



## Special Magistrate Hearing

Code Enforcement

September 25, 2024

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**Case Number:** EEN24-0060

**Respondent:** MAYO CONDO

**Address of Violation:** 112 S 7TH STREET

**Tax Parcel ID Number:** 12-12-31-4170-00000-0000

**Violation:** SECTION 2.06.06.07. MULTIFAMILY AND NON-RESIDENTIAL BUILDINGS SUPPLEMENTAL STANDARDS. TRASH RECEPTACLES SHALL BE SCREENED ON ALL SIDES WITH A HEDGE OR SOLID FENCE OR WALL OF NOT LESS THAN SIX (6) FEET IN HEIGHT. NO TRASH RECEPTACLE SHALL BE IN ANY FRONT YARD SETBACK, OR WITHIN TWENTY-FIVE (25) FEET OF PROPERTY LINES ABUTTING OTHER RESIDENTIAL ZONES

**Attachments:** NOTICE OF HEARING – 8/23/2024  
MAILING COSTS – 8/23/2024  
CERTIFIED MAILINGS – 8/23/2024  
NOTICE OF VIOLATION (UPDATED ADDRESS) – 5/9/2024  
MAILING COSTS – 5/9/2024  
CERTIFIED MAILINGS – 5/9/2024  
NOTICE OF VIOLATION – 4/26/2024  
MAILING COSTS – 4/26/2024  
CERTIFIED MAILINGS – 4/26/2024

**Total Cost of Mailings** \$33.70

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

MAYO CONDO  
C/O HEATHER CAPITOLA  
100 VENETIAN COURT  
SANFORD, FL 32771

CITY OF FLAGLER BEACH,	)	
FLORIDA, a municipal corporation,	)	
	)	
Petitioner,	)	
vs.	)	CASE NO: <u>EEN24-0060</u>
MAYO CONDO, owner,	)	
	)	
Respondent.	)	
_____	)	

NON-COMPLIANCE - NOTICE OF HEARING

Premises: 112 7<sup>TH</sup> ST S, FLAGLER BEACH, FL 32136

Pursuant to Chapter 162, *Florida Statutes*, the Code Enforcement Special Magistrate was created in Chapter 2, Article IV, Division 2, Sections 2-71 through 2-83, *City of Flagler Beach Code of Ordinances*, to hear Code Enforcement matters. The Special Magistrate shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violations of any City Code into compliance, including imposing fines and other noncriminal penalties to enforce the *Code of Ordinances*.

YOU ARE HEREBY FORMALLY NOTIFIED that on **Wednesday, September 25, 2024, at 3:00 PM**, there will be a HEARING before the Special Magistrate in the City Commission Chambers, 105 2<sup>nd</sup> Street South, Flagler Beach, Florida, concerning your failure to comply with the Code Enforcement Officer's notice of violation dated **May 9, 2024**, and consideration of imposition of fines for such non-compliance. Your failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

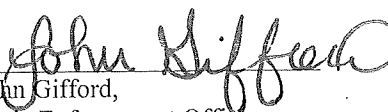
YOU ARE HEREBY NOTIFIED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case.

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

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this hearing. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violation, should you be found in violation of the *Code of Ordinances*.

If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Enforcement Officer within five (5) days, at 800 South Daytona Av., Flagler Beach, Florida 32136, (386) 517-2000 ext 249.

DATED: August 23, 2024

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

I hereby certify that a copy of the foregoing was delivered by regular and certified mail # 9214 8901 9403 8375 2799 04 and 9214 8901 9403 8375 2799 42 August 23, 2024.

City of Flagler Beach

Code Enforcement

Notice Type: HEARING NOTICE

Date: 8/23/2024

Code Enforcement Complaint # **EEN24-0060**

Name: MAYO CONDO

C/O HEATHER CAPITOLA

Mailing Address: 100 VENETIAN COURT

SANFORD, FL 32771

Name (2): MAYO CONDO

Mailing Address (2): 112 7TH STREET S

FLAGLER BEACH, FL 32136

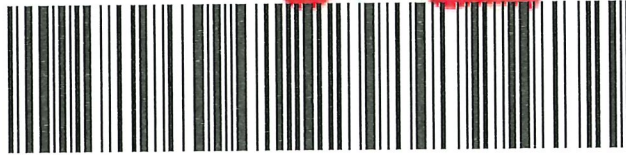
	Mailings	Cost Per Item	Total
Certified Mail Cost	2	\$8.16	\$16.32
Regular Mail Cost	2	\$0.69	\$1.38
		<b>TOTAL</b>	<b>\$17.70</b>

**Return address:**

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

**Recipient address:**

MAYO CONDO  
112 7TH STREET S  
FLAGLER BEACH, FL 32136

**USPS CERTIFIED MAIL****9214 8901 9403 8375 2799 04****USPS Tracking Label Number: 9214 8901 9403 8375 2799 04**

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	08/23/2024 10:14
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	08/23/2024 12:02
FORWARD EXPIRED	FLAGLER BEACH,FL 32136	08/24/2024 10:57
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	08/27/2024 16:40
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	08/28/2024 08:05
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/28/2024 09:46
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	08/29/2024 09:07
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	08/29/2024 12:20



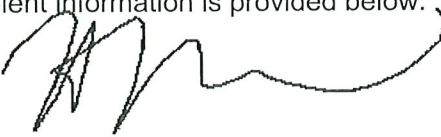
Mailer: City of Flagler Beach

Date Produced: 09/10/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8375 2799 42. Our records indicate that this item was delivered on 09/09/2024 at 01:45 p.m. in SANFORD, FL 32771. The scanned image of the recipient information is provided below.

