



~Draft Minutes~

City of Fort Walton Beach
Regular Meeting of the Special Magistrate Code Compliance and Police Citation Hearings
of Fort Walton Beach

Wednesday, July 15, 2026

9:00 AM

Council Chambers
107 Miracle Strip Parkway SW
Fort Walton Beach, FL 32548

1. CALL TO ORDER

The Wednesday, July 15, 2026 meeting of the Special Magistrate Code Compliance and Police Citation Hearings was called to order at 9:00 AM by Special Magistrate Kyle Bauman.

2. PLEDGE OF ALLEGIANCE

3. COMPLIED CASES TO BE WITHDRAWN

The Special Magistrate announced that the following cases had complied or been resolved prior to the meeting and would be removed from the agenda:

- **Items 8.2., 8.5., 8.6., 8.9., and 8.11.** complied prior to the meeting.

4. APPROVAL OF AGENDA

The Special Magistrate announced that Item 7.4. would be continued to the August meeting due to a representation conflict.

The Special Magistrate approved the agenda as amended.

5. APPROVAL OF MINUTES

1. Special Magistrate Code Compliance and Police Citation Hearings Regular Meeting Minutes from Wednesday, June 17, 2026

The Special Magistrate reviewed and approved the minutes from the June 17, 2026 meeting.

6. OATH OF TESTIMONY

The Special Magistrate administered the oath to all staff, respondents, and witnesses who swore to provide truthful testimony in the case hearings. All present confirmed.

7. CODE ENFORCEMENT HEARINGS (Quasi-Judicial)

1. CASE # CE-25-1213-SA

Senior Code Inspector Robert Rhodes presented the case, reporting that the property located at 20 Bishop Avenue NW, owned by Terry and Cheryl Liddon, was found with multiple code violations on December 11, 2025. The property was in violation of Section 3.01.05 of the City Code of Ordinances and Florida Building Code Section 105.1 for failure to obtain permits for two shed structures and was in violation of Land Development Code (LDC) Section 2.03 for the prohibited use of an R-1 zoned property, specifically the presence of an occupied recreational vehicle which constituted an unpermitted campground use. The Notice of Violation was served on February 6, 2026, and a reinspection on February 16, 2026 confirmed that the violations remained. The Notice of Hearing was served on June 9, 2026, and additional photographs were taken on May 6, 2026. Staff requested the acceptance of the findings of fact, conclusions of law, Exhibits A-G entered into evidence, and the issuance of an Order I, including an administrative fee of \$325, and a 15-day compliance date of July 30, 2026.

No respondent appeared at the hearing. City Attorney Kim Kopp noted that a variance if needed could not be obtained within the 15-day compliance window. Mr. Rhodes noted that the setback issue of one of the sheds could be resolved by relocating the structure approximately 2 feet closer to the house, eliminating the need for a variance.

The Special Magistrate entered Exhibits A-G into the record, ordered the issuance of an Order I, an administrative fee of \$325, and a compliance deadline of July 30, 2026. The Special Magistrate noted that if the respondents were making genuine efforts toward compliance, staff should exercise discretion before returning the matter for further action.

2. CASE # CE-26-444-UNO

Mr. Rhodes presented the case, reporting that the property at 219 Moriarty Street NW, owned by Wilmer and Velema Hendrix, was found in violation of Sections 5.04.01 and 5.04.02, subsections 9 & 10 of the City Code of Ordinances, on April 14, 2026, for the prohibited accumulation and outside storage of unlicensed and non-operative vehicles. The Notice of Violation was served on May 1, 2026, and a reinspection on May 8, 2026, confirmed that corrections had not been made. The property remained in violation on June 25, 2026 when more photos were taken. Mr. Rhodes noted that the respondents had made some progress by removing one of the original vehicles, but communication with the respondents was limited due to their deflection and pointing to other properties with similar issues. Staff requested the acceptance of the findings of fact, conclusions of law, entering exhibits A-G into evidence, and the issuance of an Order I, including an administrative fee of \$325, with a compliance date of July 25, 2026.

