



## SPECIAL MAGISTRATE HEARING AGENDA

Wednesday, April 24, 2024 at 3:00 PM

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

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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. March 27, 2024
4. Request To Identify Persons Having Cases on The Agenda
5. Parking Citation Appeals
  - a. Citation No. **2375**; APPELLANT: Maria McGovern; POLICE OFFICER: Chief M. Doughney #7066
  - b. Citation No. **P00734FB**; APPELLANT: Keith Hopper; POLICE OFFICER: Sergeant J. Bingham #7058
  - c. Citation No. **P00730FB**; APPELLANT: Margaret Harding; POLICE OFFICER: Officer K. Jones #7069
  - d. Citation No. **1103**; APPELLANT: Johnathan Watson; POLICE OFFICER: Officer M. Snyder #7086
6. New Cases - Code Enforcement
  - a. Case # **EEN24-0012**; Bernie & Elizabeth Joerger; ADDRESS OF VIOLATION: 916 N Ocean Shore Blvd; TAX PARCEL ID NO. 01-12-31-1100-00170-0160; VIOLATION: City of Flagler Beach Code of Ordinances Chapter 6, Beaches and Recreation Sec. 6-9 (a) (b) (c)
  - b. 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
  - c. Case # **EEN24-0027**; Goodwin Fred & Cheryl H&W; ADDRESS OF VIOLATION: 904 S Daytona Avenue; TAX PARCEL ID NO. 12-12-31-4500-00540-0020; VIOLATION: City of Flagler Beach Code of Ordinances Section 105 Permits [A] 105.1 Required
  - d. Case # **EEN24-0030**; Olsen Pamela M; ADDRESS OF VIOLATION: 2080 N Ocean Shore Blvd; TAX PARCEL ID NO. 36-11-31-5630-00040-0080; VIOLATION: Florida Building Code 8th Addition (2023), SECTION 1015 GUARDS, 1015.1 General
7. Status Updates - Code Enforcement: NONE
8. Other Business
9. Adjournment

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decisions or findings made 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, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CD's are only made upon request. 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. Please take notice that individual Elected Officials of the City of Flagler Beach may attend this meeting. Those Elected Officials who attend will not take any action or take any vote at this meeting. This is not an official meeting of the Flagler Beach City Commission. This notice is being provided to meet the spirit of the Sunshine Law to inform the public that Elected Officials may be present and participate in this meeting.



## SPECIAL MAGISTRATE HEARING - MEETING MINUTES

Wednesday, March 27, 2024 at 3:00 PM

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

1. **Call the meeting to order:** Meeting was called to order by Magistrate Popp at 2:57pm
2. **Roll Call:** Drew Smith, City Attorney and John Gifford, Code Enforcement Officer, Michele Ficocello, Clerk to the Magistrate
3. **Approval of Meeting Minutes:** February 28, 2024 approved
4. **Request To Identify Persons Having Cases on The Agenda**
5. **Parking Citation Appeals**

a. Citation No. **P00694FB**; APPELLANT: Lisa Keogh \*via telephonic appearance\*; POLICE OFFICER: Officer M. Guerrero #7055:

Mr. and Mrs. Keogh appeared via telephone and were sworn in by the Clerk. Mrs. Keogh gave testimony regarding the wrong direction parking citation. Mrs. Keogh testified she is familiar with the area where the citation was given stating she could not find parking due to it being Ash Wednesday. Mrs. Keogh testified she circled around to find parking and found parking on the other side of the street facing the way they were when they received the ticket. It never occurred to her parking in the wrong direction was a problem. She was under the impression it was church property. Officer M. Guerrero was present and sworn in by the Clerk. The City Attorney questioned Ofc. Guerrero about her observations and issuing of the citation. Ofc. Guerrero testified she observed a vehicle parking in the wrong direction on February 14, 2024 at 9:19am and issued a citation to a 2001 brown Kia SUV. The City Attorney questioned Ofc. Guerrero if she had taken the photograph in her possession. Ofc. Guerrero stated she had not and the photograph had been submitted by the Appellant. Magistrate Popp questioned the Appellant as to when the photographs were taken and she stated they went back to where they received the citation and took photographs. The City Attorney questioned Ofc. Guerrero as to whether or not she had taken a photograph of the violation. Ofc. Guerrero testified she did take a photograph, but did not have it with her today at the hearing. Ofc. Guerrero was asked by the City Attorney to describe how the vehicle was parked. Ofc. Guerrero testified at the time of the violation she observed several vehicles parked in the correct direction and the Appellant's vehicle was the only one parked in the wrong direction, facing westbound on the eastbound side. Magistrate Popp inquired if the Appellant's vehicle was observed in the right of way or on church property. Ofc. Guerrero confirmed the vehicle was in the right of way. The City Attorney advised he had no further questions for the Officer. Magistrate Popp explained to the Appellant the safety concerns related to parking in the wrong direction. Magistrate Popp inquired as to the thought process of the Appellant when choosing to park in the wrong direction. Appellant explained a variety of different reasons, to include no available parking, health concerns and wrong direction parking is allowed where Appellant lives. Magistrate Popp inquired as to the disposition of the City. City Attorney recommended citation be upheld. Magistrate Popp inquired if the Appellant or her husband have a handicap placard. Appellant and her husband testified they are not handicap. Magistrate Popp denied the appeal and the citation was upheld. The Clerk advised she will mail the Magistrate order and follow-up with instructions on how to pay the fine.

b. Citation No. **P00668FB**; APPELLANT: Philip Rotunno; POLICE OFFICER: Officer M. Guerrero #7055

Appellant was present and sworn in by the Clerk. Officer M. Guerrero was present. The Appellant testified he is a landscaper and his employee brought the trailer to him and parked it in another location other than the property

they were working at. Appellant stated this is not the first time he has received a ticket for parking a trailer and he understood if the parking was for construction, it was allowed by the City. The Appellant had photographs to submit, was directed by the City Attorney to submit them to the Clerk first before the Magistrate could view them. The Appellant submitted photographs to the Clerk via email. The Magistrate questioned the Appellant on where he parked, whether it was across the street from the job site or somewhere else. Appellant clarified the job site was around the corner from where the trailer was parked. The Appellant expressed his concern over why he was the only vehicle to receive a ticket when there were other vehicles parked in the same area. The Magistrate inquired if the Appellant knew if the other vehicles received tickets. The Appellant stated he did not know. The City Attorney stated parking citations are written every day and there is no selective parking enforcement in the City. The Magistrate stated, based on the facts, the unattended trailer was not parked in front of the job site and therefore meets the criteria for the citation to be issued. The Appellant reasoned it was a better option for his employee to park the trailer in a spot where the ground had already been disturbed. The Magistrate stated he did not agree with his position and asked for the City's disposition. The City Attorney recommended the citation be enforced. Magistrate Popp denied the appeal, upheld the citation and ordered the fine paid in 30 days. The Appellant continued to argue his case as he exited the building.

**c. Citation No. P00723FB; APPELLANT: Fran Noble; POLICE OFFICER: Officer M. Snyder #7086**

Appellant was present and was sworn in by the Clerk. Ofc. Snyder was present and sworn in by the Clerk. Appellant was issued the citation on March 1<sup>st</sup> at 3:30 am for parking in the wrong direction on south 15<sup>th</sup> street. Appellant stated her name, Fran Noble and address, 1502 S Flagler Avenue. Appellant testified the ticket was issued in her yard and admitted she made an error in judgement. Appellant testified she was coming home late on South Flagler Avenue and was planning on pulling into her driveway, but was unable to due to her husband taking her spot in the driveway. Appellant explained her driveway only allows for single car parking and one of the cars is usually parked in front of the house facing the correct direction. Appellant did not think parking her car against her fence would be an issue and it would only be overnight. Appellant believed she was parking on her property and not in the City's right of way. Appellant was surprised she did not get a warning issued instead of a citation as she is a long-time resident. Magistrate Popp and Appellant discussed safety concerns associated with parking in the wrong direction. Magistrate Popp explained the time and location of the violation does not excuse the violation. The Magistrate asked for the City's disposition. The City Attorney recommended, based on the circumstances, the Appellant's demeanor and the nature of violation, community education. In lieu of paying the fine, Magistrate Popp ordered community education of twenty (20) drivers with sixty (60) days to complete. Appellant is ordered to submit completed community education form to the Clerk.

**6. New Cases - Code Enforcement: NONE**

**7. Status Updates - Code Enforcement**

**a. Case # EEN23-0014; Jett Investments, LLC; ADDRESS OF VIOLATION: 607 N Ocean Shore Blvd; TAX PARCEL ID NO. 12-12-31-4500-00020-0090; VIOLATION: City of Flagler Beach Code of Ordinances Chapter 13, Nuisances Article I, In General, Section 13-1 Definition**

Appellant was present and sworn in by the Clerk. Code Enforcement Officer John Gifford was sworn in by the Clerk. Code Enforcement reported the property is in compliance. Appellant stated name, Jerry Sauers, and address, 27 Grand Park, Bunnell, for the record. Appellant testified he is in compliance with the City, they are waiting on the geological studies and the architectural drawings are coming along. Appellant expressed the speed and time of project is not what they want, but they are moving along as fast as they can. Code Enforcement recommended closing the case. Magistrate Popp ordered the case closed.

