

CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

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

CODE ENFORCEMENT BOARD AGENDA

Wednesday, April 10, 2024 at 6:00 PM

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

- 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. Annual Board Elections**
 - 4.1. Annual Election of the Code Enforcement Board Chair and Vice-Chair.**
 - 5. Approval of Minutes:**
 - a. February 14, 2024 Code Enforcement Minutes**
 - 6. Swearing in of witnesses.**
- Old Business:**
- 7. Case Number 24-002 City of Bunnell vs. Joseph Parsons**

707 E. Howe Street

This is a violation of the following City Codes:
Bunnell Land Development Code Section 70-1. - Removal of certain plants, weeds trash and litter; duty of owner of notice.

NTA:3/20/2024
- New Business:**
- 8. Case Number 24-008 City of Bunnell vs. Aldo & Adrian Marrerro**

1020 Deen Road

This is a violation of the following City Codes:
Bunnell Land Development Code Sec. 34-117. - B-1 Business district.

Bunnell Land Development Code Sec. 22-3. - Applicability.

Bunnell Land Development Code Sec. 22-9. – Major and minor site plan submittal requirements.

NTA:3/28/2024

9. Announcements

10. Next Scheduled Meeting: June 12, 2024

11. Adjournment of Code Enforcement Board

This Agenda is subject to change. Please see posted copy on the City of Bunnell website

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. 4.1.

Code Excepts: The Code Enforcement Board is required to appoint the Chair and Vice-Chair annually. These elections occur in April.

Code of Ordinance Sec. 2-131. - Created; organization.

(e) At the first meeting of the enforcement board, the members shall elect a chairperson and a vice-chairperson. The chairperson and vice-chairperson shall serve a one year term, but may be re-elected for additional terms at the discretion of the enforcement board. The chairperson shall preside [at] all meetings and shall direct the business affairs of the enforcement board, subject to the directions of the enforcement board. The vice-chairperson shall act in the absence of the chairperson in the conduct of meetings or otherwise and shall perform such duties as may be delegated to him/her by the chairperson from time to time. In acting in the chairperson's absence, the vice-chairperson shall have all the powers of and be subject to all restrictions upon, the chairperson. The election of the chairperson and vice-chairperson shall occur during the month of the one year anniversary of the enforcement board's first meeting and each subsequent yearly anniversary thereafter.

Case Actions Information: The current members of the Code Enforcement Board need to elect members to serve as the Chair and Vice-Chair for the next 12 months. Any current member of the Code Enforcement Board is eligible to serve as the Chair or Vice-Chair.

The current Chair is Joy Allen. The current Vice-Chair is Julie Aguiar. Both may serve additional terms.

The Board Members need to nominate a current member of the Board to serve as the Chair and Vice Chair for the next 12 months. A vote on each nomination should be conducted so there is a motion and vote for Chair and a motion and vote for Vice-Chair.

Staff Recommendation: None. This is a decision made from within the Board.



City of Bunnell, Florida

Agenda Item No. a.

ATTACHMENTS:

Description

February 14, 2024 Code Enforcement Minutes

Type

Minutes

CODE ENFORCEMENT

BOARD



Crossroads of Flagler County

BOARD MEMBERS

JOY ALLEN
JULIE AGUIAR
DELORIES HALL
KENNETH GORDON
DAVID WILHITE

CODE ENFORCEMENT BOARD MINUTES

Wednesday, February 14, 2024 at 6:00 PM
1769 E. Moody Blvd. (GSB), First Floor Conference Room
Bunnell, FL 32110

1. **Call Meeting to Order and Pledge Allegiance to the Flag.**
Chair Allen called the meeting to order at 6:00 PM and led the Pledge of Allegiance.
 2. **Roll Call and determination of Quorum.**
Present: Joy Allen, Chair; Julie Aguiar, Vice Chair; Delories Hall; Kenneth Gordon
Excused: David Wilhite
Non-Voting: Charlie Cino, Board Attorney; Gary Harris, Code Enforcement Officer; Paul Waters, City Attorney; Christine Hancock, Community Development Coordinator
 3. **Disclosure of Ex-Parte communications.**
None
 4. **Approval of Minutes:**
 - a. **December 13, 2023 Code Enforcement Minutes**
Motion: Approve the December 13, 2023, Code Enforcement Board Meeting minutes
Moved by: Julie Aguiar
Seconded by: Kenneth Gordon
Vote: motion carried unanimously.
 5. **Swearing in of witnesses.**
Code Enforcement Officer Harris
Yulia Ryback
Nayrobi Rodriguez
Eloy Hernandez
Christine Hancock
Armando Toyos
Jack Wilson
- Old Business:**
6. **Case Number 22-016 City of Bunnell vs. Abama Mama, LLC**
Code Enforcement Officer Harris explained the case and provided testimony. The respondent was present. Code Enforcement Officer Harris explained their site plan was submitted on January 17th. It was recommended this property is