Signature of Recipient :



Heather Capitola

Address of Recipient :

100 VENETIAN CT  
SANFORD, FL 32771-9548

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

Sincerely,  
United States Postal Service

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

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

MAYO CONDO  
C/O HEATHER CAPITOLA  
100 VENETIAN COURT  
SANFORD, FL 32771

Customer Reference Number: C5256014.31753981

Return Reference Number CASE NO: EEN24-0060 NOTICE OF HEARING



Return address:

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

Recipient address:

MAYO CONDO  
C/O HEATHER CAPITOLA  
100 VENETIAN COURT  
SANFORD, FL 32771

MAILING DATE: 08/23/2024  
DELIVERY DATE: 08/27/2024

USPS CERTIFIED MAIL



9214 8901 9403 8375 2799 42

USPS Tracking Label Number: 9214 8901 9403 8375 2799 42

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	08/23/2024 10:14
SHIPMENT RECEIVED ACCEPTANCE PENDING	FLAGLER BEACH,FL 32136	08/23/2024 12:02
ORIGIN ACCEPTANCE	FLAGLER BEACH,FL 32136	08/24/2024 15:54
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/24/2024 17:09
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	08/24/2024 22:22
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	08/26/2024 02:54
DELIVERED FRONT DESK/RECEPTION/MAIL ROOM	SANFORD,FL 32771	08/27/2024 13:24
NO AUTHORIZED RECIPIENT AVAILABLE	SANFORD,FL 32771	08/27/2024 13:26
AVAILABLE FOR PICKUP	SANFORD,FL 32771	08/28/2024 08:30
DELIVERED INDIVIDUAL PICKED UP AT PO	SANFORD,FL 32771	09/09/2024 13:45

CUSTOM 1:



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

MAYO CONDO  
112 7<sup>TH</sup> STREET S  
FLAGLER BEACH, FL 32136

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

CASE NO: EEN24-0060

NOTICE OF VIOLATION

Premises: 112 7TH ST S, FLAGLER BEACH, FL 32136

YOU ARE NOTIFIED that violations of **SECTION 2.06.06.07. MULTIFAMILY AND NON-RESIDENTIAL BUILDINGS SUPPLEMENTAL STANDARDS. TRASH RECEPTACLES SHALL BE SCREENED ON ALL SIDES WITH A HEDGE OR SOLID FENCE OR WALL OF NOT LESS THAN SIX (6) FEET IN HEIGHT. NO TRASH RECEPTACLE SHALL BE IN ANY FRONT YARD SETBACK, OR WITHIN TWENTY-FIVE (25) FEET OF PROPERTY LINES ABUTTING OTHER RESIDENTIAL ZONES** exist on the premises located at 112 7TH ST S., FLAGLER BEACH, FL 32136. The premises are more particularly described as follows:


Legal Description: Tax Parcel ID # 12-12-31-4170-00000-0000

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

**DUMPSTER NOT SCREENED**

**You must correct the violations by no later than 5:00 p.m. on the 10th day June, 2024.** If the violation is not cured by the time stated above, a hearing will be scheduled before the City's Code Enforcement Special Magistrate. Should you be found in violation at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing. To clear up this matter please notify this office as soon as the violation is in compliance by calling 386-517-2000 Extension 249.

DATED May 9, 2024

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

I hereby certify that a copy of the foregoing was delivered by Certified Mail™ # 9214 8901 9403 8361 1078 15  
May 9, 2024.

City of Flagler Beach

Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 5/9/2024

Code Enforcement Complaint # **EEN24-0060**

Name: MAYO CONDO

C/O HEATHER CAPITOLA

Mailing Address: 100 VENETIAN COURT  
SANFORD, FL 32771

Name (2):

Mailing Address (2):

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





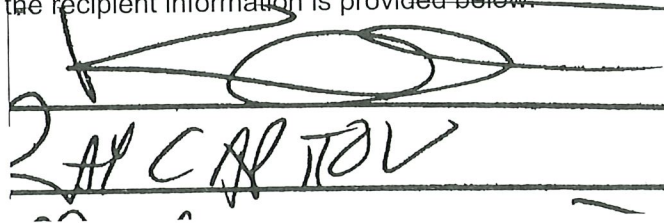
Mailer: City of Flagler Beach

Date Produced: 05/13/2024

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8361 1078 15. Our records indicate that this item was delivered on 05/11/2024 at 03:12 p.m. in SANFORD, FL 32771. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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