**8. Other Business**

Code enforcement reported at least one new case for May 2024 hearing. Clerk reported at least five (5) parking citation appeals for May 2024 hearing. Discussion was had regarding encroachment ordinance appeals, time to cure and notifications. City attorney stated there are discussions in the city about addressing these subjects.

**9. Adjournment – 3:47pm**



## Special Magistrate Hearing

### APPEAL OF PARKING CITATION

April 24, 2024

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**Citation Number:** 2375

**Appellant:** Maria McGovern

**Police Officer:** Chief M. Doughney #7066

**Attachments:** Notice of Hearing  
Hearing Request to Contest Local Parking Citation Form  
Parking Violation  
Photograph Submitted by Appellant  
Photographs Submitted by Chief M. Doughney  
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. 2375

Maria McGovern  
29 Wendlin Lane  
Palm Coast, FL 32164

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

## NOTICE OF HEARING

TO: Maria McGovern

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, APRIL 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 29 Wendlin Lane, Palm Coast, FL 32164, 28<sup>th</sup> day of March, 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.

Citation # 2375

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)

Unreadable (cannot attach)  
Citation Number2-22-24  
Date of Citation

I Maria McGovern 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.

Maria McGovern  
Signature2-22-24  
Date386-931-8114  
Phone #29 Wendlin Lane Palm Coast, FL 32164  
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

FEB 22 2024

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

PARKING VIOLATION #

CITY of Flagler Beach, Florida

Citation # 2375

The undersigned certifies that they have just an reasonable grounds to believe the following occurred:

O	DAY OF WEEK	Month	Day	Year	At	AM
N	Thur	2	22	24	1:18	PM

Location  
200 Black 4th St South

Tag #	State	Expiration
04B0DSK	FL	6/24

Year	Make	Model	Color
	Ford	Expi	Black

Owner

Address

City	State	Zip
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Did unlawfully commit the following offense:

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

\$ 100

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FEB 22 2024

City of Flagler Beach  
Building Department

Officer/Signature

M. Doughney 7066

I.D. No.

This a non-moving parking violation. No points assessed against driver's license. I



RECEIVED

FEB 23 2024

City of Flagler Beach  
Building Department

RECEIVED

APR - 3 2024

City of Flagler Beach  
Building Department



**Citation # 2375**

Photographs (1 of 2) submitted by  
Chief M. Doughney via email on  
April 3, 2024

RECEIVED

APR - 3 2024

City of Flagler Beach  
Building Department



**Citation # 2375**

Photographs (2 of 2) submitted by  
Chief M. Doughney via email on  
April 3, 2024

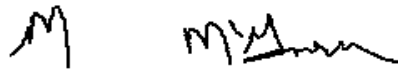
Mailer: City of Flagler Beach

Date Produced: 04/03/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8354 7436 00. Our records indicate that this item was delivered on 04/02/2024 at 01:11 p.m. in PALM COAST, FL 32137. The scanned image of the recipient information is provided below.

Signature of Recipient :

  
Maria McGovern

Address of Recipient :

29 WENDLIN LN  
PALM COAST, FL 32164-7829

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:

MARIA MCGOVERN  
29 WENDLIN LANE  
PALM COAST, FL 32164

Customer Reference Number: C4907730.29488218

Return Reference Number Citation # 2375



Return address:

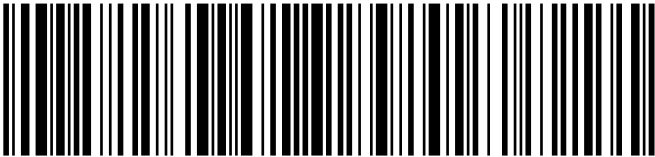
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

Recipient address:

MARIA MCGOVERN  
29 WENDLIN LANE  
PALM COAST, FL 32164

MAILING DATE: 03/28/2024  
DELIVERY DATE: 04/02/2024

USPS CERTIFIED MAIL



9214 8901 9403 8354 7436 00

USPS Tracking Label Number: 9214 8901 9403 8354 7436 00

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/28/2024 08:21
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/28/2024 10:27
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/28/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/28/2024 23:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:13
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:17
NO AUTHORIZED RECIPIENT AVAILABLE	PALM COAST,FL 32164	03/30/2024 12:38
DELIVERED INDIVIDUAL PICKED UP AT PO	PALM COAST,FL 32137	04/02/2024 13:11

CUSTOM 1:



## Special Magistrate Hearing

### APPEAL OF PARKING CITATION

April 24, 2024

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**Citation Number:** P00734FB

**Appellant:** Keith Hopper

**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. J. Bingham

Photograph Submitted by Sgt. J. 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. P00734FB

Keith Hopper  
3600 S. Ocean Shore Blvd Apt. 512  
Flagler Beach, FL 32136

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

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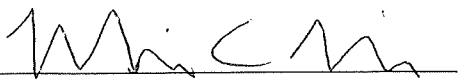
## NOTICE OF HEARING

TO: Keith Hopper

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, APRIL 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 3600 S. Ocean Shore Blvd, Apt. 512, Flagler Beach, FL 32136, 28<sup>th</sup> day of March, 2024 regular and certified mail to the Appellant.

  
Michele C. Ficocello, Clerk to the Special Magistrate

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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.

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# 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)

PO0734713  
Citation Number

3-2-2024  
Date of Citation

I Keith Hopper 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.

Keith Hopper  
Signature

3-2-2024  
Date

404 358-1763  
Phone #

Mail  Mr. Keith Hopper  
3600 S Ocean Shore Blvd Apt 512  
Flagler Beach, FL 32136

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

MAR 13 2024

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



# PARKING VIOLATION

## VIOLATOR INSTRUCTIONS

Section 5, Item b.

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 MAIL TO: CITY OF FLAGLER BEACH, P.O. BOX 70, FLAGLER BEACH, FL 32136
3. 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.

AGENCY CASE # 2024-00003989	CITATION # P00734FB	DATE 03/07/2024	TIME 1:53 PM
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AGENCY NAME FLAGLER BEACH POLICE DEPARTMENT	TYPE OF DEPARTMENT 2-PD
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COUNTY OF CITATION FLAGLER	PLACE OR CITY OF CITATION FLAGLER BEACH
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### VIOLATOR INFORMATION

YR VEHICLE 1997	TAG # SUBRU	TRAILER TAG #	TAG EXP DATE 09/23/2025	STATE FL
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COLOR SIL	STYLE PICKUP	MAKE SUBA	MODEL FLATBED	V.I.N. OR MOTOR # KS3124246
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### ROADWAY INFORMATION

BUSINESS NAME				
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ADDRESS #	OCCURRED ON STREET, ROAD, HIGHWAY S DAYTONA AVE			
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FEET 112	MILES	DIRECTION NORTH	AT/FROM STREET, ROAD, HIGHWAY S 2ND ST	
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LATITUDE -81.129239		LONGITUDE 29.479914	ZONE
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### VIOLATION

CODE # 19-23	CHARGE DESCRIPTION PARKING - WRONG DIRECTION
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OTHER VIOLATION COMMENTS
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### PAYMENT INFORMATION

NAME CITY OF FLAGLER BEACH		
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ADDRESS P.O. BOX 70		
------------------------	--	--

CITY FLAGLER BEACH	ZIP 32136	PHONE #
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EMAIL ADDRESS		
---------------	--	--

WEB SITE PAGE WWW.CITYOFFLAGLERBEACH.COM		
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IF PAID 30 WITHIN DAYS	FINE \$100.00	IF PAID 30 AFTER DAYS	FINE \$142.82	FILING FEE
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### COURT INFORMATION(if applicable)

COURT DATE	COURT TIME	COURTROOM # / OTHER DETAILS
------------	------------	-----------------------------

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

RECEIVED

MAR 13 2024

City of Flagler Beach  
Building Department

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

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

Section 5, Item b.

KEITH HOPPER

Appellant,

v.

CITATION # P00734FB

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 3-7-2024 at approximately 1:53 p.m., I observed a Subaru Flatbed Truck with license plate SUBRU parked on South Daytona Ave. 100 block, Flagler Beach, Flagler County, Fl. 32136.

3. I ascertained that the vehicle was registered to Keith Hopper of Flagler Beach.

4. The vehicle was parked in violation of 19-23 Wrong direction.

5. Specifically, the vehicle was parked on the city right-of-way, facing north on the west side of the road.

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 # P00734FB.