No respondents appeared at the hearing. Mr. Rhodes noted that the respondents made some progress by removing one of the inoperative cars. However, two vehicles remained on the property. Mr. Rhodes reiterated that communication with the respondents was limited.

The Special Magistrate entered Exhibits A-G into the record, ordered the issuance of an Order I, an administrative fee of \$325, and a compliance deadline of July 25, 2026.

3. CASE # CE-26-484-GHD

Mr. Rhodes presented the case, testifying that the property owned by Kimberley Hoff, located at 8 Pryor Road SE, was found in violation of the Code of Ordinances Section 5.07.01 for failure to maintain all grass and weeds at a height of 12 inches or less, Section 5.04.01, Subsections 1-7 and Section 5.04.02, Subsections 2, 4, 6, 7 and 9, for prohibited accumulation and outside storage of buckets, containers, dead tree debris including limbs, and debris on the roof. The Notice of Violation was served on May 8, 2026, followed by a reinspection on May 19, 2026 that found the violations had not been corrected. A Notice of Hearing was served on June 26, 2026. Mr. Rhodes extended the recommended compliance period from 10 days to 30 days, noting that Ms. Hoff had made some progress by hiring a landscaping company to clear some of the overgrowth. Staff requested the acceptance of the findings of fact, conclusions of law, entering exhibits AG into evidence, and the issuance of an Order I, including an administrative fee of \$325, with a compliance period of 30 days.

Ms. Hoff addressed the Special Magistrate and explained that she paid Heritage Landscape \$1,000 to cut down the overgrowth. Ms. Hoff acknowledged that her former husband maintained the yard, and she found it difficult to keep it up. Ms. Hoff stated she planned to use a ladder to clear the roof debris. The Special Magistrate and City Attorney expressed concern about the respondent's ability and Mr. Rhodes concurred that he would not recommend the approach to cleaning the roof. Lieutenant Troy Williams suggested that local community churches might be of assistance. The City Attorney suggested extending the compliance period to 60 days to allow the respondent more time to locate assistance.

The Special Magistrate entered exhibits A-G into the record, ordered the issuance of an Order I, an administrative fee of \$325, and a 60-day compliance deadline of September 16, 2026.

4. CASE # CE-24-19-LIT

Item 7.4. was continued to the August Special Magistrate meeting due to a representation conflict.

5. CASE # CE-26-285-MAN

Code Inspector Dorian Johnson presented the case involving the property at 208 First Street SE Unit D, owned by Timothy Berry. The property was found in violation of Sections 5.01.01, 5.07.01(b)(2), and 5.07.01(a) of the Code of Ordinances for a rotting exterior wall and conditions conducive to rodent infestation. The property was found in violation on March 5, 2026 and a Notice of Violation was obtained on April 22, 2026. After an inspection on May 11, 2026 revealed no corrections had been made, a Notice of Hearing was served on June 27, 2026. Staff requested the acceptance of the findings of fact, conclusions of law, entering exhibits A-G into

evidence, and the issuance of an Order I, including an administrative fee of \$325, with a compliance deadline of August 15, 2026.

The respondent was not present for the hearing. Mr. Johnson explained that the nature of the violation centered on a shared exterior wall between the respondent's home and the adjacent unit. Mr. Johnson communicated with Mr. Berry on multiple occasions, but Mr. Berry maintained the wall was a shared wall and therefore not his sole responsibility. Mr. Grady Burleson, the owner of the adjacent property, was present for the hearing and testified that his side is an interior wall and that Mr. Berry's is an exterior wall. Mr. Burleson noted that his tenant made him aware of the issue after showing him videos of rodents passing through deteriorated portions of the wall.

The Special Magistrate entered Exhibits A-G into the record, ordered the issuance of an Order I, an administrative fee of \$325, and a compliance deadline of August 15, 2026.

