



AGENDA

Code Enforcement, Adjustments and Appeals Board

City of St. Augustine, Florida

Alcazar Room

Tuesday, July 12, 2022 at 3:00 p.m.

Regular Agenda

- 1. Roll Call**
- 2. Swearing in of Staff**
- 3. General Public Comments for Items Not on the Agenda**
- 4. Approval of Minutes**
 - a. Regular Meeting Minutes from June 14, 2022.
- 5. Disclosure of Ex-Parte Communications**
- 6. Building Code Variances**
- 7. Fine Reduction Requests**
 - a. CE2022-0211
Wallpher Revocable Living Trust
C/O Luis and Monica Wallpher
19 Martin Luther King Avenue

City Code Chapter 25, Section 25-56
Tree Removal/ Replacement.
Request for reduction of fine.
- 8. Review of New Cases**
 - b. CE2022-0221
James A. Philcox
111 Zoratoa Avenue

City Code: Chapter 19, Section 3
Unsheltered Storage of Junk and Debris.
- 9. Review of Previously
Heard Cases**

(None)

10. City Attorney Items

(None)

11. Other Business

(None)

12. Adjournment

Notices: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the Code Enforcement, Adjustments and Appeals Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person 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." In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respective elected or appointed body.

The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance, and are not intended to be relied upon or to reach investors or the trading markets.

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
June 14, 2022

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, June 14, 2022, in the Alcazar Room at City Hall. The meeting was called to order by Larry Weeks, Chairman, and the following were present:

1. ROLL CALL

Larry Weeks, Chairman
Thomas Day, Vice Chairman, absent
Jan Kelly
Marilyn Garrett, absent
CeCe Reigle
Karen Valachovic
Irvin Rubin, absent

Staff Present:

Richard Thibault, Assistant City Attorney
Richard "Buddy" Schauland, Building Official
Barry Fox, Code Enforcement Manager
Robert van Mierop, Code Enforcement Officer
Morganne Pratten, Administrative Coordinator, recording

2. SWEARING IN OF STAFF

**3. GENERAL PUBLIC COMMENTS
FOR ITEMS NOT ON AGENDA**

(none)

**4. APPROVAL OF MINUTES
(May 10, 2022)**

MOTION

Jan Kelly moved to approve the minutes. The motion was seconded by Karen Valachovic and approved by a unanimous voice vote.

**5. DISCLOSURE OF EX-PARTE
COMMUNICATIONS**

(None)

6. BUILDING CODE VARIANCES

a. CE2022-0216

**St. Augustine Society Inc.
64 Washington Street**

**City Code: Chapter 28, Section
28-29(b)
Application for building code
variance.**

Richard Schauland introduced the case. He explained the building value, the ground elevation, and the finished floor elevation. He stated the historic

significance of the building. He explained the factors the Board may consider to approve or deny the variance.

CeCe Reigle asked about the variance that was previously given and why this case has come back to the Board. Mr. Schauland answered that the permit that was previously granted has expired.

Judith Dembowski came to the stand and was sworn in. She stated the importance of getting this variance approved and explained how it would help the St. Francis House organization house more families with children.

Jan Kelly asked about the insurance costs and how they plan on covering the charge. Ms. Dembowski responded they are a very successful nonprofit and rely on philanthropy and grants and governmental supplements to pay their bills.

CeCe Reigle asked what the actual elevation of the building is. Richard Schauland answered it was approximately six feet NAVD.

BJ Kalaidi took the stand and was sworn in. She stated the St. Francis House was given 1.2 million dollars from the City. She stated she was concerned about the flooding on Washington Street; and if the St. Francis House was trying to help families it would be difficult for the families staying there if the first floor of the building flooded.

Charles Pappas took the stand and was

sworn in. He said he thought it seemed like it would be a waste of money to remodel the building if it is going to flood. He stated he hoped that during construction they would ensure the building would be reinforced to try and prevent any further flooding.

Larry Weeks stated he believed there are alternative ways to protect the building, even if it is technically below the flood zone.

Mr. Schauland stated they do not have an option to dry proof the building; they would still need the variance.

CeCe Reigle stated she lived in that neighborhood and has been flooded twice. She was concerned for the people that could be staying there. She stated the only reason why the case has been brought to the board was because the building was classified as historic. She stated she did not think granting the variance was right in this case, specifically concerning vulnerable families.

Karen Valachovic asked if they are housing vulnerable families, when there is an evacuation does the Francis House need to be evacuated?

Barry Fox answered the City Police Department has an evacuation plan for the homeless shelters during inclement weather. He reiterated they have never had any problems with the facility closing.

Larry Weeks stated there are other ways to limit flooding into the building.

Additionally, he stated he was in favor of approval.

Karen Valachovic motioned to grant the flood variance. Larry Weeks seconded the motion.

MOTION

Ayes: Karen Valachovic, Larry Weeks, Jan Kelly.

Nays: CeCe Reigle

MOTION CARRIED.

