



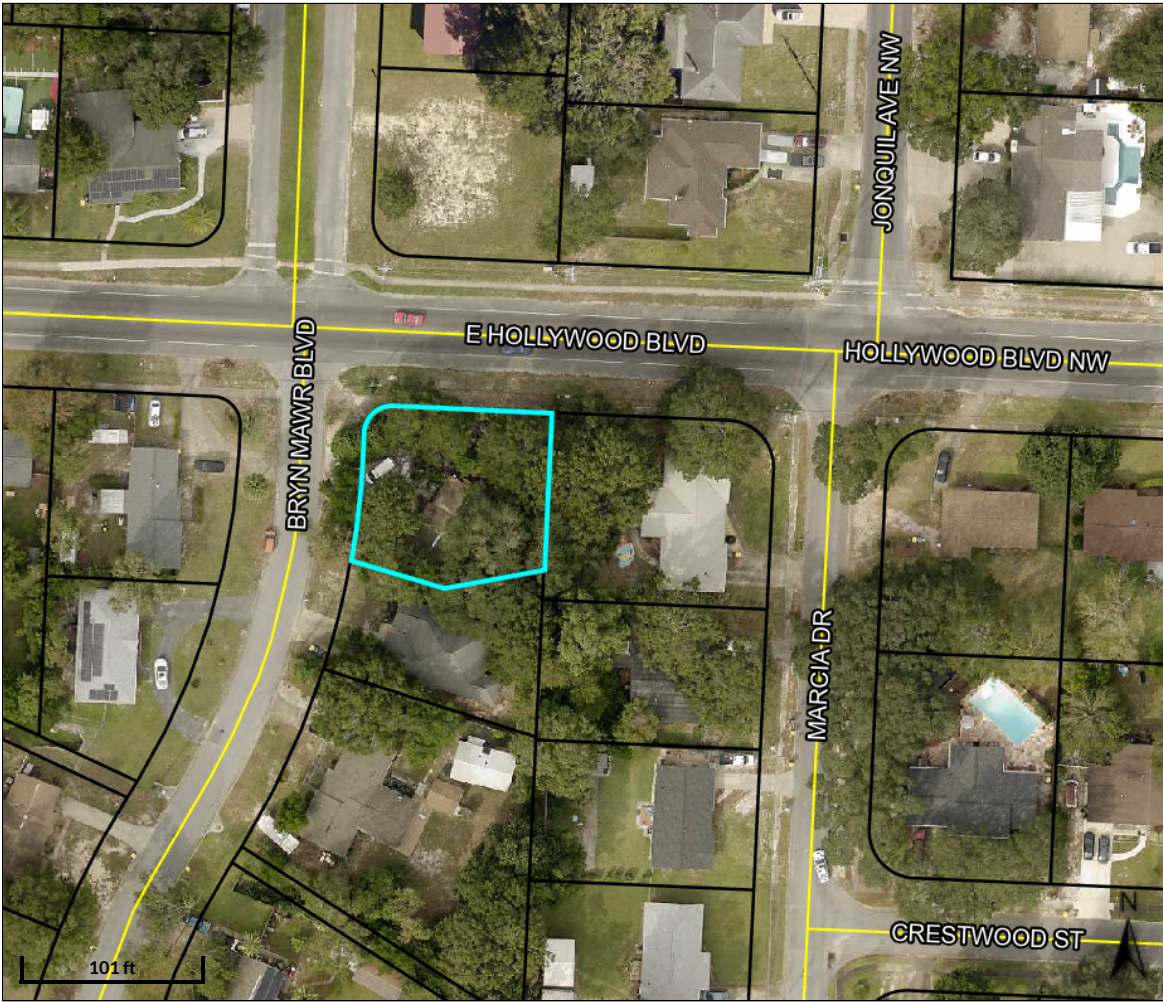
AGENDA
MAGISTRATE HEARING
May 16, 2024 - 8:00 AM

195 Christobal Road – North, Mary Esther, FL 32569

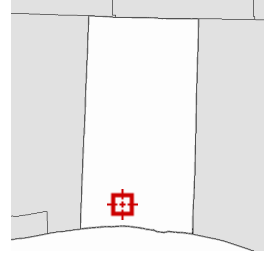
1. **SWEARING IN**
2. **HEARING OF CASES**
 - 2.1. **Case 000017-2023 188 Bryn Mawr Blvd. Mary Esther FL, 32569 16-2S-24-0290-0019-0000 (Violations Litter, trash, debris, derelict fence)**
 - 2.2. **Case Number 000043-2024 2 Kohler Drive Mary Esther FL 32569 17-2S-24-2360-0004-0020 (Violations Derelict Swimming Pool)**
 - 2.3. **Case Number 000030-2023 40 Ruby Circle Mary Esther FL 32569 16-2S-24-120A-0000-0480 (Violations Litter, Trash, Debris)**
3. **ADJOURN**

The City does not keep verbatim minutes as a matter of record. If a person decides to appeal any decision made by the special magistrate with respect to any matter considered at this hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. See Florida Statute 286.0105

******* PLEASE TURN OFF OR SILENCE ALL CELL PHONES *******



Overview



Legend

- Parcels
- Roads
- Water
- City Labels

Parcel ID	16-2S-24-0290-0019-0000	Physical Address	188 BRYN MAWR BLVD	Land Value	\$48,953	Last 2 Sales			
Acres (GIS)	0.21	Mailing Address	MARY ESTHER PAPADINIS JOAN	Ag Land Value	\$0	Date	10/3/2005	Price	\$100
Property Class	SINGLE FAMILY		188 BRYN MAWR BLVD	Building Value	\$86,317	Date	6/1/2001	Price	\$56000
Taxing District	5		MARY ESTHER, FL 32569	Misc Value	\$0	Reason			
				Just Value	\$135,270	Reason			QUAL/PHY PROP
				Assessed Value	\$79,784	Reason			CHGD AFTER SALE
				Exempt Value	\$79,784				
				Taxable Value	\$0				
				Value					Q

Date created: 4/29/2024
Last Data Uploaded: 4/29/2024 6:13:54 AM

Developed by Schneider GEOSPATIAL



City of Mary Esther
Code Compliance
 195 Christobal Road North
 Mary Esther, FL 32569
 Phone: 850-243-3566
 Email: code@cityofmaryesther.com

Courtesy Notice	Case Number: CODE-000017-2023
	Case Type: Code Compliance
	Date Case Established: 06/28/2023
Compliance Deadline: 07/18/2023	

Violator: Joan Papadinis

Mailing Address

Joan Papadinis
 188 BRYN MAWR BLVD BLVD
 MARY ESTHER, FL 32569

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

Address	Parcel
188 BRYN MAWR BLVD BLVD MARY ESTHER, FL 32569	16-2S-24-0290-0019-0000

We are issuing this Courtesy Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your case will be closed and no further action will be necessary. Failure to correct the violation will result in a Violation Notice and additional code compliance action.