found in violation of the City of Bunnell code sections previously cited and stop the \$100 per day fine on January 17th, 2024 and continue the case until there are any future updates to bring back to the Board.

The Board discussed when this case should come back before them.

Motion: To accept staff recommendation to find respondent Abama Mama LLC in violation of the City of Bunnell Code sections previously cited but stop the fine of \$100.00 per day on January 17,2024 and revisit in 6 months at the August 14, 2024

Moved by: Julie Aguiar

Seconded by: Delories Hall

Vote: motion carried unanimously.

7. Case Number 23-013 City of Bunnell vs. Torres Arturo Trustee

Code Enforcement Officer Harris explained the case and provided testimony. The respondent was not present. It was recommended the respondent is found in compliance of the City of Bunnell code sections previously cited and stop the \$25.00 per day fine on January 23, 2024.

Motion: To accept staff recommendation to find respondent Torress Arturo in compliance of the City of Bunnell code section previously cited and to stop the \$25.00 per day fine on January 23, 2024.

Moved by: Kenneth Gordon

Seconded by: Julie Aguiar

Vote: motion carried unanimously.

New Business:

8. Case Number 24-001 City of Bunnell vs William Sparks

Code Enforcement Officer Harris explained the case and provided testimony. The respondent's representative was present. Code Enforcement Officer Harris explained the respondent has started moving their equipment on their property. Staff and the respondent have been in constant communication for their site plan. It was recommended the respondent is found in violation of City of Bunnell code sections previously cited and continue to the April 10, 2024 Code Board Meeting.

Jack Wilson stated the site plan was submitted and is in the process for review as stated from staff.

Motion: To accept staff recommendation to find respondent William Sparks in violation of the City of Bunnell code previously cited and to continue the case to the April 10, 2024 Code Board Meeting

Moved by: Kenneth Gordon

Seconded by: Delories Hall

Vote: motion carried unanimously.

9. Case Number 24-002 City of Bunnell vs. Joseph Parsons

Code Enforcement Officer Harris explained the case and provided testimony. The respondent was not present. Code Enforcement Officer Harris explained this is a new case, and the renter of the property showed no interest in the code enforcement action. It was recommended the respondent Linda Edwards in violation of City of Bunnell code sections previously cited and pay a one time fine

of \$250.00. Staff will continue to monitor this case till the next Code Board meeting.

Chair Allen stated this case was noticed improperly and gave a different meeting location.

City Attorney Waters stated this can be an issue with due process.

Motion: Continue the case to the April 10, 2024, Code Board meeting.

Moved by: Julie Aguiar

Seconded by: Delories Hall

Vote: motion carried unanimously.

10. Case Number 24-003 City of Bunnell vs. Michael M. Bennett & Lativia N. Bennett

Chair Allen stated this case was noticed improperly and gave a different meeting location.

City Attorney recommended to continue to the next meeting.

Motion: Continue to April 10, 2024, meeting

Moved by: Julie Aguiar

Seconded by: Delories Hall

Vote: motion carried unanimously.

11. Case Number 24-004 City of Bunnell vs. Arelys Russell

Case is in-compliance and was removed from the agenda

12. Case Number 24-005 City of Bunnell vs. Paulette Moore

Chair Allen stated this case was noticed improperly and gave a different meeting location

Motion: Continue to the April 10, 2024, Meeting

Moved by: Julie Aguiar

Seconded by: Delories Hall

Vote: motion carried unanimously

Case# 22-015 3330 Steel Rail Drive Armando Toyos and Nayrobi Rodriguez
Code Enforcement Officer Harris explained the case. Code Enforcement Officer Harris stated the fine has been ongoing since last April on \$100.00 a day fine. He stated the site plan was turned in on 2/13/2024. Staff recommends find in violation and stop the \$100.00 fine as of February 13, 2024, continue to August meeting. He stated the fine started April 13, 2023, and is at 219 days. There was discussion from the board members on what the motion was on the April 13, 2023, meeting. Attorney Paul Waters looked up the minutes from that meeting. The minutes stated that a site plan and special exception would need to be turned in.

