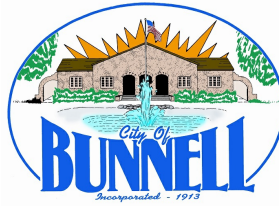


**CODE ENFORCEMENT**

**BOARD**



*Crossroads of Flagler County*

**BOARD MEMBERS**

**JOY ALLEN  
JULIE AGUIAR  
DELORIES HALL  
KENNETH GORDON**

**CODE ENFORCEMENT BOARD AGENDA**

**Wednesday, June 8, 2022 at 6:00 PM**

**1769 E. Moody Blvd. (GSB), First Floor Conference Room, Bunnell, FL 32110**

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1. **Call Meeting to Order and Pledge Allegiance to the Flag.**
2. **Roll Call and determination of Quorum.**
3. **Disclosure of Ex-Parte communications.**
4. **Approval of Minutes:**
  - a. **April 13, 2022 Code Enforcement Board Minutes**
5. **Swearing in of witnesses.**

**Old Business:**

6. **Case Number 17-057 City of Bunnell vs. Pavel Paulouski**  
3360 Steel Rail Drive  
This is a violation of the following City Codes:  
**Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.**  
**Bunnell Code of Ordinance Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance, exceptions.**  
**Bunnell Code of Ordinance Sec. 58-36. - Levying of tax.**  
**Bunnell Code of Ordinance Sec. 58-47. - Doing business without, or under a fraudulently obtained local business tax receipt.**  
**Bunnell Code of Ordinance Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.**  
NTA:5/20/22

7. **Case Number 21-069 City of Bunnell vs. Todd & Edith McCoy**  
103 Deen Road  
This is a violation of the following City Codes:  
**Bunnell Code of Ordinances Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.**  
NTA:5/19/22

**New Business:**

**8. Announcements**

**9. Next Scheduled Meeting: August 13, 2022**

**10. Adjournment of Code Enforcement Board**

This Agenda is subject to change. Please see posted copy on the City of Bunnell website [www.bunnellcity.us](http://www.bunnellcity.us)

**NOTICE:** IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION OR ANY OF ITS BOARDS, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OF SUCH BOARDS OR COMMISSION, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. 286.0105, FLORIDA STATUTES. ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS MEETING BECAUSE OF DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT CITY HALL AT 386.437.7500.



**City of Bunnell, Florida**

**Agenda Item No. a.**

**ATTACHMENTS:**

Description

April 13, 2022 Code Enforcement Board Minutes

Type

Minutes



**CODE ENFORCEMENT BOARD MINUTES  
Wednesday, April 13, 2022 at 6:00 PM  
1769 E. Moody Blvd. (GSB), First Floor Conference Room,  
Bunnell, FL 32110**

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- 1. Call Meeting to Order and Pledge Allegiance to the Flag.**  
Meeting was called to order at 6:03 PM. Chair Allen led the Pledge to the Flag
  
- 2. Roll Call and determination of Quorum.**  
**Present:** Chair Joy Allen; Co-Chair Julie Aguiar; Kenneth Gordon; Delories Hall  
**Non-Voting:** Board Attorney Charlie Cino; City Attorney Garrett Olsen; Code Enforcement Officer Gary Harris; City Manager Dr. Alvin B. Jackson Jr; Community Development Coordinator Christine Hancock; Permit Technician Adrian Calderin
  
- 3. Disclosure of Ex-Parte communications.**  
None
  
- 4. Annual Board Elections**
  - 4.1. Annual Election of the Chair and Vice-Chair.**  
**Motion:** Keep Joy Allen as Chair and Julie Aguiar as Vice-Chair.  
**Moved by:** Delories Hall  
**Seconded by:** Kenneth Gordon  
**Board Discussion:** None  
**Public Discussion:** None  
**Roll Call Vote:**
    - Joy Allen – Yes
    - Julie Aguiar – Yes
    - Kenneth Gordon – Yes
    - Delories Hall – Yes**Vote:** Motion carried unanimously
  
- 5. Approval of Minutes:**
  - a. September 8, 2021 Code Enforcement Board Minutes**  
**Motion:** Approve September 8, 2021 Code Enforcement Board Meeting minutes  
**Moved by:** Delories Hall  
**Seconded by:** Kenneth Gordon  
**Board Discussion:** None

**Public Discussion:** None

**Roll Call Vote:**

Joy Allen – Yes  
Julie Aguiar – Yes  
Kenneth Gordon – Yes  
Delories Hall – Yes

**Vote:** Motion carried unanimously

**6. Swearing in of witnesses.**

Board Attorney Cino swore in the following people:

- Todd McCoy
- Edith McCoy
- Code Enforcement Officer Gary Harris

**7. Case Number 21-069 City of Bunnell vs. Todd & Edith McCoy**

Code Enforcement Officer Gary Harris presented the case to the Board. The property is located at 103 Deen Road. All legal notices were provided to the respondents. Debris and clutter are visible in the front yard; the back yard has an abundance of scrap wood and trash. The gates need to be repaired or to be replaced. Code Enforcement Officer Harris testified he had a sit-down meeting in January 2022 with the respondent, Mr. McCoy, to discuss the best way to clean up the situation on the property. The respondents were given 60 days to comply. The deadline has passed with very little progress; however, the front of the property has been cleared up considerably. Staff recommended the property be found non-compliant and a fine of \$25 per day be imposed until all violations are corrected and the property is in compliance. Mr. McCoy said he is trying to evict his tenant, but whatever work he does to clean up the property gets undone by the tenant. He will have to go the legal route to evict his tenant and then address the condition of the property. Mrs. McCoy asked if the fines end when the City inspects the property and finds it in compliance. Chair Allen said the fines would end on that day, but the case would return to the Code Board to be closed.

**Motion:** Find the property non-compliant and impose a fine of \$25 per effective April 13, 2022.

**Moved by:** Julie Aguiar

**Seconded by:** Delories Hall

**Board Discussion:** None

**Public Discussion:** None

**Roll Call Vote:**

Joy Allen – Yes  
Julie Aguiar – Yes  
Kenneth Gordon – Yes  
Delories Hall – Yes

**Vote:** Motion carried unanimously

**8. Case Number 21-072 City of Bunnell vs. Alex & Brittany Schaffer**

Code Enforcement Officer Gary Harris presented the case. The property is located at 1713 N State St. All legal notices were provided to the respondents. Code Enforcement Officer Harris testifies the respondents have a sign up without a permit that says, "RV and Boat parking" and this business operation has not been added to their local business tax receipt; none of the required fees for the sign or the storage business operation have been paid to the City. The respondents also have another sign that says, "we buy bikes". The City had a sit-down meeting in January with the respondents and discussed what needed to be done to bring the property into compliance with City codes. The respondents stated they should be "grandfathered in." The respondents were 60 days to take the steps necessary to be compliant with City codes. The deadline has passed, and no steps have been taken. Staff recommends they submit additional BTR information and apply for the sign permits, and a \$25 fine a day till compliant.

**Motion:** Find the property non-compliant and impose a fine of \$125 per day

**Moved by:** Delories Hall

**Seconded by:** Kenneth Gordon

**Board Discussion:** Member Hall asked if this is a repeat violation case. Code Enforcement Officer Harris confirmed this is a repeat violation. City Attorney Olsen asked how many years ago they were cited and if it was the same issue. Code Enforcement Officer Harris report the respondents have had the issues within the last 5 years.

**Public Discussion:** None

**Roll Call Vote:**

Joy Allen – Yes

Julie Aguiar – Yes

Kenneth Gordon – Yes

Delories Hall – Yes

**Vote:** Motion carried unanimously

**9. Case Number 22-009 City of Bunnell vs. William Rodriguez**

Staff pulled this case from the agenda

**10. Case Number 22-010 City of Bunnell vs. Michael Bennett**

Staff pulled this case from the agenda

**11. Case Number 22-011 City of Bunnell vs. Viktor Ostapenko**

Staff pulled this case from the agenda

**12. Announcements**

Chair Allen said the mandatory disclosures from the board members will be due right around the time of the next meeting.

**13. Next Scheduled Meeting: June 8, 2022**

**14. Adjournment of Code Enforcement Board**

**Motion:** Adjourn

**Moved by:** Kenneth Gordon

**Seconded by:** Delories Hall

**Roll Call Vote:**

Joy Allen – Yes  
Julie Aguiar – Yes  
Kenneth Gordon – Yes  
Delories Hall – Yes

**Vote:** Motion carried unanimously

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Board Chair

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Code Enforcement Officer

***\*\*The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule\*\****



## City of Bunnell, Florida

### Agenda Item No. 6.

Document Date: 5/26/2022

Code Enforcement Case Number:  
Case Number 17-057

Department: Code Enforcement

Subject: Case Number 17-057 City of Bunnell vs. Pavel Paulouski

Address: 3360 Steel Rail Drive

Zoning: L-1 Light Industrial

Agenda Section: Old Business:

#### ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Before Pictures of 3360 Steel Rail Dr.	Exhibit
Exhibit C - After Pictures of 3360 Steel Rail Dr.	Exhibit
Exhibit D - NOV/NTA Paperwork	Exhibit
Exhibit E - NOV/NTA Paperwork Staked & Stapled	Exhibit
Exhibit F - NOV/NTA Paperwork Hand Delivered	Exhibit

Code Excepts: **Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.**

(a) Site plan thresholds.

