

# NOTICE OF CONDEMNATION AND DEMOLITION ORDER

Office of the Flagler County Chief Building Official  
1769 E Moody Blvd, Bunnell, FL 32110  
386-313-4027

02/13/2024

OWNER:  
2251 S OLD DIXIE HWY LLC  
301 E 66th Street, Apt 6e  
NY, NY 10065

**SENT VIA CERTIFIED MAIL AND POSTED AT THE PROPERTY.**

Re:

Property Owner: 2251 S OLD DIXIE HWY LLC

Property Address: 2251 S OLD DIXIE HWY

Parcel ID: 03-13-31-0650-000A0-0091

Legal Description: 0006.38 ACRES BUNNELL DEV CO SUBD BLK A PART OF TRACTS 9-10 BOUNDED  
ON WEST BY STRICKLAND CANAL BOUNDED ON NORTH BY A LINE 827.05'

Dear 2251 S Old Dixie Hwy LLC,

## NOTICE OF CONDEMNATION STRUCTURE UNFIT FOR HUMAN OCCUPANCY

THE STRUCTURE LOCATED AT 2251 S OLD DIXIE HWY, IS UNSAFE AND ITS OCCUPANCY HAS BEEN PROHIBITED BY THE FLAGLER COUNTY CHIEF BUILDING OFFICIAL. The structure is hereby **CONDEMNED** pursuant to Section 111 of the International Property Maintenance Code (2021), as adopted by Flagler County Ordinance No. 2023-10 (herein after "IPMC").

The structure has been condemned by the Flagler County Chief Building Official based on the following conditions which render the structure dangerous, unsafe, unsanitary, or otherwise unfit for human habitation or occupancy:

1. **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that a partial or complete collapse is possible, in violation of IPMC Section 111.1.1.

2. **Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the Chief Building Official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by the IMPC, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public, in violation of IPMC Section 111.1.3.

3. **Dangerous structure or premises.**

- a. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
- b. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- c. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to collapse partially or completely, or to become detached or dislodged.
- d. Any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place to be capable of resisting natural or artificial loads of one and one-half the original designed value.
- e. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal, or movement of some portion of the ground necessary for the support, or for any other reason, is likely to collapse partially or completely, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
- f. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
- g. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
- h. Any building or structure that has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
- i. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- j. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system, or other cause, is determined by the Chief Building Official to be a threat to life or health.
- k. Any portion of a building that remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**PROHIBITED OCCUPANCY.** Any occupied structure condemned and placarded by the Chief Building Official shall be vacated as ordered by the Chief Building Official. Any person who shall occupy a placarded premises or shall operate equipment on placarded premises, and any owner or owner's authorized agent who shall let anyone occupy a placarded premises or operate equipment on placarded premises shall be liable for the penalties provided by the IPMC.

**PLACARD REMOVAL.** The Chief Building Official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Chief Building Official shall be subject to the penalties provided by Flagler County Ordinance No. 2023-10.

## **DEMOLITION ORDER**

The Flagler County Chief Building Official has determined after review that the structure is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary, or otherwise unfit for human occupancy, and such that it is unreasonable to repair the structure.

**CORRECTION ORDER:** The Chief Building Official, pursuant to authority provided in IPMC Section 111, hereby orders the owner of the premises to demolish and remove the structure within **THIRTY (30) DAYS** after the date of this Demolition Order.

**FAILURE TO COMPLY WITH DEMOLITION ORDER:** If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the Chief Building Official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate in accordance with IPMC Section 113.3

**OWNER'S RIGHT TO APPEAL:** Any person directly affected by a decision of the Chief Building Official or a Notice or Order issued under the IPMC shall have the right to appeal, provided that a written application for appeal is filed with the Office of the Chief Building Official, 1769 E. Moody Blvd., Bldg. 2, Bunnell, FL 32110, within **TWENTY (20) DAYS** after the day the decision, Notice, or Order was served in accordance with IPMC Section 111.4.2. An application for appeal shall be made in writing and based on a claim that the true intent of the IPMC has been incorrectly interpreted, the provisions of the IPMC do not fully apply, or the requirements of the IPMC are adequately satisfied by other means.

Please contact the Chief Building Official, Robert Snowden, at 386-313-4027 or at [rsnowden@flaglercounty.gov](mailto:rsnowden@flaglercounty.gov) for guidance as to the required corrective action.

ISSUED BY:



Robert Snowden  
Chief Building Official Flagler County