RECEIVED

APR - 4 2024

City of Flagler Beach  
Building Department

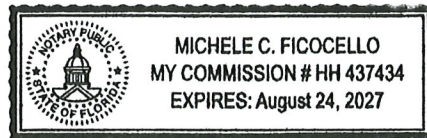
*Section 5, Item b.*

Sergeant J. Bingham #7058

Notary Public – State of Florida

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

**City of Flagler Beach  
Building Department**



RECEIVED

APR - 4 2024

City of Flagler Beach  
Building Department

**Citation # P00734FB**  
Photographs (1 of 1) submitted by  
Sergeant J. Bingham via email on  
April 3, 2024

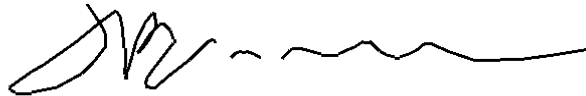
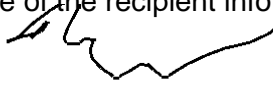
Mailer: City of Flagler Beach

Date Produced: 04/01/2024

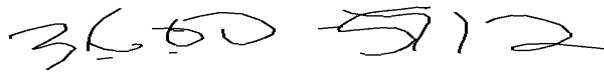
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8354 7437 78. Our records indicate that this item was delivered on 03/30/2024 at 01:32 p.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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:

KEITH HOPPER  
3600 S. OCEAN SHORE BLVD APT. 512  
FLAGLER BEACH, FL 32136

Customer Reference Number: C4907730.29488220

Return Reference Number Citation # P00734FB



Return address:

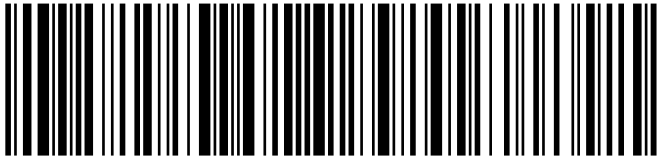
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

Recipient address:

KEITH HOPPER  
3600 S. OCEAN SHORE BLVD APT. 512  
FLAGLER BEACH, FL 32136

MAILING DATE: 03/28/2024  
DELIVERY DATE: 03/30/2024

USPS CERTIFIED MAIL



9214 8901 9403 8354 7437 78

USPS Tracking Label Number: 9214 8901 9403 8354 7437 78

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/28/2024 08:21
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/28/2024 10:27
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/28/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/28/2024 23:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:13
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:17
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/30/2024 03:58
DELIVERED LEFT WITH INDIVIDUAL	FLAGLER BEACH,FL 32136	03/30/2024 13:32

CUSTOM 1:



## Special Magistrate Hearing

### APPEAL OF PARKING CITATION

April 24, 2024

**Citation Number:** P00730FB

**Appellant:** Margaret Harding

**Police Officer:** Officer K. Jones #7069

**Attachments:** Notice of Hearing

Hearing Request to Contest Local Parking Citation Form

Parking Violation with Copy of Florida Driver's License

Parking Violation

Letter Submitted by Appellant

Photographs Submitted by Appellant

Medical Records Submitted by Appellant

Affidavit In Support of Citation Submitted by Ofc. K. Jones

Photograph Submitted by Ofc. K. Jones

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. P00730FB

Margaret Harding  
2143 S. Central Ave  
Flagler Beach, FL 32136

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

## NOTICE OF HEARING

TO: Margaret Harding

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, APRIL 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 2143 S. Central Ave, Flagler Beach, FL 32136, 28<sup>th</sup> day of March, 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.



# PARKING VIOLATION

## VIOLATOR INSTRUCTIONS

Section 5, Item c.

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 MAIL TO: CITY OF FLAGLER BEACH, P.O. BOX 70, FLAGLER BEACH, FL 32136
3. 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

MAR - 8 2024

City of Flagler Beach  
Building Department

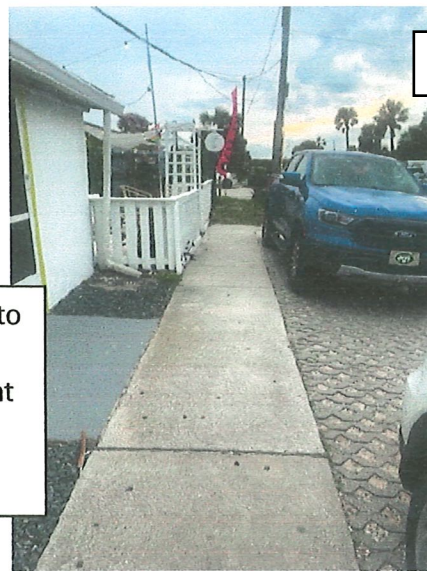
AGENCY CASE # 2024-00003741		CITATION # P00730FB		DATE 03/03/2024	TIME 3:48 PM
AGENCY NAME FLAGLER BEACH POLICE DEPARTMENT			TYPE OF DEPARTMENT 2-PD		
COUNTY OF CITATION FLAGLER		PLACE OR CITY OF CITATION FLAGLER BEACH			
VIOLATOR INFORMATION					
YR VEHICLE 2020	TAG # Z000EP	TRAILER TAG #	TAG EXP DATE 03/03/2026	STATE FL	
COLOR GRY	STYLE 6 DOOR	MAKE HOND	MODEL FIT	V.I.N. OR MOTOR # 3HGCK5H86LM731079	
ROADWAY INFORMATION					
BUSINESS NAME					
ADDRESS #		OCCURRED ON STREET, ROAD, HIGHWAY N 2ND ST			
FEET 97	MILES	DIRECTION WEST	AT/FROM STREET, ROAD, HIGHWAY N OCEANSHORE BLVD		
LATITUDE -81.127994		LONGITUDE 29.481505		ZONE	
VIOLATION					
CODE # 19-25		CHARGE DESCRIPTION PARKING - ON SIDEWALK			
OTHER VIOLATION COMMENTS					
PAYMENT INFORMATION					
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	
COURT INFORMATION (if applicable)					
COURT DATE		COURT TIME		COURTROOM # / OTHER DETAILS	

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

REPORTING OFFICER			
OFFICER SIGNATURE <i>[Signature]</i>	BADGE # 7069	ID # 7069	TROOP UNIT
RANK OFFICER	FIRST K	MIDDLE	LAST JONES

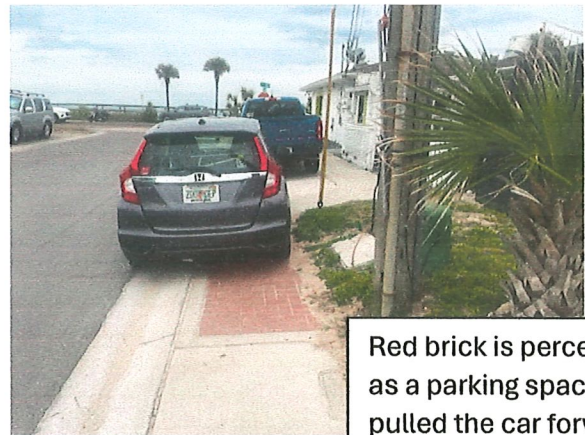


Pathway to the restaurant from the car

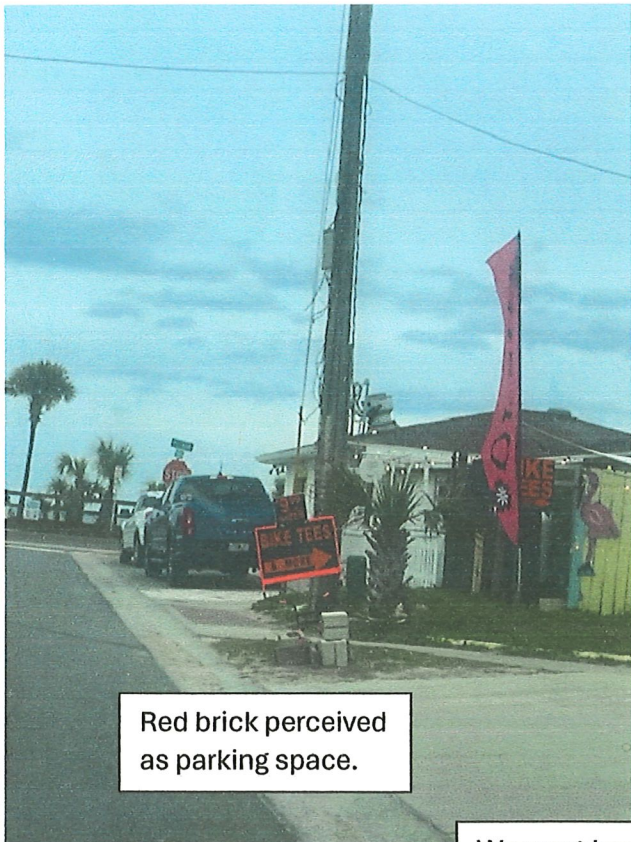


Section 5, Item c.

