



Special Magistrate Regular Meeting Minutes

Wednesday, March 25, 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

Acting City Attorney Holli New, Code Enforcement Officer John Gifford, Code Enforcement Officer Gary Hinebaugh, Police Officer J. Saunders, Building Inspector John Laureano and Clerk to the Magistrate Michele Ficocello.

3. Approve Minutes

a. February 25, 2026 Meeting Minutes - Approved

4. Deletions and changes to the agenda

Code Case EEN26-0101, 3580 S Ocean Shore Blvd Unit 806, was added to the agenda due to an identified deficiency in the required notice. This item was heard prior to item 6c. The Respondent was present and sworn in by the Clerk. Code Enforcement Officer Gary Hinebaugh was present and sworn in by the Clerk. The Respondent, Scott Botka, was present and sworn in by the Clerk. Mr. Gifford testified regarding the violation and provided background information related to the progression of the code case. Building Inspector John Laureano was present and sworn in by the Clerk. Mr. Laureano's testimony included a detailed description of the violation and the current conditions. Discussion ensued related to the permit history of the property, past hurricane damage, working without a permit and the permit process. The Respondent testified he is currently in arbitration with the insurance company related to Hurricane Ian damage and stated he did pull a permit for the work which was never completed by the contractor. After consideration of the evidence presented, Magistrate Popp found the property to be in violation and entered an order to include the Respondent obtaining a permit within forty-five (45) days. Magistrate Popp ordered the case scheduled for a status hearing on April 22, 2026, and for the Respondent to coordinate with City Staff to obtain the permit. A member of the public requested to speak related to this matter. Magistrate Popp granted the request. Mary Doehne, 3580 S Ocean Shore Blvd. Unit 704, was sworn in by the Clerk. Ms. Doehne stated she is the President of the Nautilus Homeowners' Association and expressed concern over the conditions of Unit 806. Ms. Doehne stated the concerns have been ongoing for years.

5. Request To Identify Persons Having Cases on The Agenda

6. Parking Citation Appeals

- a. P02355FB; Raymond Healy; Officer J. Saunders # 7087

The Appellant was present and sworn in by the Clerk. The Officer was present and sworn in by the Clerk. The Appellant testified that there was no signage or pavement markings indicating that the area in which he parked was designated as a fire line. Magistrate Popp showed the Appellant the photograph submitted by the Officer and the Appellant confirmed the car in the photograph looked like his vehicle. Discussion ensued related to the fire lane signage and markings. Ofc. Saunders testified the pictures speak for themselves and there are markings. Ofc. Saunders stated he was willing to accept a reduction in the fine. Discussion ensued related to the fine amount. Magistrate Popp ordered the citation upheld, the fine reduced to \$30, community education of twenty (20) licensed drivers and one day community service in the form of beach cleanup with sixty (60) days to complete.

7. New Cases - Code Enforcement

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

Code Enforcement Officer John Gifford was sworn in by the Clerk. Mr. Gifford testified regarding the violation, including the status of the violation, and presented a PowerPoint in support of his testimony. The Respondent's legal representative requested another continuance and could not provide a timeline for curing the violation. The Respondent's legal representative stated her client is actively working towards compliance. Magistrate Popp granted a continuance for ninety (90) days, and a status hearing will be set for June 24, 2026.

- b. EEN26-0055; John Paiva; 1747 N Central Avenue; 36-11-31-6115-00030-00C0; City of Flagler Beach Code of Ordinances Sections 13-37 and 13-38

The Respondent was present and sworn in by the Clerk. Mr. Gifford testified regarding the violation and presented a PowerPoint in support of his testimony. The Respondent testified he would remove the vehicles within fifteen (15) days. Magistrate Popp ordered the Respondent to cure the violation within twenty-one (21) days, pay administrative costs of \$19.20 and ordered a status hearing for April 22, 2026.

- c. EEN26-0083; Zachary Zeigler *Telephonic Appearance*; 160 Lantana Avenue; 12-12-31-5900-00750-0140; City of Flagler Beach Code of Ordinances Section 13.1 (3), (4), and (5)

The Clerk attempted to contact the Respondent via the telephone number provided. The Respondent did not answer, and the voicemail could not receive messages. Mr. Gifford testified regarding the violation and presented a PowerPoint in support of his testimony. Discussion ensued related to the state of the violation and the process moving forward. Magistrate Popp found the property in violation and entered an order to compel the Respondent to grant the City access to the property to fully assess the violation within fifteen (15) days and failure to comply would result in the City's pursuit of an imposition of fines. Magistrate Popp directed City Staff to notify the Respondent via all contact avenues available and provide the Respondent with a permission to grant entry form which will be drafted by the Clerk and forwarded to the City Attorney for final approval.

8. Status Updates - Code Enforcement - None

9. Other Business

The Clerk reported two to three parking citation appeals on the next agenda. Code Enforcement reported one or two new cases along with status updates on the next agenda. Discussion of processes ensued and included the Magistrate including in his orders the hearing date if a case is coming back for a status hearing. The Clerk will include the hearing schedule with the agenda packet information moving forward.

10. Adjournment

Magistrate Popp adjourned the hearing at 4:07pm.