7. REVIEW OF NEW CASES

(None)

8. REVIEW OF PREVIOUSLY HEARD CASES

**a. CE2022-0208
Trinity Episcopal Parish
2 Artillery Lane**

**City Code: Chapter 25, Section
25-56, Tree Removal and
Replacement.
Application for reduction of
fine.**

Barry Fox introduced the case and recapped what has happened since the last meeting. He quoted the City Code Chapter 2; Section 123 for applications for reduction of fees. He stated the FL statute 162.092(b)&(c).

Mr. Rob Cook, legal council for Trinity Episcopal Parish, took the stand. He stated what he was here to discuss was the Church's perspective on the

trimming of trees. He explained the Church was informed that the trees were a threat; he quoted from the arborist report.

Richard Thibault stated the violation could not be reversed.

Mr. Cook stated they received confirmation from the Code Enforcement Officer Mr. Boles stating they were not in violation. He stated the factors he felt the Board should consider when decided upon the fine. He spoke about "after the fact permits" and how they technically don't exist. He stated the Board should consider the fee for the after the fact permit is roughly \$800.00 per tree. He suggested using those numbers instead of the \$5000.00, and speaking on behalf of the Church, they admit they should have obtained the proper permits, but \$800.00 per hazardous tree seemed more reasonable. He stated in addition to the \$1600.00 fine, they would also plant four replacement shade trees.

Barry Fox stated there are no previous violations for this property.

Larry Weeks opened for public hearing.

Charles Pappas took the stand; he reminded the Board they were finding based on procedure, not if the trees needed to be taken down. He asked about after the fact permits- if they needed to go to the Planning and Zoning Board.

Mr. Thibault stated they did not. He also stated they cannot grant an after-the-fact permit for significant trees.

Mr. Pappas stated he was only asking to make sure he did not need to recuse himself from the Planning and Zoning Board Meeting, as he is a member.

BJ Kalaidi took the stand. She stated it was about the procedure not about the arborist or the testimony. She stated the fine could've been a total of ten-thousand dollars, she expressed the Board has already reduced the fine. She expressed we are a tree city and the importance of trees.

BOARD DISCUSSION:

Jan Kelly stated there was substantial evidence when the case was introduced at the previous meeting, and she would not be in favor of reducing the fine.

CeCe Reigle asked legal counsel if they had an arborist report; what were the requirements?

Richard Thibault stated the state statute deals with residential zoning, not commercial. Ms. Reigle asked why they did not qualify for an after the fact tree permit.

Mr. Schauland clarified the state statute; they do not qualify for an after-the-fact permit because the trees were considered significant.

Larry Weeks stated the Board reviewed previous cases for consideration in their

ruling and he was not in favor of reducing the fine.

CeCe Reigle stated she would be of mind to reduce the fine.

Karen stated the arborist, Mr. Conlon, should have known the process of permitting and the responsibility lies with the Church, not the arborist.

CeCe stated she would like to see three trees of the same species replanted per removal. She stated she thought the trees were going to be cut down regardless.

Larry weeks stated they are already required to replant two trees.

Jan Kelly MOTIONED to deny the request for reduction in fine. Larry Weeks seconded the motion.

MOTION

Ayes: Jan Kelly, Larry Weeks, Karen Valachovic

Nays: CeCe Reigle

MOTION CARRIED.

9. CITY ATTORNEY ITEMS

(None)

10. OTHER BUSINESS

(None)

11. REVIEW OF CONFLICT

**STATEMENTS FROM PREVIOUS
MEETING**

(None)

12. ADJOURNMENT

Meeting was adjourned at 3:44 P.M.

Larry Weeks, Chairperson

Morganne Pratten, Administrative
Coordinator, Recording



**CITY OF ST. AUGUSTINE
CODE ENFORCEMENT DIVISION
75 King Street
St. Augustine, FL 32084
904-825-1065**



CODE ENFORCEMENT DIVISION

April 18, 2022

IN THE MATTER OF: Name: Wallpher Revocable Living Trust
C/O Luis & Monica Wallpher
Address: 19 Martin Luther King Avenue
Saint Augustine, FL 32084
Case #: CE2022-0211

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 25, Section 25-56(g) – Tree Removal and Replacement

SITE OF VIOLATION: 19 Martin Luther King Avenue
LEGAL DESCRIPTION: 3-7 BURT SUB OF BLK 46-J CITY S75 OF W13 6FT LOT A
OR4723/327 & 5399/985(Q/C)
PARCEL NUMBER: 2031900000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on April 14, 2022 which revealed the following violations:

- **Removal of five trees; one (1) 16" diameter Water Oak, one (1) 18" diameter Water Oak, one (1) 26" diameter Water Oak, one (1) approximately 17" diameter Hackberry, and one (1) approximately 14" diameter Southern Red Cedar without tree removal permits.**

It is our goal to enforce the codes and ordinances of the City and to protect the health, safety and welfare of the citizens of St. Augustine and, accordingly, your cooperation regarding this matter is greatly appreciated. If you should have any questions concerning this matter, please contact the Code Enforcement Division at (904) 825-1066.