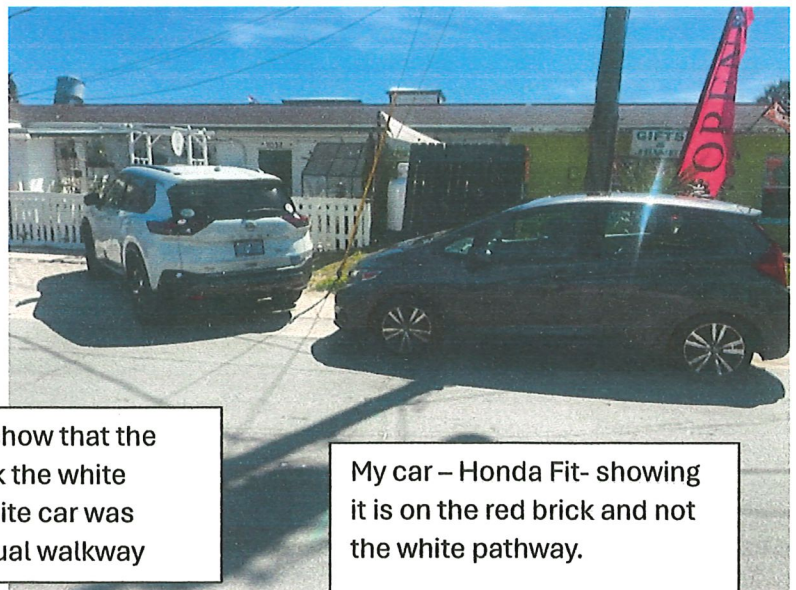
Pathway to the restaurant from the car



Red brick is perceived as a parking space. We pulled the car forward to show the brick.



Red brick perceived as parking space.



We went back to show that the car does not block the white walkway, but a white car was parked on the actual walkway

My car – Honda Fit- showing it is on the red brick and not the white pathway.

RECEIVED

MAR - 8 2024

City of Flagler Beach  
Building Department



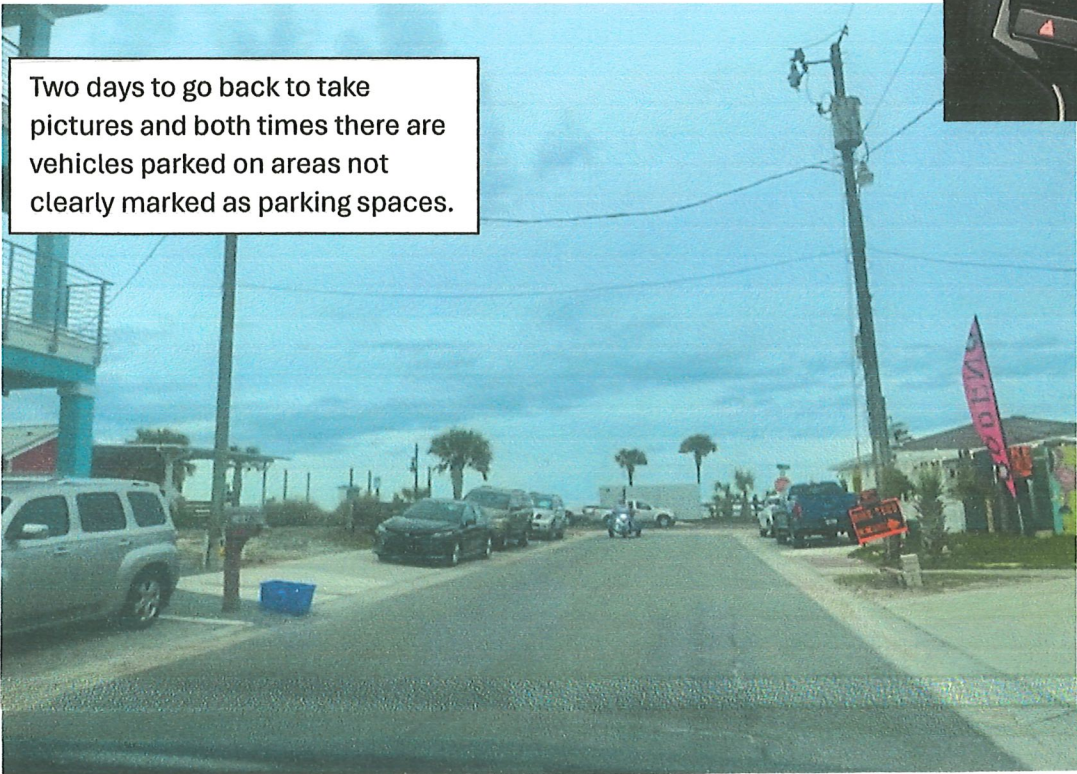
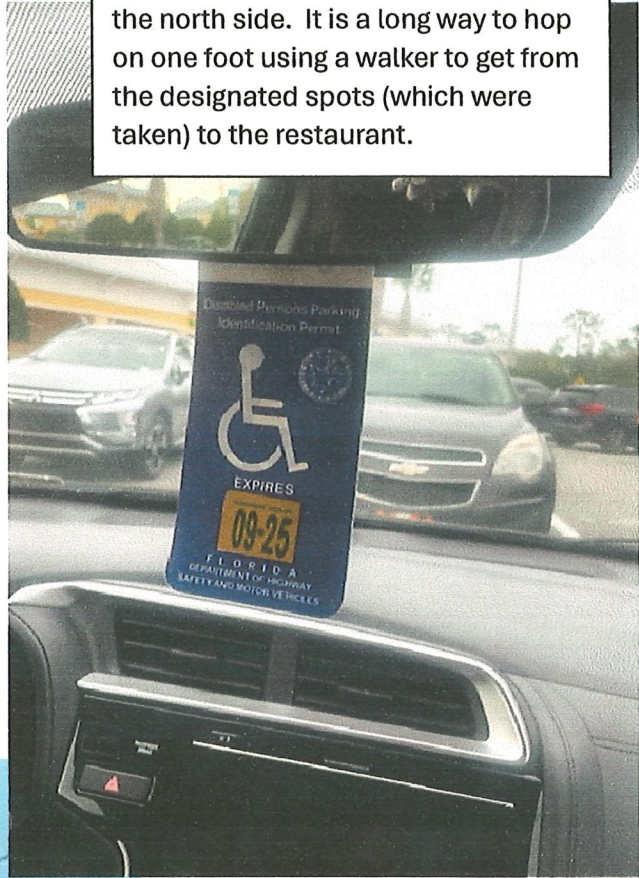
We went back to show that the car does not block the white walkway but a white car was parked on the actual walkway

Section 5, Item c.

Only three handicapped parking spaces in town and all three are on the south side. The restaurant is on the north side. It is a long way to hop on one foot using a walker to get from the designated spots (which were taken) to the restaurant.



Two days to go back to take pictures and both times there are vehicles parked on areas not clearly marked as parking spaces.



Two days to go back to take pictures and both times there are vehicles parked on areas not clearly marked as parking spaces.

RECEIVED

MAR - 8 2024

City of Flagler Beach  
Building Department

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

Section 5, Item c.

MARGARET HARDING

Appellant,

v.

CITATION # P00730FB

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 Officer K. Jones #7069, 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 March 3, 2024 at approximately 3:47pm., I observed a 2020 gray Honda Fit with license plate FL- Z000EP parked on N 2<sup>nd</sup> Street (100 Block).

3. I ascertained that the vehicle was registered to Margaret T. Harding.

4. The vehicle was parked in violation of Sec. 19-25.

5. Specifically, the vehicle was parked on the sidewalk that is designated for pedestrians

6. During my investigation, I used my body worn camera to record video of the vehicle in violation. I have taken a screenshot of the violation from this video and have attached it 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 # P00730FB.

RECEIVED


APR - 4 2024

City of Flagler Beach  
Building Department

FURTHER AFFIANT SAYETH NAUGHT.

Section 5, Item c.

Dated this 4th day of April, 2024.

  
\_\_\_\_\_  
Officer K. Jones #7069

Sworn to and subscribed before me by means of X physical presence or \_\_\_\_\_ online  
notarization this 4th day of April, 2024 by Off. K. Jones #7069 who  
is personally known to me or produced \_\_\_\_\_ as identification.