Chair Allen asked Code Enforcement Officer Harris if both had been turned in. Code Enforcement Officer Harris was only aware of the site plan being turned in. Community Development Coordinator Hancock called Community Development Coordinator Calderin to ask if both site plan and special exception were received. Community Development Coordinator Calderin stated just the site plan had been received.

Chair Allen pass the gavel to Vice Chair Aguiar

Motion: To stop the fine pending filing out the special exception application by February 21st, 2024. If not fill out fine will continue as if there was no motion

Moved by: Joy Allen

Seconded by: Delories Hall

Vote: motion carried unanimously

13. Announcements

None.

14. Next Scheduled Meeting: April 10, 2024

15. Adjournment of Code Enforcement Board

Motion: Adjourn

Moved by: Julie Aguiar

Seconded by: Kenneth Gordon

Vote: Motion carried unanimously

Board Chair

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. 7.

Document Date: 3/26/2024

Code Enforcement Case Number:
Case Number 24-002

Department: Code Enforcement

Subject: Case Number 24-002 City of Bunnell vs. Joseph Parsons

Address: 707 E. Howe Street

Zoning: R-2

Agenda Section: Old Business:

ATTACHMENTS:

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

Code Excepts: **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: Case: 24-002 (Yard & Porch & Carport Cluttered with need of clean up.)

NOV: 1-24-24 - Bunnell Code of Ordinance Sec. 70-1. - Removal of certain plants, weeds, trash and litter; duty of owner; service of notice.

NOV & NTA: 1/24/2024 NOV & NTA: 3/20/2024

CB Hearing: 2-14-24 CB Hearing: 3/10/2024

Outcome:

1-24-24: Sent NOV & NTA certified mail. Staked & Posted NOV on property site at 707 E. Howe Street. Took pictures. Posted NOV on COB information board at 604 E. Moody Blvd. Unit 6.

3-20-24: Sent out NOV & NTA Certified Letters. Posted and staked NOV at 707 E. Howe Street. Hand delivered NOV & NTA at front door of property and took pictures. Posted NOV & NTA on COB bulletin board for April 10th code board.

Staff Recommendation: Staff recommends the Code Board finds Respondent Linda Edwards in violation of the City of Bunnell Code Section previously cited and to pay a one-time fine of \$250.00. The COB will continue to monitor this case.

Owner Information

Primary Owner

[Parsons Joseph H](#)

PO Box 2372

Bunnell, FL 32110

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID	10-12-30-0850-00540-0030
Prop ID	10438
Location Address	204 N BACHER ST BUNNELL, FL 32110
Brief Tax Description*	TOWN OF BUNNELL BL-54 LOTS 3-4-5-6-7-8 OR BOOK 102 PAGE 37 OR 157 PG 185 OR 554 PG 1776 OR 780/539 OR 2121/885 <i>(Note: *The Description above is not to be used on legal documents.)</i>
Property Use Code	MULTI-FAMILY -10 (000850)
Tax District	BUNNELL AREA WITH MOSQUITO CONTROL (District 15)
Millage Rate	22.2004
Homestead	N
GIS sqft	31,509.676

[View Map](#)

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$420,128	\$432,674	\$333,660	\$279,121	\$279,757
Extra Features Value	\$13,100	\$13,100	\$10,945	\$12,398	\$11,288
Land Value	\$90,000	\$84,000	\$46,200	\$42,000	\$42,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$523,228	\$529,774	\$390,805	\$333,519	\$333,045
Assessed Value	\$443,556	\$403,233	\$366,575	\$333,519	\$319,497
Exempt Value	\$0	\$0	\$0	\$0	\$0



12.14.2023 09:31

STATEMENT OF VIOLATION
& NOTICE TO APPEAR

March 20, 2024,

CASE NUMBER 24-002

TO: Joseph H. Parsons
908 Maple Ave.
Elmira, NY. 14904

VIA: Hand Delivery by Gary Harris to 707 E. Howe Street on March 20, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 4034.
Posting on Property: 707 E. Howe Street, Bunnell, Fl. 32110 on March 20, 2024.
Posting at City Hall Public Notice Board on March 20, 2024.