Robert van Mierop

Notice of Violation
CE2022-0211

Code Enforcement Officer

CITY OF ST. AUGUSTINE
Planning and Building Department
P.O. Box 210
St. Augustine, FL 32085-0210
(904) 825-1066

Certified Mail Number: 7019 2280 0000 6192 8843
7019 2280 0000 6192 8867
7019 2280 0000 6192 8850

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.



CITY OF
ST. AUGUSTINE
EST. 1565
NATION'S OLDEST CITY

**OFFICIAL NOTICE OF
CONFIRMATION OF ACTION**

May 10, 2022

Wallpher Revocable Living Trust
C/O Luis and Monica Wallpher
19 Martin Luther King Avenue
Saint Augustine, FL 32084
(Herein after referred to as Respondent)

RE: **19 Martin Luther King Avenue
Tree Removal and Replacement.
City Code, Chapter 25, Section 25-56(g)
CEAAB Case No. 2022-0211**

To Whom It May Concern:

The purpose of this letter is to notify you of the action taken by the Code Enforcement, Adjustments and Appeals Board (CEAAB) on May 10, 2022 relative to your case.

The CEAAB found the case **"In Violation" on all five counts** and issued an **"Order Imposing a Fine"**. The **"Order Imposing a Fine"** stipulated a fine of **\$2500.00 per tree, \$12,500.00 in total. The Respondent has thirty (30) days from the date of the order to pay the fine in full.** A copy of the **"Order Imposing a Fine"** is attached. The CEAAB hearing was conducted in accordance with F.S. 162.07 and as a part of the hearing this **"Official Notice"** is being sent to you as required by State Law.

Please contact the Code Enforcement Division at (904) 825-1066 if you have any questions concerning this correspondence.

Sincerely,

Barry E. Fox
Code Enforcement Manager

Attachment

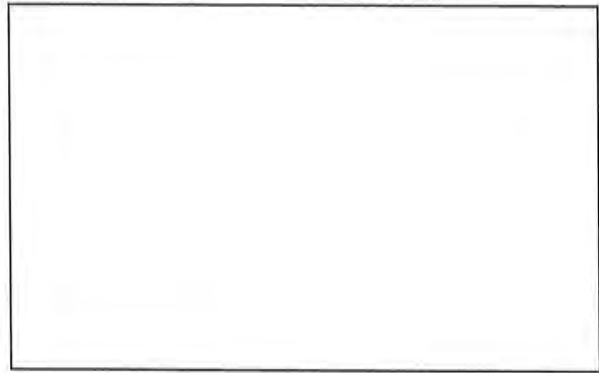
cc: John P. Regan, City Manager
Richard Thibault, Assistant City Attorney
CEAAB File

BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS AND APPEALS
BOARD
CITY OF ST. AUGUSTINE, FLORIDA

ORDER IMPOSING A FINE
CEAAB CASE NUMBER: 2022-0211

IN THE MATTER OF:

Wallpher Revocable Living Trust
C/O Luis and Monica Wallpher
19 Martin Luther King Avenue
Saint Augustine, FL 32084
(Hereinafter referred to as Respondent)



RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:
City Code, Chapter 25, Section 25-56

VIOLATION SITE: **19 MARTIN LUTHER KING AVENUE**

LEGAL DESCRIPTION: **3-7 BURT SUB OF BLK 46-J CITY S75 OF W13 6FT LOT A
OR4723/327 & 5399/985(Q/C)**

PARCEL NUMBER: **2031900000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD
TESTIMONY AND EXAMINED EVIDENCE AT HEARINGS HELD ON **MAY 10, 2022**
AND, BASED ON THE EVIDENCE, HAS ADJUDGED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is the legal owner and/or occupant of the subject property and was duly notified of the hearings held on May 10, 2022, in accordance with Chapter 162 F.S.

The respondent and/or representative was present at the May 10, 2022 Code Enforcement, Adjustments and Appeals Board meeting and testified under oath.

2. In response to a public complaint, the staff observed the following code violations on April 14, 2022:

Removal of five trees; one (1) 16" diameter Water Oak, one (1) 18" diameter Water Oak, one (1) 26" diameter Water Oak, one (1) approximately 17" diameter Hackberry, and one (1) approximately 14" diameter Southern Red Cedar without tree removal permits.

3. The above described is a violation of the following Section(s) of the City Code of St. Augustine:

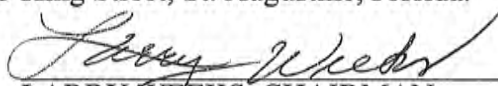
Chapter 25, Section 25-56

4. On April 18, 2022 the Planning and Building Department sent an **"Official Notice of Violation"** to formally advise the respondent of the violation, via certified mail.
5. On April 26, 2022 the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of Hearing"** for May 10, 2022.

7. On May 10, 2022 the Code Enforcement, Adjustments and Appeals Board found the case in "violation" on all five counts and issued an "Order Imposing a Fine" in the amount of \$2,500.00 per tree, for a total amount of \$12,500.00.

