/2024 08:49
DELIVERED TO AGENT LEFT WITH INDIVIDUAL	PALM COAST,FL 32137	07/11/2024 13:18
DELIVERED (SYSTEM ADDED)		07/12/2024 06:23

CUSTOM 1:

**Return address:**

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

**Recipient address:**

 1005 OCEANSHORE LLC  
 1005 N OCEAN SHORE BLVD  
 FLAGLER BEACH, FL 32136

**USPS Tracking Label Number: 9214 8901 9403 8368 6940 11**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	07/05/2024 15:18
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	07/08/2024 11:08
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	07/08/2024 17:09
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/08/2024 22:42
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 19:59
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/09/2024 21:13
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/10/2024 00:25
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/11/2024 00:53
FORWARD EXPIRED	FLAGLER BEACH,FL 32136	07/11/2024 10:33
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/13/2024 13:33
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/16/2024 10:00
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	07/17/2024 06:01
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	07/17/2024 09:23
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	07/18/2024 00:55
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	07/18/2024 09:12



# Special Magistrate Hearing

Code Enforcement

July 24, 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 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** \$16.00

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 10<sup>th</sup> 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. 2<sup>nd</sup> Street Flagler Beach, Florida (City Hal), for the dated July 24<sup>th</sup>, 2024.

FURTHER, Affiant saith not.

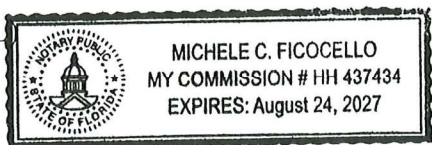
  
 \_\_\_\_\_  
 Code Enforcement Officer


STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of physical presence notarization the 10<sup>th</sup> 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 ENFORCEMENT SPECIAL MAGISTRATE  
OF THE CITY OF FLAGLER BEACH, FLORIDA

Section 8, Item c.

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, )

vs. )

EGGERT IRIS CLAXTON, )  
LIFE ESTATE C/O LIZ RUBEIS, )

owner, )

Respondent. )

CASE NO: EEN24-0036

NOTICE OF STATUS HEARING

Premises: 1201 S CENTRAL AVE, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, 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 2<sup>nd</sup> 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



**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:

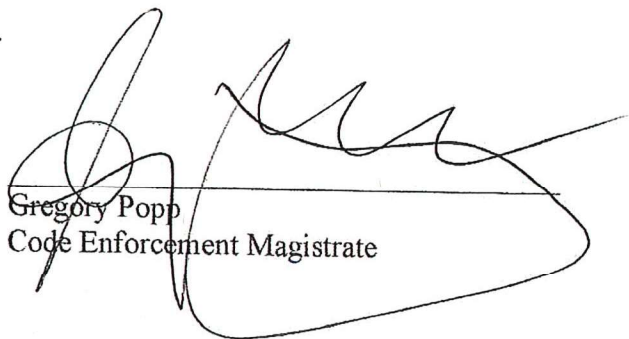
**FINDINGS OF FACT**

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:**

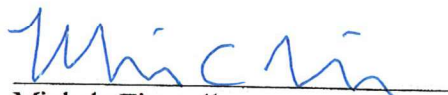
- 6. Respondent shall cure the violation within sixty (60) days of the date of this Order.
- 7. If the violation is not cured within the time allowed herein, the undersigned shall consider imposition of fines for noncompliance at a subsequently noticed hearing.
- 8. Within thirty (30) days of the date 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 28<sup>th</sup> 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 87<sup>th</sup> Dr. Suite 10, Gainesville, FL 32608 on this 14<sup>th</sup> day of ~~June~~ July, 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: EEN24-0036

Print Date: 07/18

Section 8, Item c.


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

Pay by Account In Full



Pay by Account In Full

**\$ 32.00**

Invoice No	Invoice Date	CO Number	Address	Amount Due
 00072218	07/05/24	EEN24-0036	1201 S CENTRAL AVE	\$ 32.00

Fee Details:	Quantity	Description	Amount Cost	Balance
	32.000	Certified Mailings	\$32.00	\$ 32.00
<b>Total Amount Due</b>				<b>\$ 32.00</b>

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

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

**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

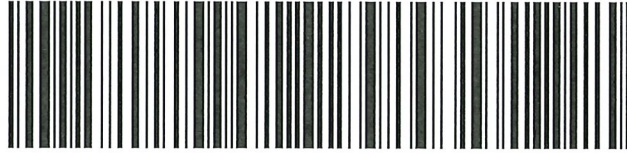
**Return address:**

 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