(1) Major site plan. The following developments shall require major site plan approval:

b. New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.

(2) Minor site plan. The following development shall constitute minor site plans:

b. New, nonresidential development comprised of less than 5,000 square feet of new impervious surface area.

(3) Minimal site plan. Any plan not meeting the criteria for major or minor site plan.

(b) Permitted principal and accessory uses and structures. The following uses shall be permitted in the L-1 Light industrial district.

(31) Outside storage is allowable provided that:

a. The storage is visually screened from roadways and neighboring properties by a solid fence of six-foot in height or thick vegetation buffer.

b. Any storage greater than six feet in height is setback from all property lines a minimum of ten feet.



- c. The storage is no greater than 15 feet in height.
- d. The storage is not land clearing debris, construction debris, recyclables, trash, garbage or other materials typically disposed of at a Class I or higher landfill.

**Bunnell Code of Ordinance Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance, exceptions.**

It shall be unlawful for any person to park, store, leave, or permit the parking, storing, or leaving, of any motor vehicle or boat of any kind which is abandoned, wrecked, dismantled, inoperative, rusted, junked, or partially dismantled, whether attended or not, upon any private property within the city for a period of time in excess of 72 hours. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked, or partially dismantled vehicle or boat, or parts thereof, on private property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this division. This section shall not apply to any vehicle or boat stored within a roofed building on private property or to any vehicle or boat held in connection with a business enterprise, lawfully licensed by the city and properly operated in the appropriate business zone, pursuant to the zoning laws of the city, or to any motor vehicle or boat retained by the owner for antique repair and restoration as long as such motor vehicle or boat is covered by a suitable tarpaulin. However, any junked motor vehicle or boat which is located on business property, and properly zoned and licensed for such business, shall not hold such property where the general public can view the property from any public street within the city. Off-road vehicles may be stored on residential property as long as they are stored in the rear yard out of public view.

**Bunnell Code of Ordinance Sec. 58-36. - Levying of tax.**

The city hereby levies a local business tax and authorizes the issuance of said business tax receipts as authorized by F.S. Ch. 205, for the following:

- (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within its jurisdiction.
- (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

**Bunnell Code of Ordinance Sec. 58-47. - Doing business without, or under a fraudulently obtained local business tax receipt.**

(a) It shall be unlawful for any person to engage in any trade, business, profession, or occupation within the city without first obtaining a local business tax receipt as required by this article.

**Bunnell Code of Ordinance Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.**

It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice. In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to the code enforcement board for adjudication.

Case Actions  
Information:

17-057

Violations: LDC Sec. 22-4. - Procedures for site plan review and approval; LDC Sec. 34-120. - L-1 Light industrial district; CoO Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions; CoO Sec. 58-36. - Levying of tax; Sec. 58-47. - Doing business without, or under a fraudulently obtained local business tax receipt; CoO Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

Owner: Steel Rail LLC

NOV: 7/19/17

NTA: 1/17/18 CB Hearing: 02/14/18 Outcome: Non-Compliant; Con't

NTA:5/15/18 CB Hearing: 06/13/18 Outcome: Con't

NTA:7/10/18 CB Hearing:08/08/18 Outcome:Lein Filed \$250 per day

BTR: 4/7/22

NOV & NTA: 5/20/22 CB Hearing: 6/8/22 Outcome: Compliance & Fine Stopped.

Staff

Recommendation:

Staff has seen this case which started back in 2017 and gradually watched all the processes get approved so Pavel Paulouski was finally able to obtain his Business Tax Receipt (BTR) March 7, 2022. With his BTR we can find Case 17-057 to be in compliance with the Code Board approval. With the approval the fine of \$250.00 can be stopped.