THIS ORDER MAY BE RECORDED IN THE OFFICIAL RECORD BOOKS OF ST. JOHNS COUNTY FORTHWITH AND SHALL CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY, AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR, PURSUANT TO CHAPTER 162.08 AND 162.09 OF THE FLORIDA STATUTES. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE, AND LOSS OF YOUR PROPERTY.

DONE AND ORDERED THIS **10TH DAY OF MAY, 2022** in open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

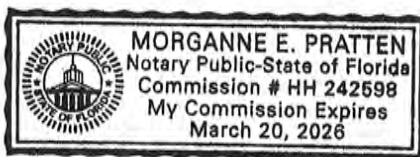


LARRY WEEKS, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Larry Weeks, who is personally known to me who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

Witness my hand and official seal, this 13th day of May, A.D., 2022.


Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Code Enforcement, Adjustments and Appeals Board, upon notification by the Code Enforcement Inspector that a previous order of the Board has not been complied with by the set time, may order the violator to pay a maximum fine of \$250 for each day the violation continues past the date set for compliance. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists, or upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the Sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for the enforcement purposes. After three (3) months from filing of any such liens which remain unpaid, the Code Enforcement, Adjustments and Appeals Board may authorize the local governing body attorney to foreclose on the lien.

RECEIVED

JUN 06 2022

Planning/Building Dept.

**CITY OF ST. AUGUSTINE
A15-APPLICATION TO BOARD OF ADJUSTMENTS AND APPEALS**

Application Fee \$100.00

BDAC No. _____

Receipt No. 2394106Meeting Date 12 JUL 22Deadline Date 10 JUN 22

PLEASE PRINT OR TYPE

1. ACTION REQUESTED:

☐ Floodplain Variance ☐ Appeal of Staff Determination ☒ Application for Reduction of Fines or Fees
2. NAME OF APPLICANT LUIS AND MONICA WALLPHER Daytime Telephone 904 708 6637
904 599 5663Address 19 M.L.KING AVE City ST AUGUSTINE State FL Zip 320843. NAME OF PROPERTY OWNER LUIS AND MONICA WALLPHER Telephone 904 708 6637
904 599 5663Address 19 MLKING AVE City ST AUGUSTINE State FL Zip 320844. PROJECT STREET ADDRESS 19 MLKING AVE ST. AUGUSTINE FL 320845. TYPE OF CONSTRUCTION Existing ☒ Proposed _____6. BUILDING USE Existing ☒ Proposed _____

7. REASON FOR ACTION REQUESTED:

Justification: We are good citizens and part of this community for about 20 years. This is our unintentional incident. The CEHAB imposing fines are excessive. During the public hearing a report on one of the trees was presented. This tree should have been excluded from the final decision and we shouldn't be charge for it. As the 2021 Florida Statutes 163.045 states. Also the Lutting Edge Tree Experts company and the city inspector were negligent and misleading.

Hardship: Husband, 74, retired with severe heart and stomach health issues. Wife, K-6 teacher unemployed for several years due Covid 19 and living overseas. These fines will cause extreme financial hardship without the means to provide relief.

AGREEMENT: In filing this application, I understand that it becomes a part of the Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge. Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where authorized agent signs in lieu of either property owner or applicant. Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF PROPERTY OWNER

DATE

RECEIVED

JUN 06 2022

Planning/Building Dept.

STAFF USE ONLY

1. ZONING _____
2. CURRENT USE _____
3. FLORIDA MASTER SITE FILE NUMBER _____
4. FLOOD ZONE _____ CURRENT ELEVATION _____
5. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot _____ Block _____
Subdivision _____
Parcel Number _____
6. THIS APPLICATION IS APPROVED TO GO TO THE BOARD OF ADJUSTMENTS AND APPEALS.

BUILDING OFFICIAL OR AUTHORIZED SIGNATURE

DATE

THIS APPLICATION IS ☐ DENIED ☐ APPROVED ☐ APPROVED WITH STIPULATIONS:

CHAIRMAN, BOARD OF ADJUSTMENTS AND APPEALS

DATE

RECEIVED

JUN 06 2022

Justification:

Planning/Building Dept.

We are good citizens and part of this community for about 20 years. This is our first unintentional incident.

The CEAAB imposing fines are excessive. During the public hearing a report on one of the trees was presented. This tree should have been excluded from the final decision and we shouldn't be charge for it. As the 2021 Florida Statutes 163.045 states.

Also the Cutting Edge Tree Experts company and the City Inspector were negligent and misleading.

Hardship:

Husband, 74, retired with severe heart and stomach health issues.

Wife, K-6 teacher unemployed for several years, due covid19 and living overseas.

These fines will cause extreme financial hardship without the means to provide relief.



SB Tree Service

1424 Ridgewood Ave Suite 5
Holly Hill, FL 32117
(386)341-4800

RECEIVED

JUN 06 2022

Planning/Building Dept.

Services Performed For:

Luis Wallpher
19 Martin Luther King Ave
Saint Augustine, FL 32084
WallpherRL@bellsouth.net

Services Performed By:

Christopher Forrest
ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9678A

04/13/2022

Scope: To Assess the current property and provide recommendations and my professional opinion on the health and structure of the tree and any risk it may pose.