RECEIVED

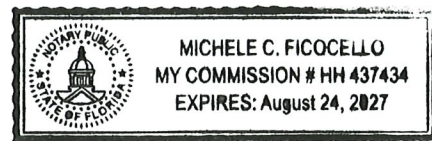
APR - 4 2024

City of Flagler Beach  
Building Department

  
\_\_\_\_\_  
Notary Public – State of Florida

Print name: Michele C Ficocello

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



RECEIVED

APR - 4 2024

City of Flagler Beach  
Building Department



**Citation # P00730FB**

Photographs (1 of 1) submitted by  
Officer K. Jones via email on  
April 3, 2024


Mailer: City of Flagler Beach

Date Produced: 04/01/2024

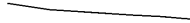
ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8354 7436 62. Our records indicate that this item was delivered on 03/30/2024 at 12:16 p.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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:

MARGARET HARDING  
2143 S. CENTRAL AVE  
FLAGLER BEACH, FL 32136

Customer Reference Number: C4907730.29488219

Return Reference Number Citation # P00730FB

**Return address:**

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

**Recipient address:**

MARGARET HARDING  
2143 S. CENTRAL AVE  
FLAGLER BEACH, FL 32136

MAILING DATE: 03/28/2024  
DELIVERY DATE: 03/30/2024

USPS CERTIFIED MAIL



9214 8901 9403 8354 7436 62

**USPS Tracking Label Number: 9214 8901 9403 8354 7436 62**

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/28/2024 08:21
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/28/2024 10:27
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/28/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/28/2024 23:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:13
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:17
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/30/2024 03:58
DELIVERED LEFT WITH INDIVIDUAL	FLAGLER BEACH,FL 32136	03/30/2024 12:16

CUSTOM 1:



## Special Magistrate Hearing

### APPEAL OF PARKING CITATION

April 24, 2024

---

**Citation Number:** 1103

**Appellant:** Johnathan Watson

**Police Officer:** Officer M. Snyder #7086

**Attachments:** Notice of Hearing  
Hearing Request to Contest Local Parking Citation Form  
Parking Violation  
Affidavit In Support of Citation Submitted by Ofc. M. Snyder  
Photograph Submitted by Ofc. M. Snyder  
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. 1103

Johnathan Watson  
1200 Floral Springs Blvd.  
Port Orange, FL 32129

Appellant.

v.

CITY OF FLAGLER BEACH,

Appellee.

---

## NOTICE OF HEARING

TO: Johnathan Watson

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, APRIL 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 1200 Floral Springs Blvd., Port Orange, FL 32129, 28<sup>th</sup> day of March, 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

MAR 13 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)

1103

2/24/2024

Citation Number

Date of Citation

I Johnathan Watson 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.

Johnathan Brock Watson

3/13/2024

803-391-0283

Signature

Date

Phone #

Mailing Address:

1200 Floral Spings Blvd, Port Orange, FL 32129

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  
MAR 13 2024  
City of Flagler Beach  
Building Department

PARKING VIOLATION #

24-3560

11

Section 5, Item d.

CITY of Flagler Beach, Florida

The undersigned certifies that they have just an reasonable grounds to believe the following occurred:

O	DAY OF WEEK	Month	Day	Year	At	AM
N	Thursday	02	24	2024	7:26	PM

Location P300 Blck South Central

Tag #	State	Expiration
00F748	SC	02/30/2025

Year	Make	Model	Color
2024	BMW		White

Owner Jonathan Brock Watson

Address 105 Bullentone BD

City	State	Zip
MMI	SC	

Did unlawfully commit the following offense:

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

Officer/Signature

MSR/M Snyder 7086

I.D. No.

This a non-moving parking violation. No points assessed against driver's license.

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

Section 5, Item d.

JOHNATHAN WATSON

Appellant,

v.

CITATION # 1103

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 Officer M. Snyder #7086, 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 February 2, 2024 at approximately 7:20 p.m., I observed a white in color Volvo with license plate UUF748 parked on the three hundred block of South Central Avenue.

3. I ascertained that the vehicle was registered to Johnathan Watson.

4. The vehicle was parked in violation of 19-25.

5. Specifically, the vehicle was parked on the sidewalk completely blocking the walking path for pedestrians. In short, while writing the citation, I witnessed people walk through the grass and through the street to go around the vehicle.

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 # 1103.

RECEIVED

APR 15 2024

City of Flagler Beach  
Building Department

*Section 5, Item d.*



Sworn to and subscribed before me by means of X physical presence or \_\_\_ online  
notarization this 15<sup>th</sup> day of April, 2024 by Officer M Snyder #7086 who  
is personally known to me or produced \_\_\_\_\_ as identification.

Mr Chi

Print name: Michale C. Ficocello

APR 15 2024

**MICHELE C. FICOCELLO**  
MY COMMISSION # HH 437434  
EXPIRES: August 24, 2027

RECEIVED

APR 12 2024

City of Flagler Beach  
Building Department



**Citation # 1103**

Photographs (1 of 1) submitted by  
Officer M. Snyder via email on  
April 12, 2024

## Michele Ficocello

---

**From:** Brock Watson <dfwatson19@gmail.com>  
**Sent:** Saturday, April 13, 2024 4:38 PM  
**To:** Michele Ficocello  
**Subject:** Re: Parking Citation Contest Form

I will be there April 24th at 3:00PM.

Thank you,  
-Brock Watson

On Thu, Apr 11, 2024 at 9:49 AM Michele Ficocello <[MFicocello@cityofflaglerbeach.com](mailto:MFicocello@cityofflaglerbeach.com)> wrote:

Good morning Mr. Watson,

I sent you a notice of hearing by certified and regular mail. Both were returned due to insufficient address (see attached). Please see attached for a copy of the notice of hearing.

Please respond back to this email as confirmation of receipt.

Thank you,

**Michele Ficocello**

*Business Tax Clerk*

Building Department

*City of Flagler Beach*

[800 S. Daytona Ave.](#) ~ P.O. Box 70

*Flagler Beach, FL 32136*

*(386) 517-2000 ext. 231*

[www.cityofflaglerbeach.com](http://www.cityofflaglerbeach.com)

Mailer: City of Flagler Beach

Date Produced: 04/11/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail<sup>TM</sup>/RRE item number 9214 8901 9403 8354 7438 15. Our records indicate that this item was delivered on 04/10/2024 at 12:05 p.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :

K E Schell  
Kata Schell

Address of Recipient :

70

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:

JOHNATHAN WATSON  
1200 FLORAL SPRINGS BLVD.  
PORT ORANGE, FL 32129

Customer Reference Number: C4907730.29488221

Return Reference Number Citation # 1103



**Return address:**  
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

**Recipient address:**  
JOHNATHAN WATSON  
1200 FLORAL SPRINGS BLVD.  
PORT ORANGE, FL 32129

MAILING DATE: 03/28/2024  
DELIVERY DATE: 04/10/2024

USPS CERTIFIED MAIL

9214 8901 9403 8354 7438 15

**USPS Tracking Label Number: 9214 8901 9403 8354 7438 15**

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/28/2024 08:21
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/28/2024 10:27
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/28/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/28/2024 23:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:13
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:17
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/30/2024 00:15
RESCHEDULED TO NEXT DELIVERY DAY	PORT ORANGE,FL 32129	03/30/2024 11:31
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/05/2024 21:44
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/09/2024 08:50
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/10/2024 03:14
AVAILABLE FOR PICKUP	PORT ORANGE,FL 32129	04/10/2024 09:34
DELIVERED INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	04/10/2024 12:05

CUSTOM 1:



# City of Flagler Beach

Building & Zoning Department  
P.O. Box 70 • 800 South Daytona Avenue  
Flagler Beach, FL 32136

ORLANDO FL 328

28 MAR 2024PM 7 L

quadrant  
FIRST-CLASS MAIL  
IMI  
**\$000.64**  
03/28/2024 ZIP 32136  
043M31251069

Johnathan Watson  
1200 Floral Springs Blvd.  
Port Orange, FL 32129

*[Handwritten signature]*

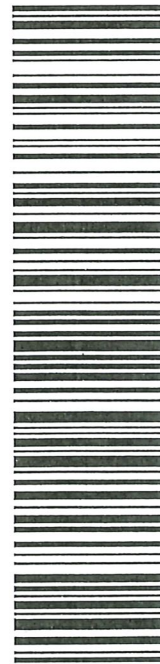
NIXIE 339 DE 1 0004/05/24  
RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD  
SC: 32136007070 \*1674-03555-23-44  
IA  
32136007070

CERTIFIED MAIL

CITY OF FLAGLER BEACH  
PO BOX 70  
FLAGLER BEACH FL 32136

*4/10*

USPS CERTIFIED MAIL



9214 8901 9403 8354 7438 15

quadrant  
FIRST-CLASS MAIL  
IMI  
**\$007.36**  
03/28/2024 ZIP 32136  
043M31251069

JOHNATHAN WATSON  
1200 FLORAL SPRINGS BLVD.  
PORT ORANGE, FL 32129

32136007070

32136007070

NIXIE 339 DE 1 0004/05/24  
RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD  
SC: 32136007070 \*2974-01499-23-44  
IA  
32136007070

*3/30*  
*LA*



# Special Magistrate Hearing

Code Enforcement

April 24, 2024

---

**Case Number:** EEN24-0012

**Respondent:** Bernie & Elizabeth Joerger

**Address of Violation:** 916 N Ocean Shore Blvd

**Tax Parcel ID Number:** 01-12-31-1100-00170-0160

**Violation:** City of Flagler Beach Code of Ordinances Chapter 6, Beaches and Recreation Sec. 6-9 (a) (b) (c)

**Attachments:** Notice of Hearing (Dated March 27, 2024)  
Mailing Costs (Dated March 28, 2024)  
Certified Mailings  
Notice of Violation (Dated February 29, 2024)  
Mailing Costs (Dated March 1, 2024)  
Certified Mailings

**Total Cost of Mailings** \$32.00

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

BERNIE & ELIZABETH JOERGER  
345 N 11TH STREET  
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
BERNIE & ELIZABETH )  
JOERGER, owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0012

NON COMPLIANCE - NOTICE OF HEARING

Premises: 916 N OCEAN SHORE BLVD PVT DUNEWALK, 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, APRIL 24, 2024 @ 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 **February 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 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext. 249.