## Owner Information

Primary Owner

[Steel Rail LLC](#)

18 Hargrove Grade #108

Palm Coast, FL 32137

## Parcel Summary

Parcel ID	34-11-30-5736-00000-0150
Prop ID	9553
Location Address	3360 STEEL RAIL DR BUNNELL, FL 32110
Brief Tax Description*	STEEL RAIL INDUSTRIAL PARK MB 37 PG 55 LOT 15 (3.53 AC) OR 2217/545 <i>(Note: *The Description above is not to be used on legal documents.)</i>
Property Use Code	OPEN STORAGE (004900)
Tax District	BUNNELL AREA WITH NO MOSQUITO CONTROL (District 13)
Millage Rate	22.0306
Homestead	N
GIS sqft	153,603.071

[View Map](#)

## Valuation

	2022 Working Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$12,154	\$0	\$0	\$0
Extra Features Value	\$9,033	\$3,214	\$3,360	\$3,360
Land Value	\$131,410	\$87,810	\$71,460	\$58,380
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$152,597	\$91,024	\$74,820	\$61,740
Assessed Value	\$94,174	\$74,564	\$67,914	\$61,740
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$94,174	\$74,564	\$67,914	\$61,740
Protected Value	\$58,423	\$16,460	\$6,906	\$0



PRIVATE  
PROPERTY

PRIVATE  
PROPERTY



2021.7.14 10:09

**CODE ENFORCEMENT  
BOARD**



Board Members  
**JOY ALLEN**  
**KATHRYN DAVIS**  
**KENNETH GORDON**  
**DELORIES HALL**  
**VICKIE TURNER**

Crossroads of Flagler County

May 15, 2018

Case number 17-057

TO: Steel Rail LLC  
18 Hargrove Grade # 108  
Palm Coast, FL 32137

**NOTICE TO APPEAR**

VIA certified mail return receipt: 7016 3010 0000 7488 3491

YOU ARE HEREBY NOTIFIED THAT ON THE **13th** DAY OF **June 2018** AT **7:00 PM**, AT THE CITY OF BUNNELL, CHAMBER MEETING ROOM, 201 WEST MOODY BLVD, A HEARING WILL BE HELD BEFORE THE CITY OF BUNNELL CODE ENFORCEMENT BOARD, PURSUANT TO ORDINANCE 1990-15 CODE ENFORCEMENT ORDINANCE and FLORIDA STATUTE 162.

**Being the Owner/Tenant of said following property, described as:**

3360 Steel Rail Dr, Parcel ID Number 34-11-30-5736-00000-0150, City of Bunnell, County of Flagler, State of Florida

***Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.***

***(a) Site plan thresholds.***

- (1) Major site plan. The following developments shall require major site plan approval:***
  - b. New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.***
- (2) Minor site plan. The following development shall constitute minor site plans:***
  - b. New, nonresidential development comprised of less than 5,000 square feet of new impervious surface area.***
- (3) Minimal site plan. Any plan not meeting the criteria for major or minor site plan.***

***Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial district.***

***(b) Permitted principal and accessory uses and structures. The following uses shall be permitted in the L-1 Light industrial district.***

- (31) Outside storage is allowable provided that:***
  - a. The storage is visually screened from roadways and neighboring properties by a solid fence of six-foot in height or thick vegetation buffer.***
  - b. Any storage greater than six feet in height is setback from all property lines a minimum of ten feet.***
  - c. The storage is no greater than 15 feet in height.***
  - d. The storage is not land clearing debris, construction debris, recyclables, trash, garbage or other materials typically disposed of at a Class I or higher landfill.***

***Bunnell Code of Ordinance Sec. 26-56. - Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance; exceptions.***

*It shall be unlawful for any person to park, store, leave, or permit the parking, storing or leaving, of any motor vehicle or boat of any kind which is abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled, whether attended or not, upon any private property within the city for a period of time in excess of 72 hours. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or boat, or parts thereof, on private property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this division. This section shall not apply to any vehicle or boat stored within a roofed building on private property or to any vehicle or boat held in connection with a business enterprise, lawfully licensed by the city and properly operated in the appropriate business zone, pursuant to the zoning laws of the city, or to any motor vehicle or boat retained by the owner for antique repair and restoration as long as such motor vehicle or boat is covered by a suitable tarpaulin. However, any junked motor vehicle or boat which is located on business property, and properly zoned and licensed for such business, shall not hold such property where the general public can view the property from any public street within the city. Off-road vehicles may be stored on residential property as long as they are stored in the rear yard out of public view.*

***Bunnell Code of Ordinance Sec. 58-36. - Levying of tax.***

*The city hereby levies a local business tax and authorizes the issuance of said business tax receipts as authorized by F.S. ch. 205, for the following:*

- (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within its jurisdiction.*
- (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.*

***Bunnell Code of Ordinance Sec. 58-47. - Doing business without, or under a fraudulently obtained local business tax receipt.***

*(a) It shall be unlawful for any person to engage in any trade, business, profession or occupation within the city without first obtaining a local business tax receipt as required by this article.*

***Bunnell Code of Ordinance Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.***

*It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice. In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to the code enforcement board for adjudication.*

**YOU MAY HAVE CAUSE TO BE REPRESENTED BY COUNSEL.**

YOU MAY WISH TO PRESENT RELEVANT EVIDENCE, AND WILL BE GIVEN THE OPPORTUNITY TO CROSS EXAMINE ALL WITNESSES. YOU MAY REQUEST THE ISSUANCE OF SUPOENAS TO COMPEL WITNESSES TO APPEAR, AND/OR FOR THE PRODUCTION OF OTHER SUPPORTING DATA OR DOCUMENTATION BY FILING A WRITTEN REPORT WITH THE CITY CLERK.