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-002 ON PROPERTY OWNED BY YOU AND LOCATED AT 707 E. HOWE ST. BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-0850-00540-0030), TO WIT: FRONT PORCH, CARPORT, YARD CLUTTERED AND NEEDS TO BE CLEANED UP.

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.

Being the Owner/Tenant of said following property, described as:
707 E. Howe Street, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 10-12-30-0850-00540-0030

Recommended corrective action:

- Clean up and remove any clutter or untidy items on the front porch.

- Clean up and remove any clutter or untidy items in the carport.
- Keep front yard picked up so it is not in disorder with potted plants, leftover yard sale items.

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 CASE 24-002, UNLESS THIS VIOLATION FOR YARD CLEANUP IS IN COMPLIANCE.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **APRIL 10, 2024, AT 6 PM OR SOON THEREAFTER AT 1769 E. MOODY BLVD. (GENERAL SERVICES BUILDING) FIRST FLOOR CONFERENCE ROOM, 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.**

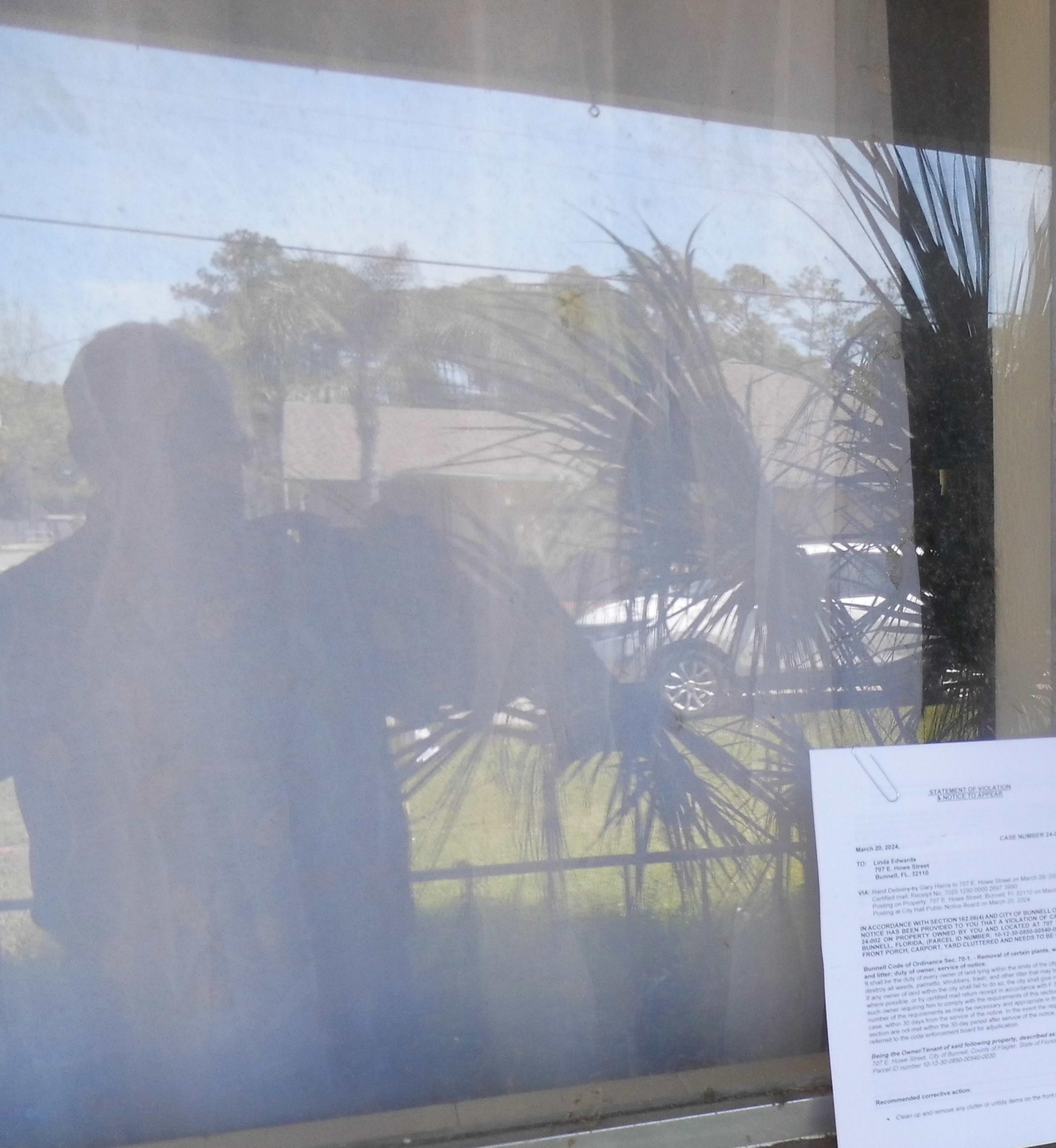
AT THE HEARING, THE CITY OF BUNNELL CODE ENFORCEMENT BOARD MAY FIND VIOLATION OCCURRED AS NOTICED AND IMPOSE A FINE UP TO \$250 FOR THE FIRST VIOLATION OF THE CODE SECTION AND UP TO \$500 FOR A REPEAT VIOLATION WITHIN 5 YEARS. IF THE CODE ENFORCEMENT BOARD DETERMINES THE VIOLATION PRESENTED A SERIOUS 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 THE 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.