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. This includes all furniture, household items tarps, bed frames, mirrors, chairs, and the like. Items to be kept are to be stored inside an approved building.
Compliance Date: 07/18/2023

Violation: CO 10-22 (a)(b)(3)&(9) - Building, Structure, Premises - Derelict, Unsafe Or Unsanitary
Corrective Action: Fence is falling down and shall either be removed, replaced or repaired to be structurally sound.
Compliance Date: 07/18/2023

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
 Code Compliance Officer - Badge Number: 1058



City of Mary Esther
Code Compliance
 195 Christobal Road North
 Mary Esther, FL 32569
 Phone: 850-243-3566
 Email: code@cityofmaryesther.com

<h1>Violation Notice</h1>	Case Number: CODE-000017-2023
	Case Type: Code Compliance
	Date Case Established: 06/28/2023
Compliance Deadline: 04/26/2024	

Violator: Joan Papadinis

Mailing Address

Joan Papadinis
 188 BRYN MAWR BLVD BLVD
 MARY ESTHER, FL 32569

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

We are issuing this Violation Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your file will be closed and no further action will be necessary. Failure to correct the violation may result in 3 Citation of \$50/day for the first offense and up to \$250/day for each subsequent offense. You may also receive a Hearing Notice to appear before the Special Magistrate.

Address	Parcel
188 BRYN MAWR BLVD BLVD MARY ESTHER, FL 32569	16-2S-24-0290-0019-0000

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. This includes all furniture, household items tarps, bed frames, mirrors, chairs, and the like. Items to be kept are to be stored inside an approved building.
Compliance Date: 04/26/2024

Violation: CO 10-22 (a)(b)(3)&(9) - Building, Structure, Premises - Derelict, Unsafe Or Unsanitary
Corrective Action: Fence is falling down and shall either be removed, replaced or repaired to be structurally sound.
Compliance Date: 04/26/2024

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Sincerely,

Kelvin Cherry
 Code Compliance Officer - Badge Number: 1058

Joan Papadinis
188 Bryn Mawr Blvd.
Mary Esther, FL 32569

Case No: 000017-2023

NOTICE OF FORMAL HEARING
VIOLATION OF CITY OF MARY ESTHER CODE AND ORDINANCES

Date: April 30, 2029

Address: 188 Bryn Mawr Blvd., Mary Esther, FL 32569

Parcel Identification No.: 16-2S-24-0290-0019-0000

I am the Special Magistrate for the City of Mary Esther charged with the responsibility of hearing code enforcement cases. I have recently received the enclosed notice of violation and request for hearing from the City. Pursuant to the Mary Esther City Code, you are hereby formally notified that on May 16, 2024 at 8:00 A.M., there will be a public hearing before the City of Mary Esther Special Magistrate at the Chambers of the City Council of Mary Esther, Florida located at 195 Christobal Road N., Mary Esther, Florida 32569. This concerns alleged violation(s) of the Codes and Ordinances of the City of Mary Esther of which you have been cited for being in violation and which you have failed to come into voluntary compliance. FAILURE TO APPEAR MAY RESULT IN THE SPECIAL MAGISTRATE PROCEEDING IN YOUR ABSENCE. There may be other cases against other parties scheduled at the same date and time as set forth above. The Special Magistrate will hear the cases scheduled in the order of his discretion.

Should you desire, you have the right to obtain an attorney, AT YOUR EXPENSE, to represent you before the Special Magistrate. You will also have the opportunity to present your side of the case and present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

Prior to the above-referenced hearing, you are entitled to receive and review the City's investigative file. If you would like to receive and/or review this information prior to the hearing, you must send a request for this information to the City Manager and the information will be made available to you. The City Manager may be contacted by phone at (850) 243-3566 or in person at 195 Christobal Road N., Mary Esther, Florida 32569. If there is any information or evidence you would like the Special Magistrate to review prior to the hearing, it is your responsibility to provide any such information to the Special Magistrate and to the City, within a reasonable time prior to the hearing. It is your responsibility to enter any evidence into the official record at the public hearing.

At the conclusion of the hearing, the Special Magistrate will issue findings of fact, conclusions of law and an order based on the evidence of record. If you are found to be in violation, the Special Magistrate will order you to come into compliance with the Mary Esther City Code within a specific period of time. Pursuant thereto, you may be ordered to pay a fine not to exceed \$250 for a first violation or a fine not to exceed \$500 for a repeat violation for each day the

violation continues past the date set for compliance. In the case of a repeat violation, this daily fine may begin with the date the repeat violation is found to have occurred by the City's code inspector.

A "repeat violation" means a violation of a provision of a code or ordinance by a person who has been previously found through a code enforcement proceeding or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within 5 years prior to the violation, notwithstanding the violations occur at different locations.

In addition, if the Special Magistrate has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the City, which may make all reasonable repairs which are required to bring the property into compliance and charge you with the reasonable cost of the repairs in addition to the fines set forth above. Making such repairs does not create a continuing obligation on the part of the City of Mary Esther to make further repairs or to maintain the property and does not create any liability against the City of Mary Esther for any damages to the property if such repairs were completed in good faith.

If, after due notice and hearing, the Special Magistrate finds a violation to be irreparable or irreversible in nature, the Special Magistrate may order the violator to pay a fine not to exceed \$5,000 per violation. In addition, should the violator be found in violation of the City Code and Ordinances, the Special Magistrate has the power by law to levy fines that may include all costs of repairs performed by the City of Mary Esther as set forth above.

In determining the amount of the fine, if any, the Special Magistrate shall consider the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

If the City prevails in prosecuting this case, the Special Magistrate may also impose additional fines to cover all costs incurred by the City in enforcing its codes. You may be required to pay these costs even if you come into compliance before the hearing. All fines and costs may be included in a lien against your property as authorized under § 162.09(3), *Florida Statutes*, as set forth below.

If a violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the City's code inspector, this case may still be presented to the Special Magistrate even if the violation has been corrected prior to the hearing set herein. Also, in the case of a repeat violation, a case may also be presented to the Special Magistrate even if a repeat violation has been corrected prior to the hearing set herein. If the repeat violation has been corrected, the Special Magistrate retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the Special Magistrate.

A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records of Okaloosa County and shall constitute a lien against the land on which the violations(s) exists and upon any other real or personal property owned by the violator.

If any person decides to appeal any decisions made by the Special Magistrate with respect to any matter considered at such hearing, he or she will need to record the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Appeals shall be made to the Okaloosa County Circuit Court. If you desire to have the hearing recorded by an official court reporter, you shall be responsible for arranging for an official court reporter to appear at the hearing, AT YOUR EXPENSE.

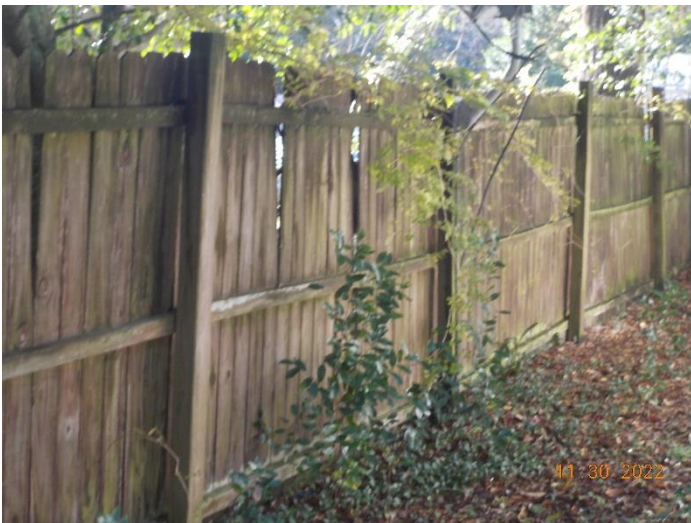
If you have any questions regarding this notice or wish to submit evidence for hearing, please contact Kelvin Cherry (850) 243-3566 ext. 119 or email kcherry@cityofmaryesther.com. I may conduct the hearing remotely by Zoom. If you would like to appear remotely, please contact my office immediately at (850) 428-1755 or by email at jbrucebowman@gmail.com. If you do not make such a request or unless otherwise stated, the hearing will be conducted in person.