IF FOUND IN VIOLATION BY THE CODE ENFORCEMENT BOARD YOU MAY BE ASSESSED FINES AND BE SUBJECT TO LIENS ON ANY REAL PROPERTY YOU MAY OWN; NOT TO EXCEED **\$250.00** (Two hundred and fifty dollars) **PER DAY, PER VIOLATION**, for a first violation, OR UP TO **\$500.00** (Five hundred dollars) **PER DAY, PER VIOLATION**, if it is a repeat violation.

**YOU NEED NOT BE PRESENT TO BE FOUND IN VIOLATION.**

---

**Kenneth E Deloach**  
**Code Enforcement Officer**



CODE ENFORCEMENT BOARD



Crossroads of Flagler County

FORMAL STATEMENT OF VIOLATION & NOTICE TO

May 20, 2022,

TO: Steel Rail LLC  
51 Barring Pl.  
Palm Coast, FL 32137

VIA: Hand Delivery by Gary Harris to 3360 Steel Rail Drive on May 20, 2022  
Certified mail: Return Receipt No. 7018 3090 0001 7027 9208  
Posting on Property: 3360 Steel Rail Drive, Bunnell, FL 32110 on May 20, 2022  
Posting at City Hall Public Notice Board on May 20, 2022.  
Parcel ID: 34-11-30-5736-00000-0150  
Legal Description: STEEL RAIL INDUSTRIAL PARK MB 37 PG 55  
2217/545

YOU ARE HEREBY NOTIFIED THAT ON THE 8<sup>th</sup> DAY OF June 2022  
CITY OF BUNNELL, GOVERNMENT MEETING ROOM, 1769  
HEARING WILL BE HELD BEFORE THE CITY OF BUNNELL  
BOARD, PURSUANT TO ORDINANCE 1990-15 CODE ENFORCEMENT  
FLORIDA STATUTE 162.

Being the Owner/Tenant of said following property, described as  
3360 Steel Rail Dr, Parcel ID Number 34-11-30-5736-00000-0150,  
Flagler, State of Florida

**Bunnell Land Development Code Sec. 22-4. - Procedures for site plan approval.**

- (a) Site plan thresholds.
  - (1) Major site plan. The following development shall require a major site plan:
    - b. New, nonresidential development consisting of 5,000 or more square feet of impervious surface area.
  - (2) Minor site plan. The following development shall constitute a minor site plan:
    - b. New, nonresidential development comprised of less than 5,000 square feet of new impervious surface area.
  - (3) Minimal site plan. Any plan not meeting the criteria for major or minor site plan approval.

**Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial use.**  
Post Office Box 756 - Bunnell, FL

5.20.2022 13:18

CODE ENFORCEMENT BOARD



Board Members  
JOY ALLEN  
JULIE AGUIAR  
DELORES HALL  
KENNETH GORDON

Crossroads of Flagler County

**FORMAL STATEMENT OF VIOLATION & NOTICE TO APPEAR**

May 20, 2022,

Case number 17-057

TO: Steel Rail LLC  
51 Barring Pl.  
Palm Coast, FL 32137

Hand Delivery by Gary Harris to 3360 Steel Rail Drive on May 20, 2022.  
Certified mail: Return Receipt No. 7018 3090 0001 7027 9208  
Posting on Property: 3360 Steel Rail Drive, Bunnell, FL 32110 on May 20, 2022.  
Posting at City Hall Public Notice Board on May 20, 2022.  
Parcel ID: 34-11-30-5736-00000-0150  
Legal Description: STEEL RAIL INDUSTRIAL PARK MB 37 PG 55 LOT 15 (3.53 AC) OR 2217/545

YOU ARE HEREBY NOTIFIED THAT ON THE 8<sup>th</sup> DAY OF June 2022 AT 6:00 PM, AT THE CITY OF BUNNELL, GOVERNMENT MEETING ROOM, 1769 East MOODY BLVD, A HEARING WILL BE HELD BEFORE THE CITY OF BUNNELL CODE ENFORCEMENT BOARD, PURSUANT TO ORDINANCE 1990-15 CODE ENFORCEMENT ORDINANCE and FLORIDA STATUTE 162.