8. POLICE CITATION HEARINGS (Quasi-Judicial)

1. Notice 2032400099432267

Lieutenant Williams presented evidence regarding a school zone speeding violation for Brooke Lynn Booth-Morgan, when a vehicle registered to Morgan was detected traveling 26.4 mph in a 15 mph school zone near Silver Sands School on April 3, 2026, at 2:49 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

Ms. Morgan appeared and stated that the lights were not flashing at the time of the violation and that she generally did not speed in school zones, citing a personal commitment to children's safety. Ms. Morgan noted that she was traveling 1.4 miles per hour over the standard speed limit. The Special Magistrate acknowledged Ms. Morgan's good faith but explained that under the law the posting of reduced speed signs was sufficient for compliance even if the warning lights were not flashing.

The Special Magistrate upheld the \$100 citation and issued a \$25 administrative fee.

2. Notice 2032400094256902

Item 8.2. was resolved prior to the hearing.

3. Notice 2032400081770354

Lieutenant Williams presented evidence regarding a school zone speeding violation for Clarence Due J Fleming, when a vehicle registered to Fleming was detected traveling 28.5 mph in a 15 mph school zone near Edwins Elementary School and Fort Walton Beach High School on December 16, 2025, at 1:51 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

Mr. Fleming appeared and noted that the signage identifying the enforcement hours at the intersection of Wright Parkway and Hollywood Boulevard was obscured by foliage and that the

shroud covering the flashing light was not visible. Mr. Fleming presented photographic evidence of the condition of the signage that was taken approximately four months after the violation. Lieutenant Williams challenged the photographs' relevance, noting the significant time between the violation date and the date the photographs were taken. The Special Magistrate acknowledged the limitations of the photographs but found the evidence was sufficient to cast reasonable doubt on whether the signage was adequately visible at the time of the violation. Mr. Fleming's photographs were admitted into the record as Composite Exhibit A.

The Special Magistrate overturned the citation and no fines or administrative fees were imposed.

4. Notice 2032400097720716

Lieutenant Williams presented evidence regarding a school zone speeding violation for Ashley Johnson Flowers, when a vehicle registered to Flowers was detected traveling 27.9 mph in a 15 mph school zone near Silver Sands School on March 25, 2026, at 8:29 AM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

Ms. Flowers appeared and contended that the enforcement window should have concluded at 8:30 AM, making her violation fall outside of the reduced speed period. Ms. Flowers noted that the multiple school zones in the area with varying enforcement times created confusion, and that no warning lights were flashing at the time of the violation. The Special Magistrate indicated that the violation occurred just 37 seconds before the enforcement window would have closed but explained that no statutory exceptions existed for proximity to the boundary of an enforcement window.

The Special Magistrate upheld the \$100 citation and issued a \$25 administrative fee.

5. Notice 2032400094221646

Item 8.5. was resolved prior to the hearing.

6. Notice 2032400098823532

Item 8.6. was resolved prior to the hearing.

7. Notice 2032400098159509

Lieutenant Williams presented evidence regarding a school zone speeding violation for Charles Joseph Magill, when a vehicle registered to Magill was detected traveling 31.1 mph in a 20 mph school zone near Liza Jackson Preparatory School on March 27, 2026, at 10:07 AM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

No respondent was present for the hearing.

The Special Magistrate upheld the \$100 citation and issued a \$75 administrative fee.

8. Notice 2032400101520825

Lieutenant Williams presented evidence regarding a school zone speeding violation for Carey Donathan Mathis, when a vehicle registered to Mathis was detected traveling 26.3 mph in a 15 mph school zone near Elliott Point Elementary School on April 14, 2026, at 2:18 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

Mr. Mathis was present for the hearing and explained that he was conducting a home inspection in Navarre at the time of the violation and that his visiting niece or one of her friends used the vehicle on the day of the violation. Mr. Mathis stated that he called his niece, but she could not confirm who had been driving and therefore was unable to complete a sworn affidavit. The Special Magistrate explained that under the statute, the registered owner received the citation if no affidavit was presented. Mr. Mathis expressed his view that the civil presumption of owner responsibility was fundamentally unjust.