Tree Species: Celtidaceae

Common Name: hackberry

DBH: 19"

Location: Front left yard

Hackberry has a codominant trunk with included bark. Laterals have rot and decay throughout inner cambium. Specimen has a heavy lean towards structure with decayed laterals hanging over roof. Hackberry poses a high risk of failure in abnormal weather conditions.

Conclusion: Upon conduction a visual inspection and listening to the homeowner's desire, Specimen has shallow root system with signs of lifting and the improper pruning that has left the specimen top heavy with branches hanging over target. Homeowner wishes to eliminate all risk by removing the hackberry tree.



Christopher Forrest
ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9576A

Conor Rodgers
Sales Representative

Tel. 386-320-6307

sales@cuttingedgetreeexperts.com

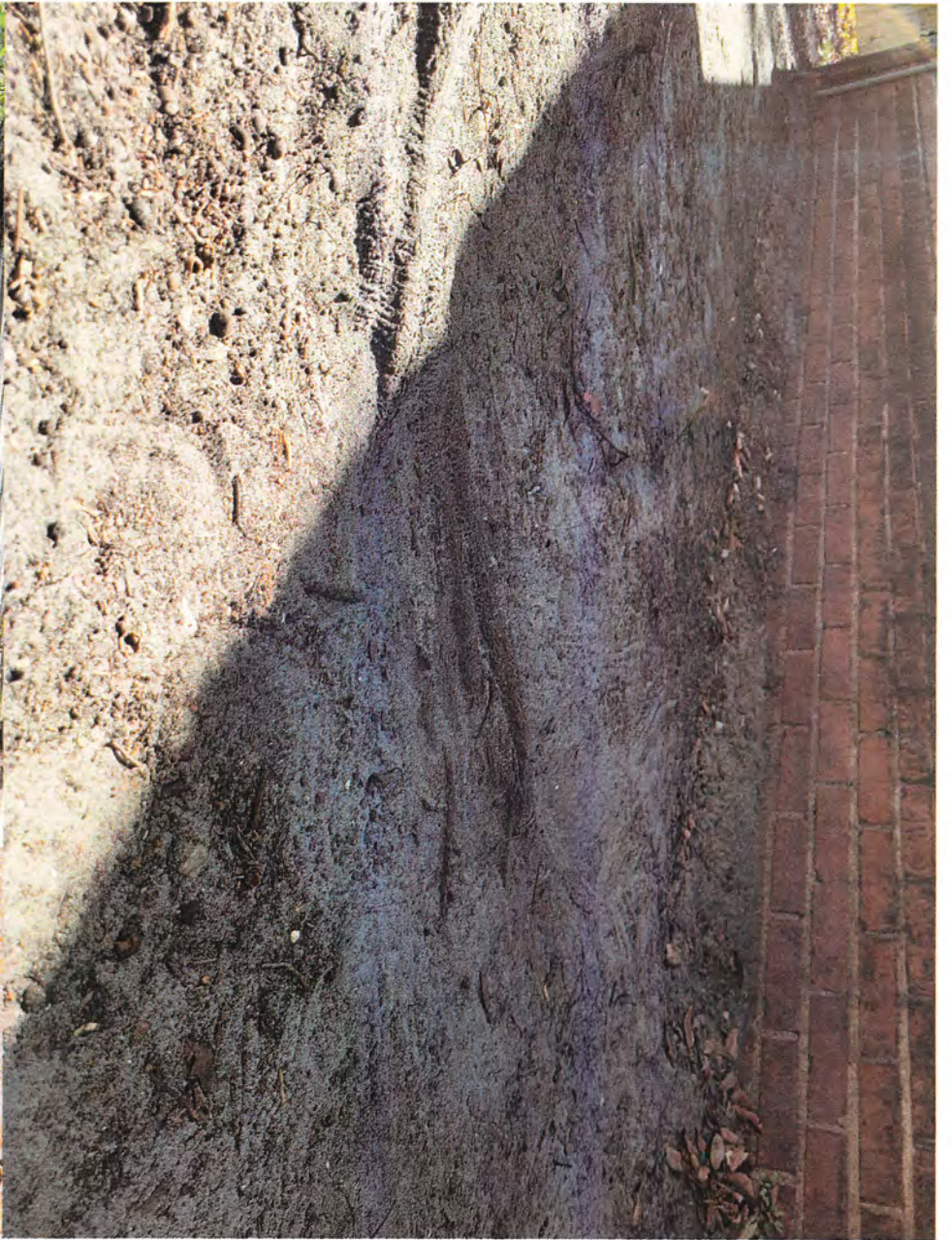
Licensed & Insured



Specialty Tree Care
Hurricane Preparation
Tree Removals
Tree Healthcare
Stump Grinding

Servicing Central Florida
24hr Emergency Services











**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments & Appeals Board (CEAAB)

DATE: July 12, 2022

SUBJECT: Case Number: 2022-0221

RESPONDENT: James A. Philcox

LOCATION: 111 Zoratoa Avenue Parcel Number 219660 0000

VIOLATION: Unsheltered Storage of Junk and Debris
Chapter 19, Section 19-3

BACKGROUND INFORMATION:

On May 16, 2022, I noticed a large amount of lawn furniture that was piled against the front entrance to the above residence, blocking access to the front door. I also noticed what appeared to be a desk or bookcase leaning up against the garage door with a garbage can against it, holding it up. On May 20, 2022 I was able to contact the Respondent by telephone, and I advised him that the furniture must be removed. He said that he could have it removed by May 27, 2022.