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



**STATEMENT OF VIOLATION
& NOTICE TO APPEAR**

March 20, 2024 CASE NUMBER 24-002

TO: Linda Edwards
707 E. Howe Street
Bunnell, FL 32110

VIA: Hand Delivery by Gary Harris for 707 E. Howe Street on March 20, 2024
Certified mail: Received for: 707 E. Howe Street, Bunnell, FL 32110 on March 20, 2024
Posting on Property: 707 E. Howe Street, Bunnell, FL 32110 on March 20, 2024
Posting at City Hall Public Notice Board on March 20, 2024

IN ACCORDANCE WITH SECTION 162.061 AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-002 ON PROPERTY OWNED BY YOU AND LOCATED AT 707 E. HOWE ST BUNNELL, FLORIDA, (PARCEL ID NUMBER: 10-12-30-085-0004-0001) TO WIT: FRONT PORCH, CARPORT, YARD CLUTTERED AND NEEDS TO BE CLEANED UP.

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 look and identify all weeds, plants, shrubs, trees, 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 or by certified mail return receipt in accordance with § 6, Ch. 162 to such owner requiring him to comply with the requirements of this section. In each 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.

Being the Owner/Tenant of said following property, described as:
707 E. Howe Street, City of Bunnell, County of Volusia, State of Florida
Parcel ID number: 10-12-30-085-0004-0001

Recommended corrective action:

- Clean up and remove any clutter or utility items on the front porch.

3.20.2024 13:20



City of Bunnell, Florida

Agenda Item No. 8.

Document Date: 3/28/2024

Code Enforcement Case Number:
Case Number 24-008

Department: Code Enforcement

Subject: Case Number 24-008 City of Bunnell vs. Aldo & Adrian Marrerro

Address: 1020 Deen Road

Zoning: B-1

Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Property Appraiser's Info	Exhibit
Exhibit B - Picture Before Compliance	Exhibit
Exhibit C - NOV/NTA Paperwork Staked & Stapled	Exhibit
Exhibit D - NOV/NTA Paperwork Staked & Stapled	Exhibit

Code Excepts: **Bunnell Land Development Code Sec. 34-117. - B-1 Business district.**

(a) Purpose and intent. The purpose of this business-commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties, and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.

(b) Permitted special exception. Permitted special exceptions, which are subject to approval by the planning, zoning, and appeals board, in the B-1 district shall be as follows:

(3) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Sec. 22-3. - Applicability.

(a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:

(2) All uses requiring special exception approval.

Bunnell Land Development Code Sec. 22-9. – Major and minor site plan submittal requirements.

(f) Streets, sidewalks, driveway, parking areas and loading/unloading areas.