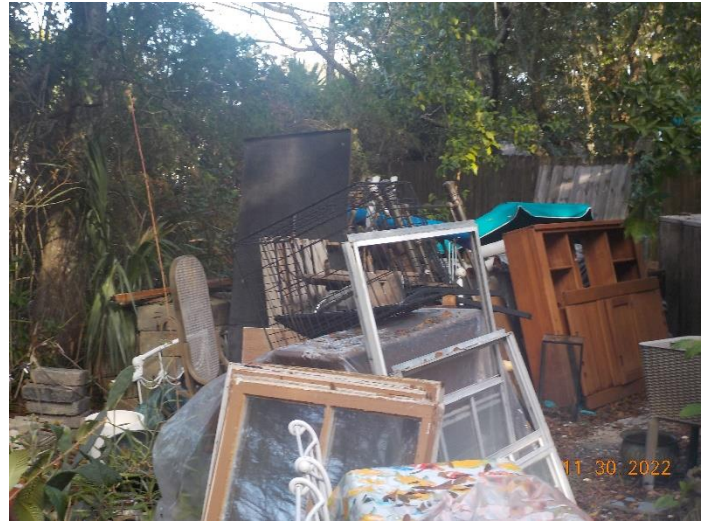
THE CASE MAY BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING. HOWEVER, IF YOU HAVE CORRECTED THE CITED VIOLATION, PLEASE CONTACT THE CITY'S CODE ENFORCEMENT DEPARTMENT AT (850) 243-3566 EXT. 119 OR BY EMAIL TO KCHERRY@CITYOFMARYESTHER.COM SCHEDULE AN INSPECTION.

**CITY OF MARY ESTHER
SPECIAL MAGISTRATE**

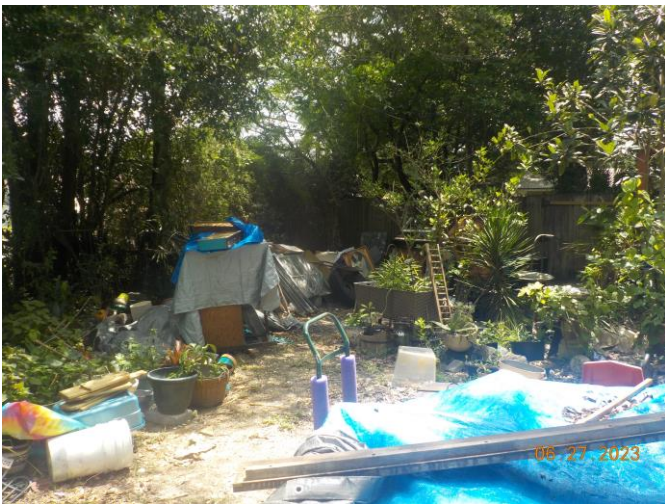


J. Bruce Bowman





June 27, 2023



March 12, 2024



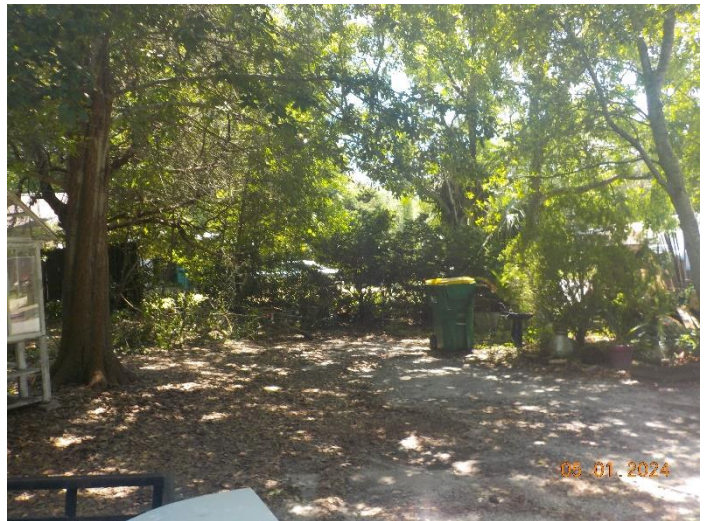
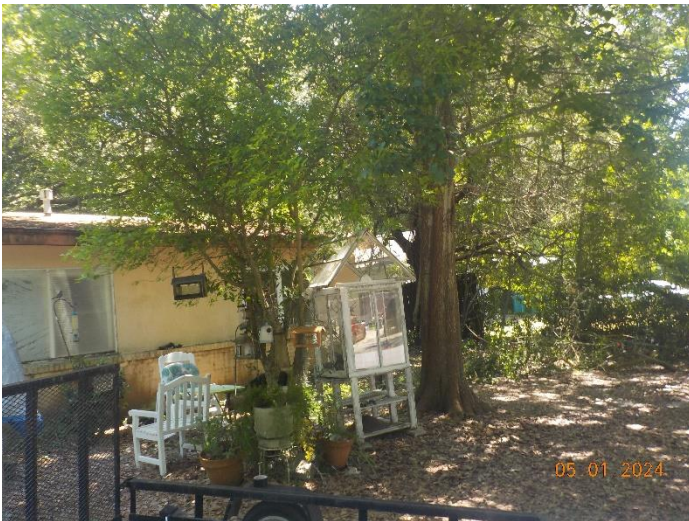
May 1, 2024

Page 1 of 2



May 1, 2024

Page 2 of 2





CODE CASE DETAILED REPORT CODE-000043-2024 FOR CITY OF MARY ESTHER, FL

Case Type: Code Compliance **Project:** **Opened Date:** 04/24/2024
Status: Closed - Resolved **District:** **Closed Date:** 04/26/2024
Assigned To: Kelvin Cherry **Description:** Derelict swimming pool case is carried over from IWORQ program case number 2021032

Parcel: 17-2S-24-2360-0004-0020 Main **Address:** 2 Kohler Dr Dr Main
Mary Esther, FL 32569

Owner **Violator**
Julia Whitman Julia Whitman
2 Kohler Dr Dr 2 Kohler Dr Dr
Mary Esther, FL 32569 Mary Esther, FL 32569

Note	Created By	Date and Time Created
1. The swimming pool has been removed and the debris has been cleared. Property is compliant, I advised MRS. Whitman that I was very proud of her and she was happy to have the property in compliance as well.	Kelvin Cherry	4/26/2024 9:37 am

Activity Type	Activity Number	Activity Name	User	Created On
Notice of Violation Letter Sent	NOV-000058-2024		Kelvin Cherry	04/24/2024

Violation Code: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 **Violation Status:** Resolved **Citation Issue Date:** 04/24/2024
Code Description: Litter, Trash, Debris **Compliance Date:** 04/26/2024
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Swimming pool derelict and is dismantled in the backyard, pool debris wood, lining, steps, railing, and equipment shall be properly disposed of immediately. **Resolved Date:** 04/26/2024

Violation Code: CO 10-22(b)(4) **Violation Status:** Resolved **Citation Issue Date:** 04/24/2024
Code Description: Standing Water - Accumulation Of **Compliance Date:** 04/26/2024
Corrective Action: Swimming pool water shall be maintained and shall be free of pests/insects and the like. **Resolved Date:** 04/26/2024

Inspection Number	Inspection Type	Inspection Status	Inspection Date
ICODE-000039-2024	Code Compliance Inspection	Scheduled	04/26/2024 10:00 am

Inspector: Kelvin Cherry
Checklist Comments:



**City of Mary Esther
Code Compliance**

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Courtesy Notice	Case Number: CODE-000043-2024
	Case Type: Code Compliance
	Date Case Established: 04/24/2024
Compliance Deadline: 04/26/2024	

Owner: Julia Whitman

Mailing Address

Julia Whitman
2 KOHLER DR DR
MARY ESTHER, FL 32569

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

Address

Parcel

2 KOHLER DR DR
MARY ESTHER, FL 32569

17-2S-24-2360-0004-0020

We are issuing this Courtesy Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your case will be closed and no further action will be necessary. Failure to correct the violation will result in a Violation Notice and additional code compliance action.