On May 31, 2022 the furniture was still stacked against the front of the house and the garage. On June 1, 2022 an Official Notice of Violation was sent to the Respondent with June 15, 2022 as the deadline by which this property must be brought into compliance.

On June 16, 2022, the furniture was still stacked against the front of the house and the garage.

As of July 8, 2022, the furniture was still stacked against the front of the house and the garage, and this property is not in compliance.

Robert van Mierop
Code Enforcement Officer

Sec. 19-3. - Unlawful conditions.

It shall be unlawful to deposit, keep, or maintain the unsheltered storage of any junk or refuse, including building materials or similar objects; household goods; inoperable machinery; stripped, junked, inoperable, or unlicensed motor vehicles or boats within the corporate limits of the city. A structure that is in violation of chapter 8, article IV, is a nuisance.

(Code 1964, § 12-19; Ord. No. 96-27, § 2, 6-10-96; Ord. No. 19-05, § 1, 4-22-19)



06/16/2022 14:19

111



05/16/2022 10:45



05/16/2022 10:45

111

06/16/2022 14:19



**CITY OF ST. AUGUSTINE
CODE ENFORCEMENT DIVISION
75 King Street
St. Augustine, FL 32084
904-825-1065**



CODE ENFORCEMENT DIVISION

May 31, 2022

IN THE MATTER OF: Name: James A. Philcox
Address: 111 Zoratoa Avenue
Saint Augustine, FL 32080
Case #: CE2022-0221

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 19, Section 3 – Unsheltered Storage of Junk and Debris

SITE OF VIOLATION: 111 Zoratoa Avenue

LEGAL DESCRIPTION: 3-99 DAVIS SHORES LOTS 4 & 5 BLK 45 OR1270/1495 & 3932/788(F/J)

PARCEL NUMBER: 20196600000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on May 16, 2022 which revealed the following violations:

- **Several pieces of furniture are stacked up in a pile at the front door of the residence and there is a desk/table leaning against the garage door outside of the house.**

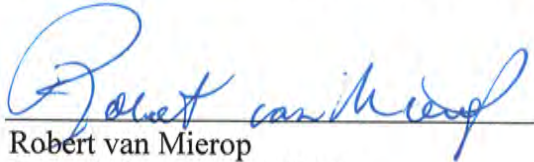
It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent shall comply with the above cited sections of the City Code of St. Augustine, Florida, no later than **June 15, 2022**, or a **fine of \$250.00 per day may be imposed** by the Code Enforcement, Adjustments and Appeals Board. The violation may be corrected via the following actions:

- **Properly store all the furniture that is stacked up against the front of the house.**

It is our goal to enforce the codes and ordinances of the City and to protect the health, safety and welfare of the citizens of St. Augustine and, accordingly, your cooperation regarding this matter

Notice of Violation
CE2022-0221

is greatly appreciated. If you should have any questions concerning this matter, please contact the Code Enforcement Division at (904) 825-1066.



Robert van Mierop
Code Enforcement Officer

CITY OF ST. AUGUSTINE
Planning and Building Department
P.O. Box 210
St. Augustine, FL 32085-0210
(904) 825-1066

Certified Mail Number: 7019 2280 0000 6192 9031
7019 2280 0000 6192 9024

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.



CODE ENFORCEMENT DIVISION



OFFICIAL NOTICE OF CEAAB HEARING

June 29, 2022

IN THE MATTER OF: Name: James A. Philcox
 Address: 111 Zoratoa Avenue
 Saint Augustine, FL 32084

Case #: CE2022-0221

HEREBY KNOWN AS RESPONDENT(S)

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida

**Code Section: Chapter 19, Section 3- Unsheltered
Storage of Junk and Debris**

SITE OF VIOLATION: 111 Zoratoa Avenue

LEGAL DESCRIPTION: 3-99 DAVIS SHORES LOTS 4 & 5 BLK 45 OR1270/1495
 & 3932/788(F/J)

PARCEL NUMBER: 2196600000

The purpose of this letter is to notify you that the City of St. Augustine Code Enforcement, Adjustments & Appeals Board (CEAAB) will meet on **Tuesday, July 12, 2022, at 3:00 p.m.** in the Alcazar Room at City Hall, 75 King Street, and you have been placed on the agenda for the meeting in the matter of the following violations:

- **Several pieces of furniture are stacked up in a pile at the front door of the residence and there is a desk/table leaning against the garage door outside of the house.**

This is your "**Official Notice**" for you or your representative to appear before the CEAAB to respond to your violation. The CEAAB will conduct a hearing, in accordance with F.S. 162.07, concerning your case and, subsequently, they will issue findings of fact and may order corrective action and compliance by a specific date. Again, we believe it is important that you be present at the meeting to address the CEAAB. If the violation is corrected and then reoccurs, or if the violation is corrected prior to the referenced hearing, this case may still be presented to the CEAAB.