- (2) Designation of all parking spaces, including the number and dimensions of spaces and whether or not such spaces are designated for handicapped car parking.
 - a. Calculations for the required number of parking spaces.
- (4) Surface materials of roadways and driveways.
 - (i) Drainage plan and dredge and fill activities.
- (2) a. Proposed finished elevations of each building site and the first-floor level. A proposed grading plan shall be submitted.
 - b. Proposed system for the orderly disposal of surface water runoff with the system capabilities of having a minimum ability to accommodate the runoff from the first inch of rain; all swales and retention areas will be located with grades and elevations provided.

Case Actions
Information:

Case No:24-008
 Violation: Doing Work With No Site Plan
 NOV & NTA: 3-28-24
 Code Board: 4-10-24
 Outcome:

3-6-24: Property at 1020 Deen Road doing work on property without a site plan. Called owner on 2/9/24 and asked about his site plan and he said he would have it ready in a couple of days. Almost a month later and still no site plan. They thought it would be a quicker process with SWA Engineering not know they had a busy schedule and it takes time for site plan to be processed.

3-28-24: Staff got communication from owner Adrian Marrero who has got with SWA and they are hoping to have Site Plan in May depending on SWA's schedule. We have contact names and phone numbers and the communication line is working well. I have talked with Adrian 2-3 times in the last couple of weeks. NOV is being mailed Certified letter. NOV & NTA is staked at 1020 Deen Road. Pictures was made. NOV & NTA is posted on community board at 604 E. Moody Blvd. Unit 6. Working on Novus today so approval can be made by Monday so agenda can be distributed to code board member on Wed.

Staff
Recommendation:

Staff recommends the Code Board find Respondent Aldo & Adrian Marrero in violation of the City of Bunnell Code Sections previously cited and continued to the April Code Enforcement Board hearing. Site plan is due to the COB in May and the communication has been good with the owners of the property.

Primary Owner
Marrero Aldo
& Adrian Marrero Jtwros
12 Ryecroft Ln
Palm Coast, FL 32164

Change of Address Application

Change of Address Application

Parcel Summary

Parcel ID	09-12-30-5550-00160-0011
Prop ID	10241
Location Address	1020 DEEN RD BUNNELL, FL 32110
Brief Tax Description*	0003.21 ACRES ST JOHNS DEV CO SUBD BLOCK 16 THAT PART OF TRACT 1 SOUTH OF SR #100 OR BOOK 63 PAGE 205 OR 313 PG 911, 912 OR 1076 PG 1417 ANNEX ORD 2007-70,1634/845 OR 1709/1331-CT OR 1952/832 OR 2211/957 <i>(Note: *The Description above is not to be used on legal documents.)</i>
Property Use Code	VACANT COMMERCIAL (001000)
Tax District	BUNNELL AREA WITH NO MOSQUITO CONTROL (District 13)
Millage Rate	21.8754
Homestead	N
GIS sqft	142,542.112

[View Map](#)

Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$130,005	\$130,005	\$130,005	\$108,337	\$108,337
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$130,005	\$130,005	\$130,005	\$108,337	\$108,337



11.28.2022 09:46



STATEMENT OF VIOLATION & NOTICE TO APPEAR

March 28, 2024,

CASE NUMBER 24-008

**TO: Aldo & Adrian Marrero
12 Ryecroft Lane
Palm Coast, Fl. 32164**

VIA: Hand Delivery by Gary Harris to 1020 Deen Road on March 28, 2024.
Certified mail: Receipt No. 7020 1290 0000 2697 3976.
Posting on Property: 1020 Deen Road, Bunnell, Fl. 32110 on March 28, 2024.
Posting at City Hall Public Notice Board on March 28, 2024.
Parcel #: 09-12-30-5550-00160-0011

Legal Description: 0003.21 ACRES ST JOHNS DEV CO SUBD BLOCK 16 THAT PART OF TRACT 1 SOUTH OF SR #100 OR BOOK 63 PAGE 205 OR 313 PG 911, 912 OR 1076 PG 1417 ANNEX ORD 2007-70,1634/845 OR 1709/1331-CT OR 1952/832 OR 2211/957

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-008 ON PROPERTY OWNED BY YOU AND LOCATED AT 1020 Deen Road, BUNNELL, FLORIDA, (PARCEL ID NUMBER: 09-12-30-5550-00160-0011), TO WIT: SITE PLAN FOR B-1 PROPERTY.

Bunnell Land Development Code Sec. 34-117. - B-1 Business district.