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Swimming pool derelict and is dismantled in the backyard
Compliance Date: 04/26/2024

Violation: CO 10-22(b)(4) - Standing Water - Accumulation Of Any wholly or partially manmade swimming pool, container, receptacle, pond, other body of water, depression or excavation, or any other condition on the premises wherein water may accumulate and stand in such a manner as to make possible the propagation or production of odors, stenches, disease vectors, biting insect pests or the like, discolored water when present in a swimming pool.
Corrective Action: Swimming pool water shall be maintained and shall be free of pests/insects and the like.
Compliance Date: 04/26/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
Code Compliance Officer - Badge Number: 1058



City of Mary Esther
Code Compliance
 195 Christobal Road North
 Mary Esther, FL 32569
 Phone: 850-243-3566
 Email: code@cityofmaryesther.com

Case Number: CODE-000043-2024	
Violation Notice	Case Type: Code Compliance
	Date Case Established: 04/24/2024
	Compliance Deadline: 04/26/2024

Owner: Julia Whitman

Mailing Address

Julia Whitman
 2 KOHLER DR DR
 MARY ESTHER, FL 32569

Notice of Violation for the following location:

Address

Parcel

2 KOHLER DR DR
 MARY ESTHER, FL 32569

17-2S-24-2360-0004-0020

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address above:

We are issuing this Violation Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your file will be closed and no further action will be necessary. Failure to correct the violation may result in a Citation of \$50/day for the first offense and up to \$250/day for each subsequent offense. You may also receive a Hearing Notice to appear before the Special Magistrate.

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Swimming pool derelict and is dismantled in the backyard
Compliance Date: 04/26/2024

Violation: CO 10-22(b)(4) - Standing Water - Accumulation Of
Any wholly or partially manmade swimming pool, container, receptacle, pond, other body of water, depression or excavation, or any other condition on the premises wherein water may accumulate and stand in such a manner as to make possible the propagation or production of odors, stenches, disease vectors, biting insect pests or the like, discolored water when present in a swimming pool.
Corrective Action: Swimming pool water shall be maintained and shall be free of pests/insects and the like.
Compliance Date: 04/26/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
 Code Compliance Officer - Badge Number: 1058



City of Mary Esther
Code Compliance
 195 Christobal Road North
 Mary Esther, FL 32569
 Phone: (850) 243-3566
 Email: code@cityofmaryesther.com

Case Number: CODE-000043-2024	
Compliance Notice	Case Type: Code Compliance
	Date Case Established: 04/24/2024
	Case Status: Closed - Resolved

Owner/Violator: Julia Whitman

Mailing Address

Julia Whitman
 2 KOHLER DR DR
 MARY ESTHER, FL 32569

A code compliance inspection was recently completed at the property address Below. Thank you for taking corrective action. The property is now in compliance and the case has been closed.

Address

Parcel

2 KOHLER DR DR
 MARY ESTHER, FL 32569

17-2S-24-2360-0004-0020

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris

Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Swimming pool derelict and is dismantled in the backyard, pool debris wood, lining, steps, railing, and equipment shall be properly disposed of immediately.

Compliance Date: 04/26/2024

Violation: CO 10-22(b)(4) - Standing Water - Accumulation Of

Any wholly or partially manmade swimming pool, container, receptacle, pond, other body of water, depression or excavation, or any other condition on the premises wherein water may accumulate and stand in such a manner as to make possible the propagation or production of odors, stenches, disease vectors, biting insect pests or the like, discolored water when present in a swimming pool.

Corrective Action: Swimming pool water shall be maintained and shall be free of pests/insects and the like.

Compliance Date: 04/26/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
 Code Compliance Officer - Badge Number: 1058

Julia Whitman
2 Kohler Dr.
Mary Esther, FL 32569

Case No: 000043-2023

NOTICE OF FORMAL HEARING
VIOLATION OF CITY OF MARY ESTHER CODE AND ORDINANCES

Date: April 30, 2029
Address: 2 Kohler Dr., Mary Esther, FL 32569
Parcel Identification No.: 16-2S-24-0290-0019-0000

I am the Special Magistrate for the City of Mary Esther charged with the responsibility of hearing code enforcement cases. I have recently received the enclosed notice of violation and request for hearing from the City. Pursuant to the Mary Esther City Code, you are hereby formally notified that on May 16, 2024 at 8:00 A.M., there will be a public hearing before the City of Mary Esther Special Magistrate at the Chambers of the City Council of Mary Esther, Florida located at 195 Christobal Road N., Mary Esther, Florida 32569. This concerns alleged violation(s) of the Codes and Ordinances of the City of Mary Esther of which you have been cited for being in violation and which you have failed to come into voluntary compliance. FAILURE TO APPEAR MAY RESULT IN THE SPECIAL MAGISTRATE PROCEEDING IN YOUR ABSENCE. There may be other cases against other parties scheduled at the same date and time as set forth above. The Special Magistrate will hear the cases scheduled in the order of his discretion.

Should you desire, you have the right to obtain an attorney, AT YOUR EXPENSE, to represent you before the Special Magistrate. You will also have the opportunity to present your side of the case and present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

Prior to the above-referenced hearing, you are entitled to receive and review the City's investigative file. If you would like to receive and/or review this information prior to the hearing, you must send a request for this information to the City Manager and the information will be made available to you. The City Manager may be contacted by phone at (850) 243-3566 or in person at 195 Christobal Road N., Mary Esther, Florida 32569. If there is any information or evidence you would like the Special Magistrate to review prior to the hearing, it is your responsibility to provide any such information to the Special Magistrate and to the City, within a reasonable time prior to the hearing. It is your responsibility to enter any evidence into the official record at the public hearing.

At the conclusion of the hearing, the Special Magistrate will issue findings of fact, conclusions of law and an order based on the evidence of record. If you are found to be in violation, the Special Magistrate will order you to come into compliance with the Mary Esther City Code within a specific period of time. Pursuant thereto, you may be ordered to pay a fine not to exceed \$250 for a first violation or a fine not to exceed \$500 for a repeat violation for each day the

violation continues past the date set for compliance. In the case of a repeat violation, this daily fine may begin with the date the repeat violation is found to have occurred by the City's code inspector.

A "repeat violation" means a violation of a provision of a code or ordinance by a person who has been previously found through a code enforcement proceeding or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within 5 years prior to the violation, notwithstanding the violations occur at different locations.

In addition, if the Special Magistrate has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the City, which may make all reasonable repairs which are required to bring the property into compliance and charge you with the reasonable cost of the repairs in addition to the fines set forth above. Making such repairs does not create a continuing obligation on the part of the City of Mary Esther to make further repairs or to maintain the property and does not create any liability against the City of Mary Esther for any damages to the property if such repairs were completed in good faith.