Being the Owner/Tenant of said following property, described as:  
3360 Steel Rail Dr, Parcel ID Number 34-11-30-5736-00000-0150, City of Bunnell, County of Flagler, State of Florida

**Bunnell Land Development Code Sec. 22-4. - Procedures for site plan review and approval.**

- (a) Site plan thresholds.
  - (1) Major site plan. The following developments shall require major site plan approval:
    - b. New, nonresidential development comprised of 5,000 square feet or more of new impervious surface area.
  - (2) Minor site plan. The following development shall constitute minor site plans:
    - b. New, nonresidential development comprised of less than 5,000 square feet of new impervious surface area.
  - (3) Minimal site plan. Any plan not meeting the criteria for major or minor site plan.

**Bunnell Land Development Code Sec. 34-120. - L-1 Light industrial district**

Post Office Box 756 · Bunnell, Florida 32110-0756 · 386-437-7516 · Fax 386-437-8283  
Website: www.BunnellFL.gov

STAPLES

3360

5.20.2022 13:18



## City of Bunnell, Florida

### Agenda Item No. 7.

Document Date: 5/27/2022

Code Enforcement Case Number:  
Case Number 21-069 City of Bunnell  
vs Todd & Edith McCoy

Department: Code Enforcement

Subject: Case Number 21-069 City of Bunnell vs. Todd & Edith McCoy

Address: 103 Deen Road

Zoning: R-1 with Special Exceptions

Agenda Section: Old Business:

#### ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - Picture After Compliance	Exhibit
Exhibit D - Notice of Violation	Exhibit
Exhibit E - NOV/NTA Paperwork Staked & Stapled	Exhibit
Exhibit F - NOV/NTA Paperwork Hand Delivered	Exhibit

Code Excepts: **Bunnell Code of Ordinances Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.**

It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash, and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice. In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to the code enforcement board for adjudication.

Case Actions Case 21-069

Information: Violation BCO Sec. 70-1.- Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

Owners: Todd & Edith McCoy

NOV: 3-21-22

NTA: 3-21-22 CB Hearing: 4-13-22 Outcome: Non-Compliant w/ fine \$25.00 per day until compliance is achieved.

NTA: 5-19-22 CB Hearing: 6-8-22 Outcome: Compliance

Staff Recommendation: Staff recommends that Case 21-069 be approved for being in compliance and have the \$25.00 per day fine/lien stopped per Code Board approval.

### Owner Information

Primary Owner  
 Mccoy Todd R & Edith E Lynn  
 H&W  
 1550 Lake Disston Drive  
 Bunnell, FL 32110

### Parcel Summary

Parcel ID 10-12-30-0850-02030-0030  
 Prop ID 10946  
 Location 103 DEEN RD  
 Address BUNNELL, FL 32110  
 Brief Tax TOWN OF BUNNELL BLOCK 203 LOTS 3,4,5,6,7,8,9,10 - SEC 15 5R BOOK 109 PAGE 534 OR 572 PG 1838-DC OR 829 PG 1981-DC FOR JAMES OR 859 PG  
 Description\* 747-OD-BRENDA SMITH, LAURA ELAINE BARBER, JACQUELYN ZIEGLER, KAYE GUARINI, JAMES BENJAMIN MURRAY & ANDREW HARRY MURRAY OR  
 (Note: \*The Description above is not to be used on legal documents.)  
 STORE/OFFICE/RESID (001200)  
 Property Use Code  
 Tax District CITY OF BUNNELL, BUNNELL CRA AREA WITH MOSQ CONTROL (District 14)  
 Millage Rate 22.2881  
 Homestead N  
 Feet (GIS) 43,998.966

[View Map](#)

### Valuation

	2021 Certified Values	2020 Certified Values	2019 Certified Values	2018 Certified Values
Building Value	\$36,429	\$35,189	\$13,440	\$11,156
Extra Features Value	\$3,295	\$3,713	\$2,266	\$2,301
Land Value	\$61,600	\$56,000	\$56,000	\$22,000
Land Agricultural Value	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0
Just (Market) Value	\$101,324	\$94,902	\$71,706	\$35,457
Assessed Value	\$48,224	\$43,840	\$39,003	\$35,457
Exempt Value	\$0	\$0	\$0	\$0
Taxable Value	\$48,224	\$43,840	\$39,003	\$35,457
Protected Value	\$53,100	\$51,062	\$32,703	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