In accordance with Florida Statutes 286.0105: "If any person decides to appeal any decision made by the Code Enforcement, Adjustments & Appeals Board with respect to any matter considered at this scheduled meeting, the person will need a record of the proceedings and, for

Notice of Hearing
CE2022-0221

such purpose, the person 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."

If you have any questions concerning this correspondence, please contact the Code Enforcement Inspector indicated below.


Barry E. Fox
Code Enforcement Manager

City of St. Augustine
Planning & Building Department
P.O. Box 210
St. Augustine, FL 32085-0210

Certified Mail Number: **7022 0410 0001 0217 3934**
7022 0410 0001 0217 3941

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA
COUNTY OF ST. JOHNS
CITY OF ST. AUGUSTINE

James A. Philcox
111 Zoratoa Avenue
St. Augustine, FL 32080

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2022-0221

I, Robert van Mierop, have personally examined the property described above, and find that said property is NOW in compliance with the City of St. Augustine Code of Ordinance(s) Chapter 19, Section 19-3 as of July 11, 2022.

FURTHER, Affiant saith not.

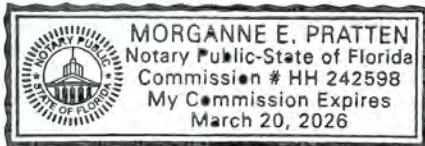

Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 11 DAY OF July, 2022.



Notary Public, State of Florida

My Commission Expires: 20 day of March, 2026.



AFFIDAVIT OF SECONDARY SERVICE

STATE OF FLORIDA
COUNTY OF ST. JOHNS
CITY OF ST. AUGUSTINE

James A. Philcox

111 Zoratoa Avenue

St. Augustine, FL 32080

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: 2022-0221

I, Robert van Mierop, being duly sworn and deposed say:

1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. That pursuant to Florida Statute 162.12, on July 8, 2022, I received a copy of the attached Notice of Hearing for the hearing dated July 12, 2022.
3. That on July 8, 2022, I
☒ Posted said Notice on the property located at
111 Zoratoa Avenue, St. Augustine, FL 32080.
4. That on , 20 , I
☐ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St.,
St. Augustine, FL.

FURTHER, Affiant saith not.

Robert van Mierop
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12 DAY OF July, 2022.

Morganne E. Pratten

Notary Public, State of Florida

My Commission Expires: 20 day of March, 2022.





St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)

No Image Available

Parcel ID	2196600000
Location Address	111 ZORATOA AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores South (590)
Tax Description*	3-99 DAVIS SHORES LOTS 4 & 5 BLK 45 OR1270/1495 & 3932/788(F/J) <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	17-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.220
Homestead	N

Owner Information

Owner Name [Philcox James A S](#) 100%
Mailing Address PO BOX 840085
SAINT AUGUSTINE, FL 32080-0085

Map



Valuation Information

	2022
Building Value	\$160,886
Extra Features Value	\$3,928
Total Land Value	\$258,216
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$423,030
Total Deferred	\$161,092
Assessed Value	\$261,938
Total Exemptions	\$0
Taxable Value	\$261,938