If, after due notice and hearing, the Special Magistrate finds a violation to be irreparable or irreversible in nature, the Special Magistrate may order the violator to pay a fine not to exceed \$5,000 per violation. In addition, should the violator be found in violation of the City Code and Ordinances, the Special Magistrate has the power by law to levy fines that may include all costs of repairs performed by the City of Mary Esther as set forth above.

In determining the amount of the fine, if any, the Special Magistrate shall consider the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

If the City prevails in prosecuting this case, the Special Magistrate may also impose additional fines to cover all costs incurred by the City in enforcing its codes. You may be required to pay these costs even if you come into compliance before the hearing. All fines and costs may be included in a lien against your property as authorized under § 162.09(3), *Florida Statutes*, as set forth below.

If a violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the City's code inspector, this case may still be presented to the Special Magistrate even if the violation has been corrected prior to the hearing set herein. Also, in the case of a repeat violation, a case may also be presented to the Special Magistrate even if a repeat violation has been corrected prior to the hearing set herein. If the repeat violation has been corrected, the Special Magistrate retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the Special Magistrate.

A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records of Okaloosa County and shall constitute a lien against the land on which the violations(s) exists and upon any other real or personal property owned by the violator.

If any person decides to appeal any decisions made by the Special Magistrate with respect to any matter considered at such hearing, he or she will need to record the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Appeals shall be made to the Okaloosa County Circuit Court. If you desire to have the hearing recorded by an official court reporter, you shall be responsible for arranging for an official court reporter to appear at the hearing, AT YOUR EXPENSE.

If you have any questions regarding this notice or wish to submit evidence for hearing, please contact Kelvin Cherry (850) 243-3566 ext. 119 or email kcherry@cityofmaryesther.com. I may conduct the hearing remotely by Zoom. If you would like to appear remotely, please contact my office immediately at (850) 428-1755 or by email at jbrucebowman@gmail.com. If you do not make such a request or unless otherwise stated, the hearing will be conducted in person.

THE CASE MAY BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING. HOWEVER, IF YOU HAVE CORRECTED THE CITED VIOLATION, PLEASE CONTACT THE CITY'S CODE ENFORCEMENT DEPARTMENT AT (850) 243-3566 EXT. 119 OR BY EMAIL TO KCHERRY@CITYOFMARYESTHER.COM SCHEDULE AN INSPECTION.

**CITY OF MARY ESTHER
SPECIAL MAGISTRATE**



J. Bruce Bowman

NOH

May 1, 2024

CITY OF MARY ESTHER
195 CHRISTOBAL ROAD N.
MARY ESTHER, FL 32569-1911




2 Kohler Drive
NOH
5/1/24

05.01.2024

Pictures 4/24/2024





**City of Mary Esther
Code Compliance**
195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3366
Email: code@cityofmaryesther.com

Case Number: **CODE-000043-2024** Case Type: **Code Compliance**

Violation Notice Date Case Established: **04/24/2024**

Compliance Deadline: **04/26/2024**

Owner/VIOLATOR: Julia Whitman

Mailing Address:

Julia Whitman
 2 KOHLER DR DR
 MARY ESTHER, FL 32569

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

We are issuing this Violation Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your file will be closed and no further action will be necessary. Failure to correct the violation may result in 3 Citations of \$50/day for the first offense and up to \$250/day for each subsequent offense. You may also receive a Hearing Notice to appear before the Special Magistrate.

Address	Parcel
2 KOHLER DR DR MARY ESTHER, FL 32569	17-25-24-2360-0004-0020

Violation: CO 10-2(a); 20-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris

Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Swimming pool derelict and is dismantled in the backyard; pool debris wood, lining, steps, railing, and equipment shall be properly disposed of immediately.

Compliance Date: 04/26/2024

Violation: CO 10-23(b)(1) - Standing Water - Accumulation Of

Any wholly or partially manmade swimming pool, container, receptacle, pond, other body of water, depression or excavation, or any other condition on the premises wherein water may accumulate and stand in such a manner as to make possible the propagation or production of odors, stenches, disease vectors, biting insect pests or the like, discolored water when present in a swimming pool.

Corrective Action: Swimming pool water shall be maintained and shall be free of pests/insects and the like.

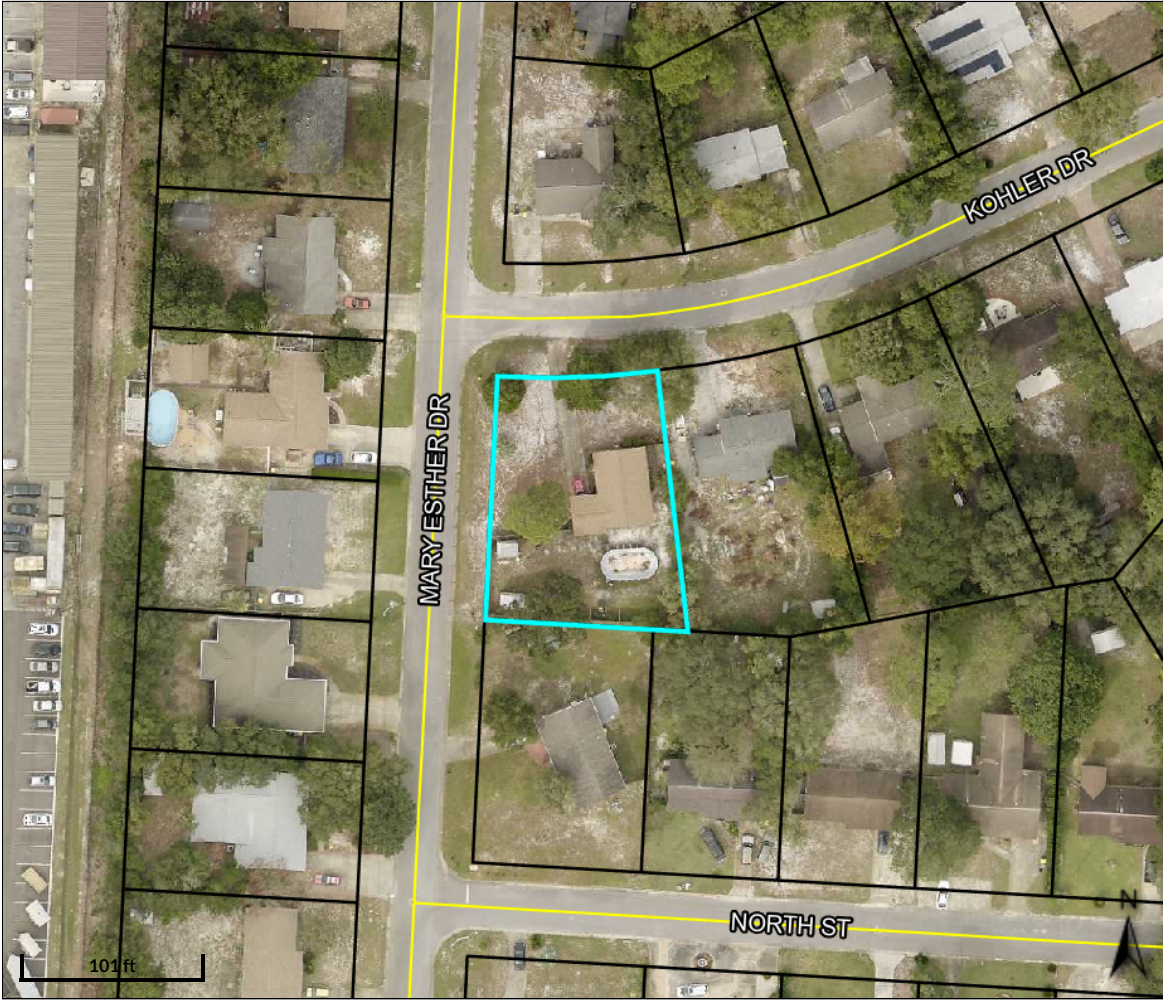
Compliance Date: 04/26/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3366 or code@cityofmaryesther.com.