### Historical Assessment

Year	Building Value	Extra Features Value	Land Value	Agricultural Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2020	\$35,189	\$3,713	\$56,000	\$0	\$94,902	\$43,840	\$0	\$43,840	\$51,062
2019	\$13,440	\$2,266	\$56,000	\$0	\$71,706	\$39,003	\$0	\$39,003	\$32,703
2018	\$11,156	\$2,301	\$22,000	\$0	\$35,457	\$35,457	\$0	\$35,457	\$0
2017	\$10,412	\$1,475	\$22,000	\$0	\$33,887	\$33,887	\$0	\$33,887	\$0
2016	\$9,651	\$1,475	\$22,000	\$0	\$33,126	\$33,126	\$0	\$33,126	\$0
2015	\$9,385	\$1,475	\$22,000	\$0	\$32,860	\$32,860	\$0	\$32,860	\$0
2014	\$9,031	\$1,475	\$20,000	\$0	\$30,506	\$30,506	\$0	\$30,506	\$0
2013	\$8,500	\$1,475	\$20,000	\$0	\$29,975	\$29,975	\$0	\$29,975	\$0
2012	\$9,760	\$1,475	\$18,000	\$0	\$29,235	\$29,235	\$0	\$29,235	\$0
2011	\$10,150	\$1,475	\$18,000	\$0	\$29,625	\$29,625	\$0	\$29,625	\$0
2010	\$10,591	\$1,475	\$0	\$0	\$34,066	\$0	\$0	\$0	\$34,066
2009	\$11,033	\$1,500	\$0	\$0	\$66,533	\$0	\$0	\$0	\$66,533

### TRIM Notice

[2021 TRIM Notice \(PDF\)](#)



2021.9.23 09:31



5.16.2022 08:09



**STATEMENT OF VIOLATION & NOTICE TO APPEAR**

May 19, 2022,

CASE NUMBER 21-069

**TO: Todd & Edith McCoy  
1550 Lake Disston Dr.  
Bunnell, Fl. 32110**

**VIA:** Hand Delivery by Gary Harris to 103 Deen Road on May 19, 2022.  
Certified mail: Receipt No. 7020 1290 0000 2696 7869 to Todd & Edith McCoy.  
Posting on Property: 103 Deen Road, Bunnell, Fl. 32110 on May 19, 2022.  
Posting at City Hall Public Notice Board on May 19, 2022.  
Parcel #: 10-12-30-0850-02030-0030  
Legal Description: TOWN OF BUNNELL BLOCK 203 LOTS 3,4,5,6,7,8,9,10 - SEC 15 5R BOOK 109 PAGE 534 OR 572 PG 1838-DC OR 829 PG 1981-DC FOR JAMES OR 859 PG 747-OD-BRENDA SMITH, LAURA ELAINE BARBER, JACQUELYN ZIEGLER, KAYE GUARINI, JAMES BENJAMIN MURRAY & ANDREW HARRY MURRAY OR

**IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF SECTION 70-1, OF THE CITY OF BUNNELL CODE OF ORDINANCES OCCURRED ON DECEMBER 1, 2021, ON PROPERTY OWNED BY YOU AND LOCATED AT 103 DEEN ROAD, BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-02030-0030), TO WIT: NUISANCE PROPERTY TRASH AND HIGH GRASS ALONG WITH VEHICLES, TRAILERS, AND EQUIPMENT CLUTTERED IN FRONT YARD.**

***Bunnell Code of Ordinances Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.***

*It shall be the duty of every owner of land lying within the limits of the city to clear and destroy all weeds, palmetto, shrubbery, trash, and other litter that may be on such land. If any owner of land within the city shall fail to do so, the city shall give notice personally where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to such owner requiring him to comply with the requirements of this section, or such number of the requirements as may be necessary and appropriate in the particular case, within 30 days from the service of the notice. In the event the requirements of this section are not met within the 30-day period after service of the notice, the case will be referred to the code enforcement board for adjudication.*



**Recommended corrective action:**

- Nuisance violation to remove all trash, litter and debris from the property OR store all items behind the fence. This includes all trucks, trailers, and equipment. This includes fixing gates so all debris can't be seen from the road.
- Due to Fire Issues with all the tree scrapes behind the fencing this needs to be cleaned up.