DATED: March 27, 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 8354 6979 96 and 9214 8901 9403 8354 6980 85 March 28, 2024.

Code Enforcement

Notice Type: HEARING NOTICE

Date: 3/28/2024

Code Enforcement Complaint # **EEN24-0012**

Name: BERNIE & ELIZABETH JOERGER

Mailing Address: 916 N OCEAN SHORE BLVD  
FLAGLER BEACH, FL 32136

Name (2): BERNIE & ELIZABETH JOERGER

Mailing Address (2): 345 N 11TH STREET  
FLAGLER BEACH, FL 32136

	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:

BERNIE & ELIZABETH JOERGER  
916 N. OCEAN SHORE BLVD.  
FLAGLER BEACH, FL 32136



USPS Tracking Label Number: 9214 8901 9403 8354 6979 96

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/28/2024 08:21
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/28/2024 10:27
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/28/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/28/2024 23:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:13
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:17
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/30/2024 03:58
INSUFFICIENT ADDRESS	FLAGLER BEACH,FL 32136	03/30/2024 11:16
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/05/2024 13:22
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/07/2024 07:42
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	04/08/2024 10:05
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	04/08/2024 12:15

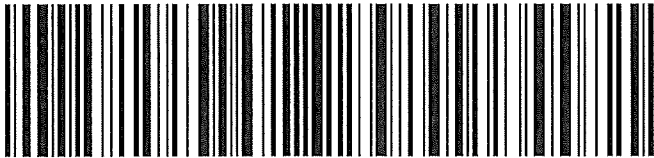
**Return address:**

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

**Recipient address:**

BERNIE & ELIZABETH JOERGER  
345 N 11TH STREET  
FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8354 6980 85

**USPS Tracking Label Number: 9214 8901 9403 8354 6980 85**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/28/2024 08:21
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/28/2024 10:27
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/28/2024 17:02
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/28/2024 23:35
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:13
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/29/2024 09:17
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/30/2024 03:58
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	03/30/2024 12:43
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	04/04/2024 03:22

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

BERNIE & ELIZABETH JOERGER  
345 N 11<sup>TH</sup> STREET  
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
BERNIE & ELIZABETH JOERGER )  
owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0012

NOTICE OF VIOLATION

Premises: 916 N OCEAN SHORE BLVD PVT DUNEWALK, FLAGLER BEACH, FL 32136

YOU ARE NOTIFIED that violations of **CITY OF FLAGLER BEACH CODE OF ORDINANCES CHAPTER 6 – BEACHES AND RECREATION SEC. 6-9. (a) (b) (c)** exist on the premises located at 916 N OCEAN SHORE BLVD PVT DUNEWALK, FLAGLR BEACH, FL 32136. The premises are more particularly described as follows:


Legal Description: COCHRAN PLACE SUB EAST OF A1A OPP BLK 5 LOTS 2 AND 3 W OF MHW LINE OR 143 PGS 97&98 OR and has **Tax Parcel ID # 01-12-31-1100-00170-0160**

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

**PROHIBITIONS PERTAINING TO DUNE AREA EAST OF HIGHWAY A1A**

**You must correct the violations by no later than 5:00 p.m. on the 30<sup>th</sup> 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 February 29, 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 <sup>TM</sup> # 9214 8901 9403 8350 9692 64 and 9214 8901 9403 8350 9693 56 March 1, 2024.

## Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 3/1/2024

Code Enforcement Complaint # **EEN24-0012**

Name: BERNIE &amp; ELIZABETH JOERGER

Mailing Address: 916 N OCEANSHORE BLVD  
FLAGLER BEACH, FL 32136

Name (2): BERNIE &amp; ELIZABETH JOERGER

Mailing Address (2): 345 N 11TH STREET  
FLAGLER BEACH, FL 32136

	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>

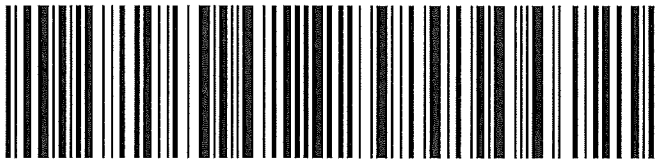
**Return address:**

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

**Recipient address:**

BERNIE & ELIZABETH JOERGER  
345 N 11TH ST  
FLAGLER BEACH FL 32136-3126

USPS CERTIFIED MAIL



9214 8901 9403 8350 9692 64

**USPS Tracking Label Number: 9214 8901 9403 8350 9692 64**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	03/02/2024 10:30
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	03/07/2024 03:02
PACKAGE RETURN NOTICE GENERATED	FLAGLER BEACH,FL 32136	03/17/2024 03:15
UNCLAIMED/BEING RETURNED TO SENDER	FLAGLER BEACH,FL 32136	03/19/2024 09:01

**Return address:**

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

**Recipient address:**

BERNIE & ELIZABETH JOERGER  
916 N. OCEAN SHORE BLVD.  
FLAGLER BEACH, FL 32136



USPS CERTIFIED MAIL



9214 8901 9403 8350 9693 56

**USPS Tracking Label Number: 9214 8901 9403 8350 9693 56**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	03/02/2024 10:30
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	03/07/2024 03:02
PACKAGE RETURN NOTICE GENERATED	FLAGLER BEACH,FL 32136	03/17/2024 03:16
UNCLAIMED/BEING RETURNED TO SENDER	FLAGLER BEACH,FL 32136	03/26/2024 10:25
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/29/2024 07:52
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/30/2024 08:33
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/03/2024 15:38
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/05/2024 09:35
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/05/2024 21:33
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/06/2024 04:38
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	04/06/2024 07:55
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	04/10/2024 12:05



# Special Magistrate Hearing

Code Enforcement

April 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 Hearing (Dated April 10, 2024)  
Mailing Costs (Dated April 10, 2024)  
Certified Mailings  
Second Notice of Violation (Dated April 2, 2024)  
Mailing Costs (Dated April 2, 2024)  
Certified Mailings  
Notice of Violation (Dated March 1, 2024)  
Mailing Costs (Dated March 1, 2024)  
Certified Mailings

**Total Cost of Mailings** \$24.00

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

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

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. ) CASE NO: EEN24-0024  
THOMAS T & )  
MONZELL TURNER, owner, )  
 )  
Respondent. )

NON COMPLIANCE - NOTICE OF 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, APRIL 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 your failure to comply with the Code Enforcement Officer's notices of violation dated **March 1, 2024 and April 2, 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 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: April 10, 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 8356 6246 93 April 10, 2024.

Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 4/10/2024

Code Enforcement Complaint # **EEN24-0024**

Name: THOMAS T & MONZELL TURNER

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

Name (2):

Mailing Address (2):

	Mailings	Cost Per Item	Total
Certified Mail Cost	1	\$7.36	\$7.36
Regular Mail Cost	1	\$0.64	\$0.64
		<b>TOTAL</b>	<b>\$8.00</b>

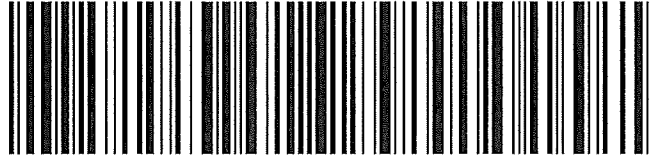
**Return address:**

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 8356 6246 93

**USPS Tracking Label Number: 9214 8901 9403 8356 6246 93**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	04/09/2024 14:19
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	04/10/2024 10:49
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	04/10/2024 17:01
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	04/11/2024 11:48

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

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

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

CASE NO: EEN24-0024

NOTICE OF VIOLATION

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

YOU ARE NOTIFIED that violations of **2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS: 303.2 ENCLOSURES** exist on the premises located at 1816 S DAYTONA AVENUE, FLAGLER BEACH, FL 32136. The premises are more particularly described as follows:


Legal Description: FUQUAY SUBD BLOCK 27 LOT 5 OR BOOK 69 PAGE 507 OR 159 PG 562 OR 354 PG 671 OR 362 PG 922 and has **Tax Parcel ID # 18-12-32-2750-00270-0050**

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

**POOL IS NOT PROPERLY SECURED (SEE ATTACHED)**

**You must correct the violations by no later than 5:00 p.m. on the 8th day April, 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 April 02, 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 8355 3593 67 April 02, 2024.