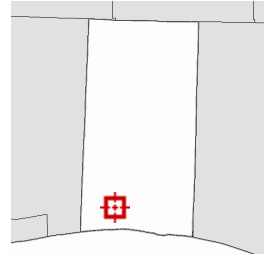
Sincerely,

Kevin Cherry
Code Compliance Officer - Badge Number: 1058

04.24.2024



Overview



Legend

- Parcels
- Roads
- Water
- City Labels

<p>Parcel ID 17-25-24-2360-0004-0020</p> <p>Acres (GIS) 0.30</p> <p>Property Class SINGLE FAMILY</p> <p>Taxing District 5</p>	<p>Physical Address 2 KOHLER DR MARY ESTHER</p> <p>Mailing Address WHITMAN JULIA L</p> <p>Address 2 KOHLER DR MARY ESTHER, FL 32569</p>	<p>Land Value \$48,192</p> <p>Ag Land Value \$0</p> <p>Building Value \$94,508</p> <p>Misc Value \$7,128</p> <p>Just Value \$149,828</p> <p>Assessed Value \$90,700</p> <p>Exempt Value \$50,000</p> <p>Taxable Value \$40,700</p>	<p>Last 2 Sales</p> <table border="0"> <thead> <tr> <th>Date</th> <th>Price</th> <th>Reason</th> <th>Qual</th> </tr> </thead> <tbody> <tr> <td>2/11/2019</td> <td>\$100</td> <td>UNQUAL/CORRECTIVE/QCD,TD</td> <td>U</td> </tr> <tr> <td>9/17/2002</td> <td>\$100</td> <td>QUAL/PHY PROP CHGD AFTER SALE</td> <td>U</td> </tr> </tbody> </table>	Date	Price	Reason	Qual	2/11/2019	\$100	UNQUAL/CORRECTIVE/QCD,TD	U	9/17/2002	\$100	QUAL/PHY PROP CHGD AFTER SALE	U
Date	Price	Reason	Qual												
2/11/2019	\$100	UNQUAL/CORRECTIVE/QCD,TD	U												
9/17/2002	\$100	QUAL/PHY PROP CHGD AFTER SALE	U												

Date created: 4/29/2024
Last Data Uploaded: 4/29/2024 6:13:54 AM

Developed by Schneider
GEOSPATIAL



CODE CASE DETAILED REPORT CODE-00030-2023 FOR CITY OF MARY ESTHER, FL

Case Type: Code Compliance	Project:	Opened Date: 11/30/2023
Status: In Progress	District:	Closed Date: NOT CLOSED
Assigned To: Kelvin Cherry	Description: Litter trash debris grass and weeds	

Parcel: 16-2S-24-120A-0000-0480	Main	Address: 40 Ruby Cir Cir Mary Esther, FL 32569	Main	
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Owner Ada Bower 8200 41St NW St Doral, FL 33166	Owner Ada Bower 40 Ruby Cir Cir Mary Esther, FL 32569	Violator Ada Bower 8200 41St NW St Doral, FL 33166
Violator Ada Bower 40 Ruby Cir Cir Mary Esther, FL 32569		

Activity Type	Activity Number	Activity Name	User	Created On
Courtesy Notice Sent	COURT-000037-2023		Kelvin Cherry	11/30/2023
Notice of Violation Letter Sent	NOV-000057-2024		Kelvin Cherry	04/24/2024

Violation Code: CO 10-21; 10-22; see sub sections; FS 823.05	Violation Status: In Violation	Citation Issue Date: 11/30/2023
Code Description: Nuisance		Compliance Date: 04/26/2024
Corrective Action: Standing water in planter pots.		Resolved Date:

Violation Code: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26	Violation Status: In Violation	Citation Issue Date: 11/30/2023
Code Description: Litter, Trash, Debris		Compliance Date: 04/26/2024
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Bags of soil ripped open unused plant bases/pots filled with standing water, bags of rocks torn open. All items that are to be kept that are not in-use shall be stored within an approved building or properly disposed of.		

Violation Code: CO 10-23 (a)(1)	Violation Status: In Violation	Citation Issue Date: 11/30/2023
Code Description: Grass And Weeds Exceed 8 Inches In Height		Compliance Date: 04/26/2024
Corrective Action: Grass and weeds shall not exceed 8 inches in height. Cut/mow grass and weeds and maintain to not exceed 8 inches in height.		

Inspection Number	Inspection Type	Inspection Status	Inspection Date
ICODE-000029-2023	Code Compliance Inspection	In Violation	11/22/2023 4:00 pm
Inspector: Kelvin Cherry			
Checklist Comments:			



City of Mary Esther
Code Compliance
 195 Christobal Road North
 Mary Esther, FL 32569
 Phone: 850-243-3566
 Email: code@cityofmaryesther.com

Courtesy Notice	Case Number: CODE-000030-2023
	Case Type: Code Compliance
	Date Case Established: 11/30/2023
Compliance Deadline: 12/20/2023	

Owner: Ada Bower

Mailing Address

Ada Bower
 40 RUBY CIR CIR
 MARY ESTHER, FL 32569

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

Address	Parcel
40 RUBY CIR CIR MARY ESTHER, FL 32569	16-2S-24-120A-0000-0480

We are issuing this Courtesy Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your case will be closed and no further action will be necessary. Failure to correct the violation will result in a Violation Notice and additional code compliance action.

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Bags of soil ripped open unused plant bases/pots filled with standing water, bags of rocks torn open. All items that are to be kept that are not in-use shall be stored within an approved building or properly disposed of.
Compliance Date: 12/20/2023
Violation: CO 10-21; 10-22; see sub sections; FS 823.05 - Nuisance
Corrective Action: Standing water in planter pots.
Compliance Date: 12/20/2023
Violation: CO 10-23 (a)(1) - Grass And Weeds Exceed 8 Inches In Height
Corrective Action: Grass and weeds shall not exceed 8 inches in height. Cut/mow grass and weeds and maintain to not exceed 8 inches in height.
Compliance Date: 12/20/2023

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
 Code Compliance Officer - Badge Number: 1058



**City of Mary Esther
Code Compliance**

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Violation Notice	Case Number: CODE-000030-2023
	Case Type: Code Compliance
	Date Case Established: 11/30/2023
Compliance Deadline: 12/20/2023	

Owner: Ada Bower

Mailing Address

Ada Bower
40 RUBY CIR CIR
MARY ESTHER, FL 32569

Notice of Violation for the following location:

Address

Parcel

40 RUBY CIR CIR
MARY ESTHER, FL 32569

16-2S-24-120A-0000-0480

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address above:

We are issuing this Violation Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your file will be closed and no further action will be necessary. Failure to correct the violation may result in a Citation of \$50/day for the first offense and up to \$250/day for each subsequent offense. You may also receive a Hearing Notice to appear before the Special Magistrate.

