



Special Magistrate Regular Meeting Minutes

Wednesday, January 28, 2026 at 3:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach,
FL 32136

1. Call the meeting to order

Magistrate Popp called the hearing to order at 3:00pm.

2. Roll Call

City Attorney Drew Smith, Code Enforcement Officer John Gifford and Clerk to the Magistrate Michele Ficocello.

3. Approve Minutes

- a. December 10, 2025 Meeting Minutes - Approved

4. Deletions and changes to the agenda - The Appellant for Item 6a. requested a continuance.

5. Request To Identify Persons Having Cases on The Agenda

6. Parking Citation Appeals

- a. P02273FB; Albert Cayer; Officer C. Romero # 7091

The Appellant requested a continuance. Magistrate Popp granted the continuance.

- b. P02284FB; Dmitry Drapach; Officer C. Romero # 7091

The Appellant was present and sworn in by the Clerk. The Officer was not present. The Appellant testified he was not familiar with the area and the location where he parked was not clearly marked as a sidewalk. Magistrate Popp explained the safety concerns with parking on the sidewalk. Discussion ensued. The City Attorney deferred to the Magistrate's judgment. Magistrate Popp ordered the citation upheld, the original fine paid with additional administrative costs of \$9.60 with thirty (30) days to comply.

- c. P02277FB; Fredrik Realbuto; Officer C. Romero # 7091

The Appellant was present and sworn in by the Clerk. The Officer was not present. The Appellant testified he was picking up a pizza and acknowledged he committed the parking violation. Magistrate Popp explained the safety concerns with parking in an emergency vehicle only zone. Discussion ensued. Magistrate Popp ordered the citation upheld, reduced the fine amount to \$30.00 with additional administrative costs of \$9.60 and a beach cleanup with thirty (30) days to comply. The City Attorney had no objection.

- d. P02289FB; Ella Rae Bevis *Telephonic Appearance*; Sergeant D. Blank # 7043

Item was moved after item 7e. The Appellant was present via telephone and sworn in by the Clerk. The Officer was not present. The Appellant testified she was staying at the Compass Hotel, and guests were asked to move their vehicles from the property. The Appellant stated she parked in the location where she received the citation due to other vehicles being parked in the same location. Magistrate Popp explained the safety concerns related to parking on the sidewalk. Discussion ensued. The City Attorney stated, based on the circumstances, a reduced fine would be acceptable. Magistrate Popp ordered the citation upheld, reduced the fine to \$50.00 with additional administrative costs of \$9.60 with thirty (30) days to comply. Magistrate Popp requested the Appellant, on her honor, educate other licensed drivers on the safety concerns related to parking on the sidewalk.

7. New Cases - Code Enforcement

- a. EEN26-0049; Gerald & Claudia's Oceanview Plaza LLC; 210 Moody Blvd.; 12-12-31-4500-00350-0010; City of Flagler Beach Code of Ordinances Article II -Zoning Section 2.07.02.7 (3)

Item moved to 7b. The Respondent was present and sworn in by the Clerk. Code Enforcement Officer John Gifford was present and sworn in by the Clerk. Mr. Gifford testified to the conditions of the violation along with a PowerPoint presentation. The Respondent testified as to the current conditions and her efforts to cure the violation. Taking into consideration the ongoing efforts to cure the violation, Magistrate Popp ordered a status hearing on the February 2026 agenda.

- b. EEN26-0027; Moody Boulevard Asso LLC C/O Ken Aston; 312 Moody Blvd.; 12-12-31-4500-00480-0050; City of Flagler Beach Code of Ordinances Section 18-23

Item was moved to 7d. The Respondent was not present. Mr. Gifford testified to the conditions of the violation along with a PowerPoint presentation. Mr. Gifford stated he has been in contact with the Respondent and has been assisting with efforts to cure the violation. Upon consideration of the evidence presented, Magistrate Popp issued an order deeming the violation founded, the case to be scheduled for the February 2026 hearing with a notice of imposition of fines. Magistrate Popp ordered administrative costs of \$19.20 to be paid within thirty (30) days.

- c. EEN26-0043; Golden Magnolia Marine Inc.; 1104 S Ocean Shore Blvd; 12-12-31-4500-00180-0010; IPMC Section 303 and City of Flagler Beach Code of Ordinances Chapter 13: Nuisance

Item was moved to 7e. The Respondent was not present. Mr. Gifford testified to the conditions of the violation along with a PowerPoint presentation. Mr. Gifford stated the complainant was not available to testify and part of the violation had been cured. Upon consideration of the evidence presented, Magistrate Popp issued an order deeming the violation founded, the case to be scheduled for the February 2026 hearing with a notice of imposition of fines. Magistrate Popp ordered administrative costs of \$19.20 to be paid within thirty (30) days and twenty (20) days to cure the violation.

- d. EEN26-0031; Zander Holding Group LLC; 2038 S Ocean Shore Blvd.; 18-12-32-2750-00210-0100; City of Flagler Beach Code of Ordinances Chapter 13 Section.13-1 (4)

Item moved to 7c. The Respondent was present and sworn in by the Clerk. The City Attorney requested a finding of violation with sixty (60) days to cure. Mr. Gifford testified to the conditions of the violation along with a PowerPoint presentation. The Respondent testified he is working with City Staff to cure the violation within the timeframe provided. Magistrate Popp ordered the administrative costs of \$19.20 to be paid within thirty (30) days. The order will be mailed and emailed to the Respondent by the Clerk along with instruction on how to pay the costs.

- e. EEN26-0028; Sandy Ridge Investment LLC. Inc; 2261 S Flagler Ave; 19-12-32-4550-00030-0230; Florida Building Code Section 105.1 (A)

Item moved to 7a. The Respondent's legal representative requested a continuance for sixty (60) days. The City Attorney had no objection. Magistrate Popp granted the continuance.

- f. EEN26-0026; Jai Hanumaan LLC; 1224 S Ocean Shore Blvd; 12-12-31-4500-00190-0030; City of Flagler Beach Code of Ordinances Section 18-23

The Respondent was not present. Mr. Gifford testified to the conditions of the violation along with a PowerPoint presentation. Mr. Gifford stated the violation had been cured. The City Attorney requested a finding of violation to ensure any future violations are considered repeat violations and an imposition of administrative costs. Magistrate Popp ordered a finding of violation and administrative costs of \$19.20 with thirty (30) days to remit payment.

- g. EEN26-0021; Fagan Jack Wayne & Paul Michael Fagan JTWROS; 1536 S. Ocean Shore Blvd.; 18-12-32-2750-00010-0100; City of Flagler Beach Code of Ordinances Section 18-23

The Respondent was not present. Mr. Gifford testified to the conditions of the violation along with a PowerPoint presentation. Mr. Gifford stated the violation had been cured. The City Attorney requested a finding of violation to ensure any future violations are considered repeat violations and an imposition of administrative costs. Magistrate Popp ordered a finding of violation and administrative costs of \$19.20 with thirty (30) days to remit payment.

8. Status Updates - Code Enforcement - None

9. Other Business

The Clerk reported three (3) parking citation appeals and three (3) code cases on the February 2026 hearing agenda. Discussion ensued related to changes in code enforcement processes and the status of code cases in the foreclosure process.

10. Adjournment

Magistrate Popp adjourned the hearing at 4:10pm.