



STAFF REPORT

City Commission Regular Meeting

April 10, 2025



To: Elected Officials

From: Dale L. Martin, City Manager

Date: April 30, 2025

Item Name: Consider a request for a reduction of Lien; City of Flagler Beach v. Butler & Butler Properties, Inc. Code Enforcement Case No. EEN 23-0011 re 3590 S. Ocean Shore Blvd. - Atty. Mark Wolfson Foley & Lardner LLP.

Background: The new owners have brought the property into compliance with the demolition of the two buildings, which was completed on March 12, 2025. The current amount due on the lien is \$153,750. (\$250 per day between July 06, 2023 - March 12, 2025) The amount due in administrative fees is \$55.90 (\$35.40 admin hearing fees and \$20.50 in recording). It should be noted if the Commission reduces the fine, when the applicant pays another recording fee (\$20.50) will be due to release the lien.

The property owners are seeking a reduction to reduce the total amount owed down to \$1,000.

Excerpt from January 22, 2025, Special Magistrate Hearing

CASE NO. EEN23-0011; Sachem Capital Corp; ADDRESS OF VIOLATION; 3590 S Ocean Shore Blvd; TAX PARCEL ID NO.: 29-12-32-0000-01032-0000; VIOLATION: City of Flagler Beach Code of Ordinances, Chapter 13, Section 13-1, Definition (2), (3), (4).

Lucian Johnson, attorney for the Respondent, was present and provided testimony regarding the status of the subject property along with the history of ownership. Mr. Johnson stated he has been working with City Staff and a demolition permit has been issued with the work commencing February 3, 2025. Mr. Johnson stated the outstanding utility bill has been paid and the two (2) structures will be demolished with the foundations to remain. The City Attorney advised the permission to foreclose order can move forward allowing the Respondent sufficient time to come into compliance. After compliance, the Respondent can request relief from the City Commission. Discussion ensued. Magistrate Popp explained the importance of the Respondent coming into compliance and the effects this outstanding case has had on the community. The City Attorney will prepare an order approving authorization to foreclose including a one hundred-twenty (120) day foreclosure and a status hearing prior to initiating the foreclosure. The City's administrative costs to date will also be included. The City requested the fines continue and Magistrate Popp so ordered.

Fiscal Impact:

Staff Recommendation:

Attachment: Certified letter from Foley & Lardner LLP
Order imposing fine
Demolition Permit showing final inspection completed