Violation: CO 10-2(a); 10-22(b)(2) & (7); 10-23; 10-26 - Litter, Trash, Debris
Corrective Action: Remove and dispose all litter, trash, and debris properly and maintain parcel. Bags of soil ripped open unused plant bases/pots filled with standing water, bags of rocks torn open. All items that are to be kept that are not in-use shall be stored within an approved building or properly disposed of.
Compliance Date: 12/20/2023
Violation: CO 10-21; 10-22; see sub sections; FS 823.05 - Nuisance
Corrective Action: Standing water in planter pots.
Compliance Date: 12/20/2023
Violation: CO 10-23 (a)(1) - Grass And Weeds Exceed 8 Inches In Height
Corrective Action: Grass and weeds shall not exceed 8 inches in height. Cut/mow grass and weeds and maintain to not exceed 8 inches in height.
Compliance Date: 12/20/2023

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
Code Compliance Officer - Badge Number: 1058

Ada Bower
40 Rudy Cir.
Mary Esther, FL 32569

Case No: 000030-2023

NOTICE OF FORMAL HEARING
VIOLATION OF CITY OF MARY ESTHER CODE AND ORDINANCES

Date: April 30, 2029
Address: 40 Rudy Cir., Mary Esther, FL 32569
Parcel Identification No.: 16-2S-24-120A-0000-0480

I am the Special Magistrate for the City of Mary Esther charged with the responsibility of hearing code enforcement cases. I have recently received the enclosed notice of violation and request for hearing from the City. Pursuant to the Mary Esther City Code, you are hereby formally notified that on May 16, 2024 at 8:00 A.M., there will be a public hearing before the City of Mary Esther Special Magistrate at the Chambers of the City Council of Mary Esther, Florida located at 195 Christobal Road N., Mary Esther, Florida 32569. This concerns alleged violation(s) of the Codes and Ordinances of the City of Mary Esther of which you have been cited for being in violation and which you have failed to come into voluntary compliance. **FAILURE TO APPEAR MAY RESULT IN THE SPECIAL MAGISTRATE PROCEEDING IN YOUR ABSENCE.** There may be other cases against other parties scheduled at the same date and time as set forth above. The Special Magistrate will hear the cases scheduled in the order of his discretion.

Should you desire, you have the right to obtain an attorney, **AT YOUR EXPENSE**, to represent you before the Special Magistrate. You will also have the opportunity to present your side of the case and present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

Prior to the above-referenced hearing, you are entitled to receive and review the City's investigative file. If you would like to receive and/or review this information prior to the hearing, you must send a request for this information to the City Manager and the information will be made available to you. The City Manager may be contacted by phone at (850) 243-3566 or in person at 195 Christobal Road N., Mary Esther, Florida 32569. If there is any information or evidence you would like the Special Magistrate to review prior to the hearing, it is your responsibility to provide any such information to the Special Magistrate and to the City, within a reasonable time prior to the hearing. It is your responsibility to enter any evidence into the official record at the public hearing.

At the conclusion of the hearing, the Special Magistrate will issue findings of fact, conclusions of law and an order based on the evidence of record. If you are found to be in violation, the Special Magistrate will order you to come into compliance with the Mary Esther City Code within a specific period of time. Pursuant thereto, you may be ordered to pay a fine not to exceed \$250 for a first violation or a fine not to exceed \$500 for a repeat violation for each day the

violation continues past the date set for compliance. In the case of a repeat violation, this daily fine may begin with the date the repeat violation is found to have occurred by the City's code inspector.

A "repeat violation" means a violation of a provision of a code or ordinance by a person who has been previously found through a code enforcement proceeding or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within 5 years prior to the violation, notwithstanding the violations occur at different locations.

In addition, if the Special Magistrate has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Special Magistrate will notify the City, which may make all reasonable repairs which are required to bring the property into compliance and charge you with the reasonable cost of the repairs in addition to the fines set forth above. Making such repairs does not create a continuing obligation on the part of the City of Mary Esther to make further repairs or to maintain the property and does not create any liability against the City of Mary Esther for any damages to the property if such repairs were completed in good faith.

If, after due notice and hearing, the Special Magistrate finds a violation to be irreparable or irreversible in nature, the Special Magistrate may order the violator to pay a fine not to exceed \$5,000 per violation. In addition, should the violator be found in violation of the City Code and Ordinances, the Special Magistrate has the power by law to levy fines that may include all costs of repairs performed by the City of Mary Esther as set forth above.

In determining the amount of the fine, if any, the Special Magistrate shall consider the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

If the City prevails in prosecuting this case, the Special Magistrate may also impose additional fines to cover all costs incurred by the City in enforcing its codes. You may be required to pay these costs even if you come into compliance before the hearing. All fines and costs may be included in a lien against your property as authorized under § 162.09(3), *Florida Statutes*, as set forth below.

If a violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the City's code inspector, this case may still be presented to the Special Magistrate even if the violation has been corrected prior to the hearing set herein. Also, in the case of a repeat violation, a case may also be presented to the Special Magistrate even if a repeat violation has been corrected prior to the hearing set herein. If the repeat violation has been corrected, the Special Magistrate retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the Special Magistrate.

A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records of Okaloosa County and shall constitute a lien against the land on which the violations(s) exists and upon any other real or personal property owned by the violator.

If any person decides to appeal any decisions made by the Special Magistrate with respect to any matter considered at such hearing, he or she will need to record the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Appeals shall be made to the Okaloosa County Circuit Court. If you desire to have the hearing recorded by an official court reporter, you shall be responsible for arranging for an official court reporter to appear at the hearing, AT YOUR EXPENSE.

If you have any questions regarding this notice or wish to submit evidence for hearing, please contact Kelvin Cherry (850) 243-3566 ext. 119 or email kcherry@cityofmaryesther.com. I may conduct the hearing remotely by Zoom. If you would like to appear remotely, please contact my office immediately at (850) 428-1755 or by email at jbrucebowman@gmail.com. If you do not make such a request or unless otherwise stated, the hearing will be conducted in person.

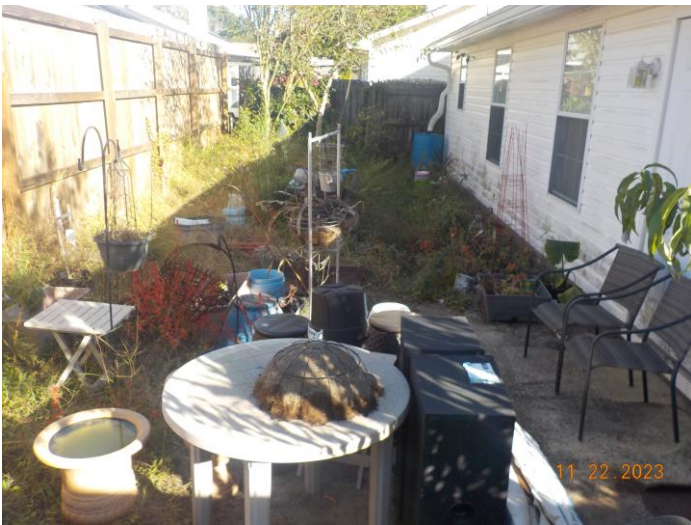
THE CASE MAY BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING. HOWEVER, IF YOU HAVE CORRECTED THE CITED VIOLATION, PLEASE CONTACT THE CITY'S CODE ENFORCEMENT DEPARTMENT AT (850) 243-3566 EXT. 119 OR BY EMAIL TO KCHERRY@CITYOFMARYESTHER.COM SCHEDULE AN INSPECTION.