Sincerely,  
United States Postal Service

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

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

MAYO CONDO  
100 VENETIAN COURT  
SANFORD, FL 32771

Customer Reference Number: C5012346.30194872

Return Reference Number EEN24-0060 NOTICE OF VIOLATION



**Return address:**

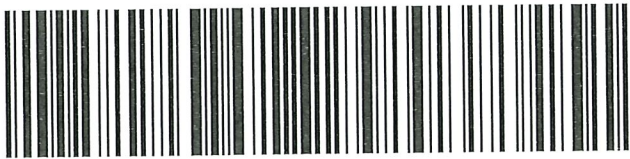
CITY OF FLAGLER BEACH  
105 S 2ND ST  
FLAGLER BEACH FL 32136

**Recipient address:**

MAYO CONDO  
100 VENETIAN COURT  
SANFORD, FL 32771

MAILING DATE: 05/09/2024  
DELIVERY DATE: 05/11/2024

USPS CERTIFIED MAIL



9214 8901 9403 8361 1078 15

**USPS Tracking Label Number: 9214 8901 9403 8361 1078 15**

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	05/09/2024 13:09
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	05/09/2024 14:51
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	05/09/2024 17:03
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/10/2024 00:08
DEPARTED USPS REGIONAL FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/10/2024 20:55
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/11/2024 02:09
DELIVERED LEFT WITH INDIVIDUAL	SANFORD,FL 32771	05/11/2024 15:12

CUSTOM 1:

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

MAYO CONDO  
112 7<sup>TH</sup> STREET S  
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH, )  
FLORIDA, a municipal corporation, )

Petitioner, )

vs. )

MAYO CONDO, owner, )

Respondent. )  
\_\_\_\_\_ )

CASE NO: EEN24-0060

NOTICE OF VIOLATION

Premises: 112 7TH ST S, FLAGLER BEACH, FL 32136

YOU ARE NOTIFIED that violations of **SECTION 2.06.06.07. MULTIFAMILY AND NON-RESIDENTIAL BUILDINGS SUPPLEMENTAL STANDARDS. TRASH RECEPTACLES SHALL BE SCREENED ON ALL SIDES WITH A HEDGE OR SOLID FENCE OR WALL OF NOT LESS THAN SIX (6) FEET IN HEIGHT. NO TRASH RECEPTACLE SHALL BE IN ANY FRONT YARD SETBACK, OR WITHIN TWENTY-FIVE (25) FEET OF PROPERTY LINES ABUTTING OTHER RESIDENTIAL ZONES** exist on the premises located at 112 7TH ST S., FLAGLER BEACH, FL 32136. The premises are more particularly described as follows:


Legal Description: Tax Parcel ID # 12-12-31-4170-00000-0000

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

**DUMPSTER NOT SCREENED**

**You must correct the violations by no later than 5:00 p.m. on the 27th day May, 2024.** If the violation is not cured by the time stated above, a hearing will be scheduled before the City's Code Enforcement Special Magistrate. Should you be found in violation at the hearing, the Code Enforcement Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation continues beyond the date set by the Special Magistrate for compliance. If the violation is corrected and then recurs, this case shall be presented to the Code Enforcement Special Magistrate at the above-stated hearing even if the violation has been corrected prior to the hearing. To clear up this matter please notify this office as soon as the violation is in compliance by calling 386-517-2000 Extension 249.

DATED April 26, 2024

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

I hereby certify that a copy of the foregoing was delivered by Certified Mail<sup>TM</sup> # 9214 8901 9403 8359 1928 92  
April 26, 2024.

City of Flagler Beach

Code Enforcement

Notice Type: VIOLATION NOTICE

Date: 4/26/2024

Code Enforcement Complaint # **EEN24-0060**

Name: MAYO CONDO

Mailing Address: 112 7TH STREET S  
FLAGLER BEACH, FL 32136

Name (2):

Mailing Address (2):

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





Return address:

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

Recipient address:

MAYO CONDO  
112 7TH STREET S  
FLAGLER BEACH, FL 32136



USPS CERTIFIED MAIL



9214 8901 9403 8359 1928 92

USPS Tracking Label Number: 9214 8901 9403 8359 1928 92

USPS Event	Postal Facility	Date/Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FLAGLER BEACH,FL 32136	04/25/2024 16:17
USPS IN POSSESSION OF ITEM	FLAGLER BEACH,FL 32136	04/26/2024 12:18
DEPART POST OFFICE	FLAGLER BEACH,FL 32136	04/26/2024 17:01
FORWARD EXPIRED	FLAGLER BEACH,FL 32136	04/27/2024 10:18
PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	04/30/2024 11:37
DEPARTED USPS REGIONAL FACILITY	FORT MYERS FL DISTRIBUTION CENT 33913	05/01/2024 08:14
PROCESSED THROUGH USPS FACILITY	ORLANDO FL DISTRIBUTION CENTER 32862	05/01/2024 10:51
PROCESSED THROUGH USPS FACILITY	LAKE MARY FL DISTRIBUTION CENTE 32799	05/02/2024 02:22
AVAILABLE FOR PICKUP	FLAGLER BEACH,FL 32136	05/02/2024 09:37
RETURN TO SENDER INDIVIDUAL PICKED UP AT PO	FLAGLER BEACH,FL 32136	05/02/2024 11:49