NOTICE OF VIOLATION:

Respondent: Thomas T & Monzell Turner  
1816 S. Daytona Avenue  
Flagler Beach, FL 32136

Case Number: EEN24 – 0024

Premises: 1816 S. Daytona Av., Flagler Beach, FL 32136

Violation: 2015 International Property Maintenance Code

Section 303 Swimming pools, spas and hot tubs:

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate.

**The enclosure requires a permit.**

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

Pool is not properly secured.

Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 4/2/2024

Code Enforcement Complaint # **EEN24-0024**

Name: THOMAS T & MONZELL TURNER

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

Name (2):

Mailing Address (2):

	Mailings	Cost Per Item	Total
Certified Mail Cost	1	\$7.36	\$7.36
Regular Mail Cost	1	\$0.64	\$0.64
		<b>TOTAL</b>	<b>\$8.00</b>

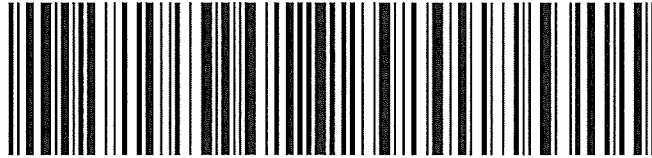
**Return address:**

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 8355 3593 67

**USPS Tracking Label Number: 9214 8901 9403 8355 3593 67**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	04/02/2024 11:33
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	04/02/2024 14:12
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	04/02/2024 17:02
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	04/03/2024 11:27
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	04/08/2024 03:40

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

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

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

CASE NO: EEN24-0024

NOTICE OF VIOLATION

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

YOU ARE NOTIFIED that violations of **2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS: 303.2 ENCLOSURES** exist on the premises located at 1816 S DAYTONA AVENUE, FLAGLER BEACH, FL 32136. The premises are more particularly described as follows:

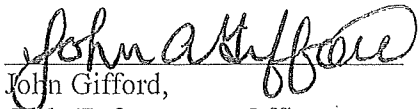
Legal Description: FUQUAY SUBD BLOCK 27 LOT 5 OR BOOK 69 PAGE 507 OR 159 PG 562 OR 354 PG 671 OR 362 PG 922 OR and has Tax Parcel ID # 18-12-32-2750-00270-0050

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

**POOL IS NOT PROPERLY SECURED**

You must correct the violations by no later than 5:00 p.m. on the 31st 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 0362 79 March 01, 2024.

## Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 3/1/2024

Code Enforcement Complaint # **EEN24-0024**

Name: THOMAS T &amp; MONZELL TURNER

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

Name (2):

Mailing Address (2):

	Mailings	Cost Per Item	Total
Certified Mail Cost	1	\$7.36	\$7.36
Regular Mail Cost	1	\$0.64	\$0.64
		<b>TOTAL</b>	<b>\$8.00</b>

**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 Tracking Label Number: 9214 8901 9403 8351 0362 79**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	03/02/2024 12:03
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	03/07/2024 03:16
PACKAGE RETURN NOTICE GENERATED	FLAGLER BEACH,FL 32136	03/17/2024 03:27
UNCLAIMED/BEING RETURNED TO SENDER	FLAGLER BEACH,FL 32136	03/19/2024 09:01
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/23/2024 19:48
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/26/2024 09:06
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/29/2024 10:34
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	03/30/2024 08:33
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/03/2024 15:34
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/05/2024 09:33
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/05/2024 21:33
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/06/2024 04:38
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	04/06/2024 07:55
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	04/10/2024 12:05



# Special Magistrate Hearing

Code Enforcement

April 24, 2024

Case Number: EEN24-0027

Respondent: Goodwin Fred & Cheryl H&W

Address of Violation: 904 S Daytona Avenue

Tax Parcel ID Number: 12-12-31-4500-00540-0020

Violation: City of Flagler Beach Code of Ordinances Section 105 Permits [A] 105.1 Required

Attachments: Notice of Hearing (Dated April 4, 2024)

Mailing Costs (Dated April 4, 2024)

Certified Mailings

Notice of Violation (Dated March 1, 2024)

Mailing Costs (Dated March 1, 2024)

Certified Mailings

Total Cost of Mailings \$16.00

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

GOODWIN FRED & CHERYL H&W  
904 S DAYTONA AVENUE  
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
GOODWIN FRED & )  
CHERYL H&W, owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0027

NON COMPLIANCE - NOTICE OF HEARING

Premises: 904 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, APRIL 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 your failure to comply with the Code Enforcement Officer's notice of violation dated **March 01, 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.

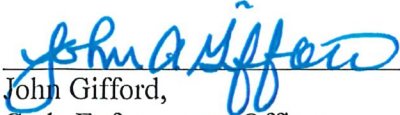
YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

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 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: April 04, 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 8355 8317 02 April 04, 2024.

Code Enforcement

Notice Type: HEARING NOTICE

Date: 4/4/2024

Code Enforcement Complaint # **EEN24-0027**

Name: FRED & CHERYL GOODWIN

Mailing Address: 904 S. DAYTONA AVENUE  
FLAGLER BEACH, FL 32136

Name (2):

Mailing Address (2):

	Mailings	Cost Per Item	Total
Certified Mail Cost	1	\$7.36	\$7.36
Regular Mail Cost	1	\$0.64	\$0.64
		<b>TOTAL</b>	<b>\$8.00</b>


Mailer: City of Flagler Beach

Date Produced: 04/17/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8355 8317 02. Our records indicate that this item was delivered on 04/16/2024 at 10:41 a.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :

  
FRED GOODWIN

Address of Recipient :

904 S DAYTONA AVE  
FLAGLER BEACH, FL 32136-3718

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:

FRED & CHERYL GOODWIN  
904 S DAYTONA AVE  
FLAGLER BEACH, FL 32136

Customer Reference Number: C4928190.29634363  
Return Reference Number EEN24-0027 NOTICE OF HEARING



Return address:

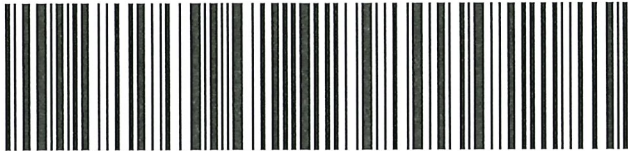
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

Recipient address:

FRED & CHERYL GOODWIN  
904 S DAYTONA AVE  
FLAGLER BEACH, FL 32136

MAILING DATE: 04/05/2024  
DELIVERY DATE: 04/16/2024

USPS CERTIFIED MAIL



9214 8901 9403 8355 8317 02

USPS Tracking Label Number: 9214 8901 9403 8355 8317 02

USPS Tracking History	Location	Date / Time
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	04/04/2024 14:41
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	04/04/2024 17:03
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/04/2024 22:31
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	04/05/2024 11:28
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/05/2024 20:24
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	04/06/2024 04:39
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	04/06/2024 12:31
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	04/11/2024 03:34
DELIVERED INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	04/16/2024 10:41

CUSTOM 1:

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

GOODWIN FRED & CHERYL H&W  
904 S DAYTONA AVENUE  
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
GOODWIN FRED & )  
CHERYL H&W, )  
owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0027

NOTICE OF VIOLATION

Premises: 904 S DAYTONA AVE, FLAGLER BEACH, FL 32136

YOU ARE NOTIFIED that violations of **CITY OF FLAGLER BEACH CODE OF ORDINANCES SECTION 105 PERMITS [A] 105.1 REQUIRED** exist on the premises located at 904 S DAYTONA AVE. The premises are more particularly described as follows:


Legal Description: GEORGE MOODY SUBD BLOCK 54 LOT 2 OR 40 PG 327 OR 416 PG 313 OR 440 PG 931-DC OR 825 PG 594 OR 876 PG 474 OR 901 PG 1261 OR 1277 PG 1127 OR 1934 PG 1326 and has **Tax Parcel ID # 12-12-31-4500-00540-0020**

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

**CONSTRUCTING AN APARTMENT IN THE REAR GARAGE, INCLUDING HAVING A STOVE WITHOUT PERMIT.**

**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 0294 55 March 01, 2024.

## Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 3/1/2024

Code Enforcement Complaint # **EEN24-0027**

Name: FRED &amp; CHERYL GOODWIN

Mailing Address: 904 S. DAYTONA AVE  
FLAGLER BEACH, FL 32136

Name (2):

Mailing Address (2):

	Mailings	Cost Per Item	Total
Certified Mail Cost	1	\$7.36	\$7.36
Regular Mail Cost	1	\$0.64	\$0.64
		<b>TOTAL</b>	<b>\$8.00</b>

Mailer: City of Flagler Beach

Date Produced: 03/04/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail<sup>TM</sup>/RRE item number 9214 8901 9403 8351 0294 55. Our records indicate that this item was delivered on 03/02/2024 at 11:53 a.m. in FLAGLER BEACH, FL 32136. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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:

FRED & CHERYL GOODWIN  
904 S DAYTONA AVE  
FLAGLER BEACH, FL 32136

Customer Reference Number: C4841078.29072323

Return Reference Number EEN24-0027 Notice of Violation



Return address:

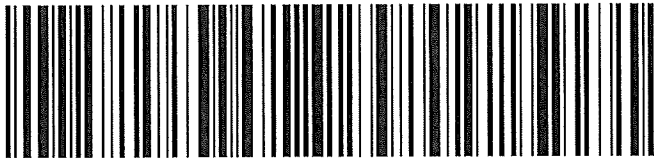
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

Recipient address:

FRED & CHERYL GOODWIN  
904 S DAYTONA AVE  
FLAGLER BEACH, FL 32136

MAILING DATE: 03/01/2024  
DELIVERY DATE: 03/02/2024

USPS CERTIFIED MAIL



9214 8901 9403 8351 0294 55

USPS Tracking Label Number: 9214 8901 9403 8351 0294 55

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/01/2024 11:33
DELIVERED LEFT WITH INDIVIDUAL	FLAGLER BEACH,FL 32136	03/02/2024 11:53

CUSTOM 1:



# Special Magistrate Hearing

Code Enforcement

April 24, 2024

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**Case Number:** EEN24-0030

**Respondent:** Olsen Pamela M

**Address of Violation:** 2080 N Ocean Shore Blvd

**Tax Parcel ID Number:** 36-11-31-5630-00040-0080

**Violation:** Florida Building Code 8th Addition (2023), SECTION 1015 GUARDS, 1015.1 General

**Attachments:** Notice of Hearing (Dated April 11, 2024)  
Mailing Costs (Dated April 11, 2024)  
Certified Mailings  
Notice of Violation (Dated March 13, 2024)  
Mailing Costs (Dated March 14, 2024)  
Certified Mailings

**Total Cost of Mailings** \$32.00

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

OLSEN PAMELA  
1802 SW 28TH ST  
Ocala, FL 34471

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

CASE NO: EEN24-0030

NON COMPLIANCE - NOTICE OF HEARING

Premises: 2080 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, APRIL 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 your failure to comply with the Code Enforcement Officer's notice of violation dated **March 13, 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 S. Daytona Ave, Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: April 11, 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 8356 9798 54 and 9214 8901 9403 8356 9798 92 April 11, 2024.

Code Enforcement

Notice Type: HEARING NOTICE

Date: 4/11/2024

Code Enforcement Complaint # **EEN24-0030**

Name: OLSEN PAMELA M

Mailing Address: 2080 N OCEAN SHORE BLVD  
FLAGLER BEACH, FL 32136

Name (2): OLSEN PAMELA M

Mailing Address (2): 1802 SW 28TH STREET  
OCALA, FL 34471

	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>

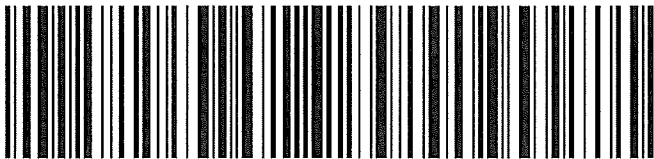
**Return address:**

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

**Recipient address:**

OLSEN PAMELA M  
2080 N. OCEAN SHORE BLVD.  
FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8356 9798 54

**USPS Tracking Label Number: 9214 8901 9403 8356 9798 54**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	04/11/2024 11:38
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	04/11/2024 12:55
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	04/11/2024 17:01
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/11/2024 22:47
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/12/2024 09:31

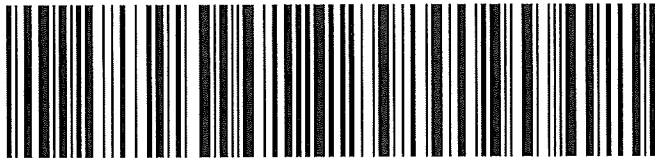
**Return address:**

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

**Recipient address:**

OLSEN PAMELA M  
1802 SW 28TH STREET  
OCALA, FL 34471

**USPS CERTIFIED MAIL**



9214 8901 9403 8356 9798 92

**USPS Tracking Label Number: 9214 8901 9403 8356 9798 92**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	04/11/2024 11:38
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	04/11/2024 12:55
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	04/11/2024 17:01
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/11/2024 22:47
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	04/12/2024 09:31

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

OLSEN PAMELA M  
1802 SW 28<sup>TH</sup> STREET  
OCALA, FL 34471

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )  
 )  
Petitioner, )  
vs. )  
OLSEN PAMELA M, owner, )  
 )  
Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0030

NOTICE OF VIOLATION

Premises: 2080 N OCEAN SHORE BLVD, FLAGLER BEACH, FL 32136

YOU ARE NOTIFIED that violations of **Florida Building Code 8th Addition (2023), SECTION 1015 GUARDS, 1015.1 General** exist on the premises located at 2080 N OCEAN SHORE BLVD., FLAGLER BEACH, FL 32136. The premises are more particularly described as follows:


Legal Description: SUNRISE BEACH SUBD BLOCK 4 LOT 8, OR 157 PG 577, OR 318 PG 484 OR 428 PG 275 OR 563 PG and has **Tax Parcel ID # 36-11-31-5630-00040-0080**

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

**UNSAFE STRUCTURE, DANGEROUS BALCONY, NO GUARDS (GUARDRAILS)**

**You must correct the violations by no later than 5:00 p.m. on the 2nd day April, 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 13, 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 8352 7284 87 and 9214 8901 9403 8352 7285 79 March 14, 2024.

## Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 3/14/2024

Code Enforcement Complaint # **EEN24-0030**

Name: PAMELA OLSEN

Mailing Address: 2080 N OCEAN SHORE BLVD  
FLAGLER BEACH, FL 32136

Name (2): PAMELA OLSEN

Mailing Address (2): 1802 SW 28TH STREET  
OCALA, FL 34471

	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>

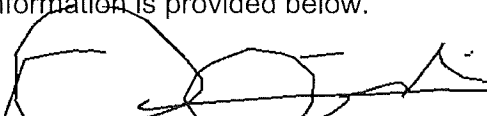
Mailer: City of Flagler Beach

Date Produced: 03/19/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8352 7284 87. Our records indicate that this item was delivered on 03/18/2024 at 03:18 p.m. in OCALA, FL 34471. The scanned image of the recipient information is provided below.

Signature of Recipient :

  
SCOTT D OLSON

Address of Recipient :

**1802 SW 28TH ST, OCALA, FL  
34471**

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:

OLSEN PAMELA M  
1802 SW 28TH STREET  
OCALA, FL 34471

Customer Reference Number:

C4872023.29272249

Return Reference Number

EEN24-0030 NOTICE OF VIOLATION



Return address:

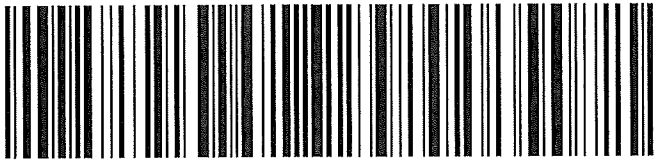
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

Recipient address:

OLSEN PAMELA M  
1802 SW 28TH STREET  
OCALA, FL 34471

MAILING DATE: 03/14/2024  
DELIVERY DATE: 03/18/2024

USPS CERTIFIED MAIL



9214 8901 9403 8352 7284 87

USPS Tracking Label Number: 9214 8901 9403 8352 7284 87

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/14/2024 07:46
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/14/2024 10:05
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/14/2024 17:01
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	03/16/2024 11:24
PROCESSED THROUGH USPS FACILITY	JACKSONVILLE FL DISTRIBUTION CE 32203	03/17/2024 16:18
DELIVERED LEFT WITH INDIVIDUAL	OCALA,FL 34471	03/18/2024 15:18

CUSTOM 1:

**Return address:**

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

**Recipient address:**

OLSEN PAMELA M  
2080 N. OCEAN SHORE BLVD.  
FLAGLER BEACH, FL 32136

USPS CERTIFIED MAIL



9214 8901 9403 8352 7285 79

**USPS Tracking Label Number: 9214 8901 9403 8352 7285 79**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	03/14/2024 07:46
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	03/14/2024 10:05
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	03/14/2024 17:01
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/16/2024 19:51
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/16/2024 22:41
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	03/17/2024 11:50
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	03/18/2024 03:04
NO AUTHORIZED RECIPIENT AVAILABLE	FLAGLER BEACH,FL 32136	03/18/2024 12:14
REMINDER TO SCHEDULE REDELIVERY	FLAGLER BEACH,FL 32136	03/23/2024 03:13
PACKAGE RETURN NOTICE GENERATED	FLAGLER BEACH,FL 32136	04/02/2024 03:32
UNCLAIMED/BEING RETURNED TO SENDER	FLAGLER BEACH,FL 32136	04/03/2024 09:13
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/08/2024 15:50
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/09/2024 08:33