**CITY OF MARY ESTHER
SPECIAL MAGISTRATE**



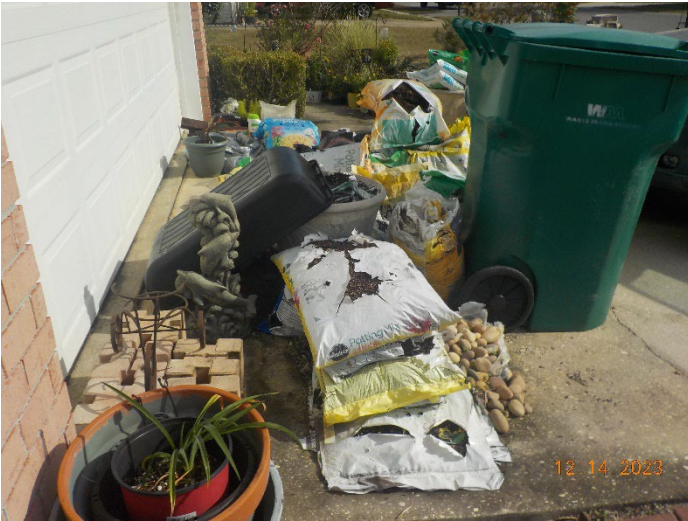
J. Bruce Bowman

November 22, 2023 - Page 1 of 1 - Litter, trash, debris overgrown grass and weeds. Bags of rocks standing water.



December 14, 2023

Page 1 of 2



December 14, 2023



Page 2 of 2



January 16, 2024

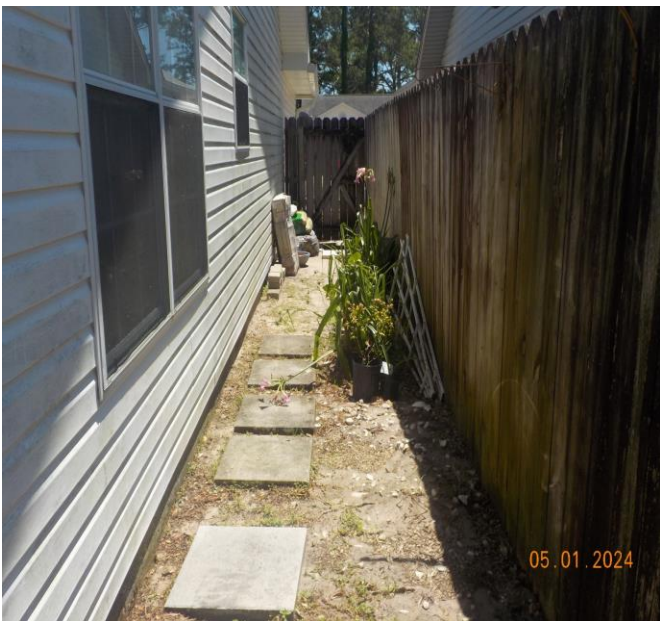


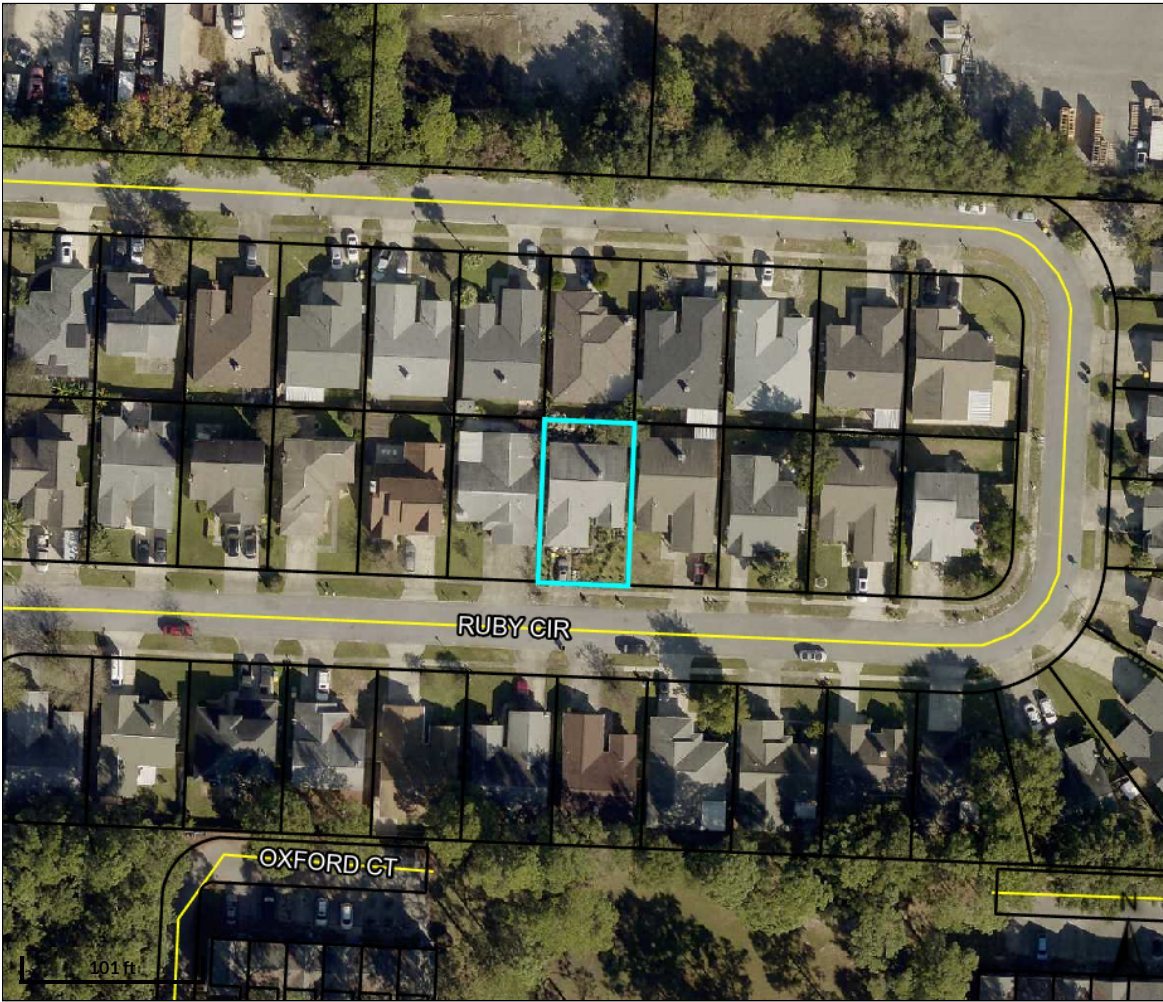
February 16, 2024



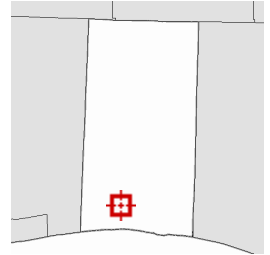
May 1, 2024

Page 1 of 1





Overview



Legend

- Parcels
- Roads
- Water
- City Labels

Parcel ID	16-2S-24-120A-0000-0480	Physical Address	40 RUBY CIR MARY ESTHER	Land Value	\$54,764	Last 2 Sales			
Acres (GIS)	0.10	Mailing Address	BOWER ADA MARIE	Ag Land Value	\$0	Date	Price	Reason	Qual
Property Class	SINGLE FAMILY	Address	40 RUBY CIR MARY ESTHER, FL	Building Value	\$158,688	11/1/1994	\$78500	N/A	Q
Taxing District	5		32569	Misc Value	\$1,513	10/1/1993	\$66000	N/A	U
				Just Value	\$214,965				
				Assessed Value	\$127,110				
				Exempt Value	\$55,000				
				Taxable Value	\$72,110				

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