- (a) Purpose and intent. The purpose of this business-commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties, and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.
- (b) Permitted special exception. Permitted special exceptions, which are subject to approval by the planning, zoning, and appeals board, in the B-1 district shall be as follows:
 - (3) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

Bunnell Land Development Code Sec. 22-3. - Applicability.

- (a) All site plan applications shall be reviewed pursuant to the procedures set forth in this chapter. Site plans shall be required for each of the following:
 - (2) All uses requiring special exception approval.

Bunnell Land Development Code Sec. 22-9. – Major and minor site plan submittal requirements.

- (f) *Streets, sidewalks, driveway, parking areas and loading/unloading areas.*
 - (2) *Designation of all parking spaces, including the number and dimensions of spaces and whether or not such spaces are designated for handicapped car parking.*
 - a. *Calculations for the required number of parking spaces.*
 - (4) *Surface materials of roadways and driveways.*
 - (i) *Drainage plan and dredge and fill activities.*
 - (2) a. *Proposed finished elevations of each building site and the first-floor level. A proposed grading plan shall be submitted.*
 - b. *Proposed system for the orderly disposal of surface water runoff with the system capabilities of having a minimum ability to accommodate the runoff from the first inch of rain; all swales and retention areas will be located with grades and elevations provided.*

*Being the Owner/Tenant of said following property, described as:
1020 Deen Road, City of Bunnell, County of Flagler, State of Florida
Parcel ID number 9-12-30-5550-00160-0011*

Recommended corrective action:

- Provide Site Plan for COB to approve AWA Pavers business at this location 1020 Deen Road.

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 CASE 24-008, UNLESS THIS VIOLATION FOR FLORIDA BUILDING CODE – SITE PLAN FOR B-1 PROPERTY.

YOU ARE HEREBY NOTIFIED THE VIOLATION SHALL BE REVIEWED BY THE CITY OF BUNNELL CODE ENFORCEMENT BOARD ON **APRIL 10, 2024, AT 6 PM OR SOON THEREAFTER AT 1769 E. MOODY BLVD. (GENERAL SERVICES BUILDING) FIRST FLOOR CONFERENCE ROOM, 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 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 THE 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.

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



STATEMENT OF VIOLATION & NOTICE TO APPEAR

March 28, 2024,

CASE NUMBER 24-008

TO: Aldo & Adrian Marrero
12 Rycroft Lane
Palm Coast, FL 32164

VIA: Hand Delivery by Gary Harris to 1020 Deen Road on March 28, 2024.

- Certified mail: Receipt No. 7020 1290 0000 2697 3976.

- Posting on Property: 1020 Deen Road, Bunnell, FL 32110 on March 28, 2024.

- Posting at City Hall Public Notice Board on March 28, 2024.

Parcel #: 09-12-30-5550-00160-0011

Legal Description: 0003.21 ACRES ST JOHNS DEV CO SUBD BLOCK 16 THAT PART OF TRACT 1 SOUTH OF SR #100 OR BOOK 63 PAGE 205 OR 313 PG 911, 912 OR 1076 PG 1417 ANNEX ORD 2007-70, 1634/845 OR 1709/1331-CT OR 1952/832 OR 2211/957

IN ACCORDANCE WITH SECTION 162.06(4) AND CITY OF BUNNELL ORDINANCES, NOTICE HAS BEEN PROVIDED TO YOU THAT A VIOLATION OF CASE NUMBER 24-008 ON PROPERTY OWNED BY YOU AND LOCATED AT 1020 Deen Road, BUNNELL, FLORIDA, (PARCEL ID NUMBER: 09-12-30-5550-00160-0011), TO WIT: SITE PLAN FOR B-1 PROPERTY.

Bunnell Land Development Code Sec. 34-117. - B-1 Business district.

(a) Purpose and intent. The purpose of this business-commercial district is to guide and regulate commercial uses including personal and business services and general retail business. It is the intent of this district to allow a wide range of commercial uses, provide for a medium to high concentration of commercial activity, and ensure compatibility with the adjacent properties, and allow the potential for mixed-use commercial and residential development. This district is compatible with the commercial and commercial high land use categories.

(b) Permitted special exception. Permitted special exceptions, which are subject to approval by the planning, zoning, and appeals board, in the B-1 district shall be as follows:

(3) Other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the planning, zoning, and appeals board.

3.28.2024 13:17