The Special Magistrate upheld the \$100 citation and issued a \$25 administrative fee.

9. Notice 2032400094018741

Item 8.9. was resolved prior to the hearing.

10. Notice 2032400099058108

Lieutenant Williams presented evidence regarding a school zone speeding violation for Eugene Ernest Peters, when a vehicle registered to Peters was detected traveling 32 mph in a 20 mph school zone near Choctawhatchee High School on April 1, 2026, at 2:43 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

Mr. Peters appeared before the Magistrate and acknowledged the violation, stating he was unaware of the enforcement time parameters and believed the flashing lights were his primary cue and that they were not flashing on this occasion.

The Special Magistrate upheld the \$100 citation and issued a \$25 administrative fee.

11. Notice 2032400099342408

Item 8.11. was resolved prior to the hearing.

12. Notice 2032400094135053

Lieutenant Williams presented evidence regarding a school zone speeding violation for Jennifer Rebekah Suderman Tatum, when a vehicle registered to Tatum was detected traveling 27.3 mph in a 15 mph school zone near Saint Mary Catholic School on March 3, 2026, at 3:11 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

No respondent was present for the hearing.

The Special Magistrate upheld the \$100 citation and issued a \$75 administrative fee.

13. Notice 2032400099790405

Lieutenant Williams presented evidence regarding a school zone speeding violation for Tiffany Faye Williams, when a vehicle registered to Williams was detected traveling 33 mph in a 20 mph school zone near Liza Jackson Preparatory School on April 6, 2026, at 10:20 AM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

No respondent was present for the hearing.

The Special Magistrate upheld the \$100 citation and issued a \$75 administrative fee.

14. Notice 2032400099865717

Lieutenant Williams presented evidence regarding a school zone speeding violation for Tiffany Faye Williams, when a vehicle registered to Williams was detected traveling 34.4 mph in a 20 mph school zone near Liza Jackson Preparatory School on April 6, 2026, at 1:34 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

No respondent was present for the hearing.

The Special Magistrate upheld the \$100 citation and issued a \$75 administrative fee.

15. Notice 2032400095786392

Lieutenant Williams presented evidence regarding a school zone speeding violation for Jose Antonio Zapata Ayala, when a vehicle registered to Ayala was detected traveling 26.3 mph in a 15 mph school zone near Silver Sands School on March 12, 2026, at 2:33 PM. Staff requested entering exhibits A and B into evidence, upholding the \$100 citation, and the issuance of a \$75 administrative fee.

Mr. Ayala presented evidence that he received chemotherapy treatment on that day and acknowledged that his wife may have been driving the vehicle home after his treatment. Mr. Ayala noted that he received a second violation the same day time stamped 2 minutes after the first violation and believed this to be a continuous pass through the school zone. Mr. Ayala produced a letter from Okaloosa County referencing the disapproval and removal of one camera and stated this contributed to his confusion about the legitimacy of the citations. The Special Magistrate requested that Lieutenant Williams investigate the second notice and if it reflected the same continuous violation to have it dismissed. Lieutenant Williams committed to contacting Mr. Ayala to resolve the matter of the second citation before the next scheduled hearing.

The Special Magistrate upheld the \$100 citation and waived the administrative fee.

9. ADJOURNMENT

Quasi-Judicial - denotes that the item must be conducted as a quasi-judicial hearing in accordance with Florida Statutes.

Any person who decides to appeal any decision made with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose 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 (F.S. Chapter 286.0105).

The City of Fort Walton Beach adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to this meeting by a physically handicapped person upon notice 48 hours prior to the meeting. Please call the City Clerk, Kim M. Barnes, at 850-833-9509 or e-mail at clerk@fwb.org to make a request. For Telecommunications Relay Services (TRS), dial 711 or e-mail clerk@fwb.org.

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