**THE VIOLATION IS BASED ON INVESTIGATION BY THE UNDERSIGNED CITY OF BUNNELL CODE ENFORCEMENT OFFICER, WHO IS AVAILABLE TO RESPOND TO ANY QUESTIONS YOU MAY HAVE. IT IS NOT POSSIBLE FOR THE PROPERTY TO FIND COMPLIANCE WITH SECTION 70-1, BECAUSE THIS VIOLATION FOR OBTAINING A CLEAN YARD WITH NO HIGH GRASS OR CLUTTERED WITH EQUIPMENT, CONTINUES TO BE A SORE SIGHT WITH THE CITY OF BUNNELL AND NUMEROUS NEIGHBORS WHO COMPLAIN ON A REGULAR BASIS.**

**YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON JUNE 8, 2022, AT 6 PM OR SOON THEREAFTER AT THE BUNNELL CITY HALL, AT WHICH TIME CODE ENFORCEMENT MAY 1) DISMISS THE VIOLATION IF COMPLIANCE HAS OCCURRED; 2) REQUEST CONTINUANCE OF THE CASE; OR 3) PRESENT TESTIMONY AND EVIDENCE OF THE VIOLATION TO THE CODE ENFORCEMENT BOARD.**

**AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND THE VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR IF THE VIOLATION IS IRREPARABLE OR IRREVERSIBLE IN NATURE, IT MAY NOTIFY THE CITY OF BUNNELL FOR ABATEMENT OF THE VIOLATION OR IT MAY IMPOSE A FINE NOT TO EXCEED \$5,000 PER VIOLATION. IF A FINE IS NOT PAID, THE CITY MAY RECORD A COPY OF THE CODE ENFORCEMENT BOARD ORDER. THE UNPAID FINE SHALL CONSTITUTE A LIEN AGAINST THE LAND ON WHICH THE VIOLATION OCCURRED AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR(S). IF THE LIEN IS NOT SATISFIED, THE CODE ENFORCEMENT BOARD MAY AUTHORIZE FORECLOSURE OF THE LIEN OR THE CITY MAY SEEK PAYMENT BY OTHER LAWFUL MEANS.**

**YOU ARE ADVISED TO CHECK THE CITY WEBSITE FOR UP-TO-DATE INFORMATION ON ANY CHANGES IN THE MANNER IN WHICH THE HEARING WILL BE HELD AND ITS LOCATION.**

**AS REQUIRED BY SECTION 286.0105 FLORIDA STATUTES, IF YOU DECIDES TO APPEAL ANY DECISION MADE BY THE BUNNELL CODE ENFORCEMENT BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND YOU NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL IS TO BE BASED. IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THE PUBLIC**

**HEARING, PLEASE CONTACT THE BUNNELL CITY CLERK AT 386-263-8808 PRIOR TO THE HEARING.**

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**Gary Harris  
Code Enforcement Officer  
City of Bunnell  
PO Box 756  
Bunnell, FL 32110  
386-263-8807**



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May 19, 2022,

CASE NUMBER 21-069

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Bunnell, Fl. 32110

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Parcel #: 10-12-30-0850-02030-0030

Legal Description: TOWN OF BUNNELL BLOCK 203 LOTS 3,4,5,6,7,8,9,10 - SEC  
15 5R BOOK 109 PAGE 534 OR 572 PG 1838-DC OR 829 PG 1981-DC FOR JAMES  
OR 859 PG 747-OD-BRENDA SMITH, LAURA ELAINE BARBER, JACQUELYN  
ZIEGLER, KAYE GUARINI, JAMES BENJAMIN MURRAY & ANDREW HARRY  
MURRAY OR

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NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF SECTION 70-1, OF  
THE CITY OF BUNNELL CODE OF ORDINANCES OCCURRED ON DECEMBER 1,  
2021, ON PROPERTY OWNED BY YOU AND LOCATED AT 103 DEEN ROAD,  
BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-02030-0030), TO WIT:  
NUISANCE PROPERTY TRASH AND HIGH GRASS ALONG WITH VEHICLES,  
TRAILERS, AND EQUIPMENT CLUTTERED IN FRONT YARD.

***Bunnell Code of Ordinances Sec. 70-1. - Removal of certain plants, weeds, trash  
and litter; duty of owner; service of notice.***

*It shall be the duty of every owner of land lying within the limits of the city to clear and  
destroy all weeds, palmetto, shrubbery, trash, and other litter that may be on such land.  
If any owner of land within the city shall fail to do so, the city shall give notice personally  
where possible, or by certified mail return receipt in accordance with F.S. Ch. 162 to  
such owner requiring him to comply with the requirements of this section, or such  
number of the requirements as may be necessary and appropriate in the particular  
case, within 30 days from the service of the notice. In the event the requirements of this  
section are not met within the 30-day period after service of the notice, the case will be  
referred to the code enforcement board for adjudication.*

5.19.2022 13:38

STAPLES

103



**STATEMENT OF VIOLATION & NOTICE TO APPEAR**

May 19, 2022, CASE NUMBER 21-069

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5.19.2022 13:35