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

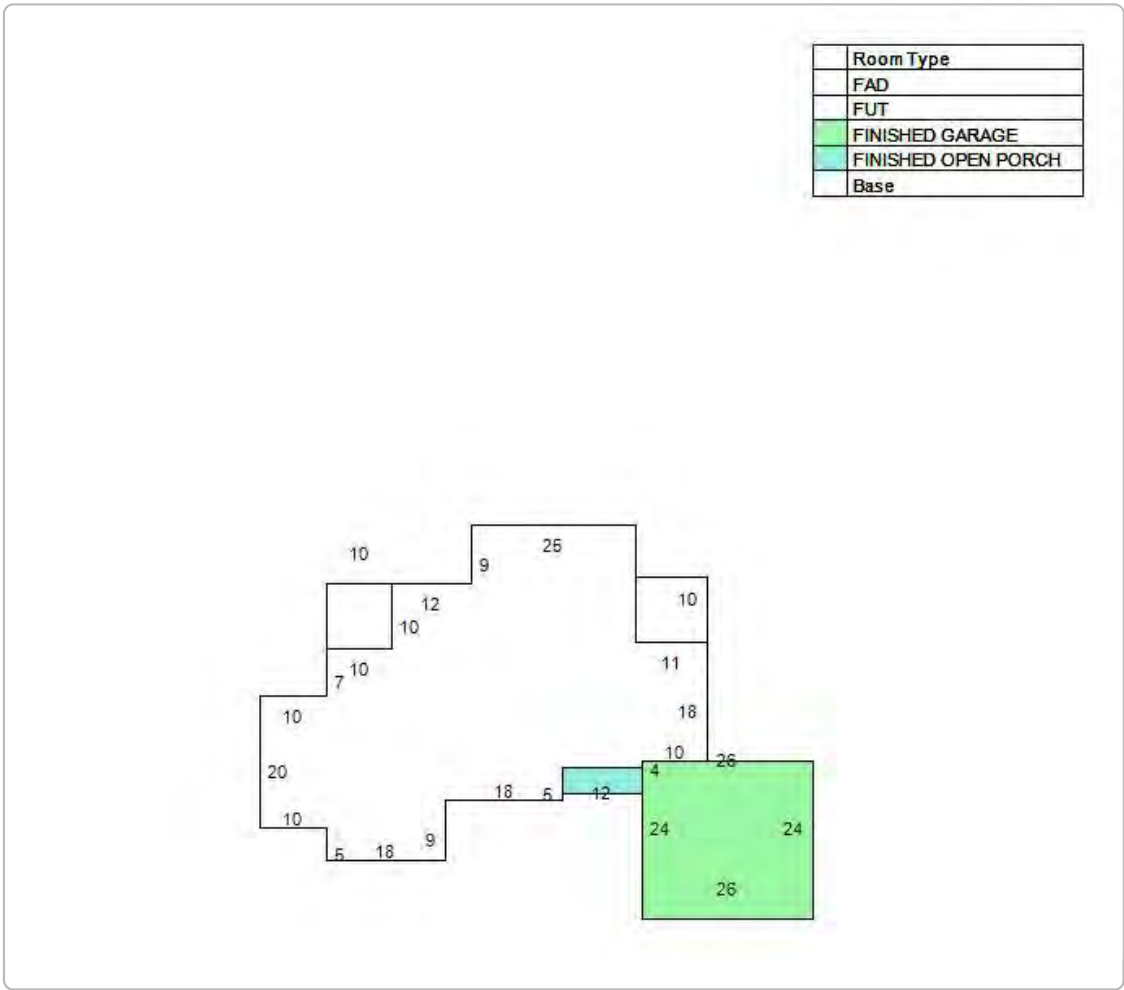
Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$87,587	\$3,518	\$195,750	\$0	\$0	\$286,855	\$238,125	\$48,730	\$238,125
2020	\$37,421	\$5,056	\$174,000	\$0	\$0	\$216,477	\$216,477	\$0	\$216,477
2019	\$33,071	\$5,034	\$156,600	\$0	\$0	\$194,705	\$160,779	\$83,926	\$110,779
2018	\$67,209	\$13,652	\$156,600	\$0	\$0	\$237,461	\$183,790	\$103,671	\$133,790
2017	\$69,342	\$12,404	\$141,375	\$0	\$0	\$223,121	\$180,010	\$93,111	\$130,010
2016	\$140,424	\$11,791	\$141,375	\$0	\$0	\$293,590	\$231,725	\$111,865	\$181,725
2015	\$144,679	\$11,791	\$108,750	\$0	\$0	\$265,220	\$230,114	\$85,106	\$180,114
2014	\$138,171	\$11,791	\$91,350	\$0	\$0	\$241,312	\$228,288	\$63,024	\$178,288
2013	\$142,176	\$11,791	\$73,950	\$0	\$0	\$227,917	\$224,914	\$53,003	\$174,914
2012	\$144,178	\$11,791	\$65,185	\$0	\$0	\$221,154	\$221,154	\$50,000	\$171,154
2011	\$148,183	\$11,791	\$72,428	\$0	\$0	\$232,402	\$225,828	\$56,574	\$175,828
2010	\$150,186	\$11,791	\$80,475	\$0	\$0	\$242,452	\$222,491	\$69,961	\$172,491

Building Information

Building	1	Roof Cover	Composite Shingle
Year Built	1922	Roof Structure	Gable Hip
Actual Area	3064	Interior Flooring	Sheet Vinyl, Carpet
Conditioned Area	2282	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Air Conditioning	Central
Class	N	Bedrooms	0
Exterior Wall	Wood	Baths	

Description	Square Footage
BASE AREA	2182
FINISHED OPEN PORCH	48
FINISHED GARAGE	624
FRAME UTILITY	110
FRAME ADDITION	100
Total SqFt	3064

Sketch Information



Extra Feature Information

Code Description	Status	Value
Pool (Concrete)		3140
Kool Deck		454
Deck (Unattached)		334

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	100	90	100	EF	\$258,216

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/19/2014	9/16/2014	\$0.00	FINAL JUDGMENT	3932	788	U	I	PHILCOX JAMES A S	PHILCOX JAMES A S
	10/13/1997	\$180,000.00	WARRANTY DEED	1270	1495	Q	I	KLINGE KRISTIAN W,KRISTINA K	PHILCOX JAMES A S
	2/14/1992	\$165,000.00	WARRANTY DEED	926	1280	Q	I	BATTELL RAY L,MINERVA	KLINGE KRISTIAN W,KRISTINA K
	8/1/1987	\$0.00		758	488	U	I		BATTELL RAY L,MINERVA

No data available for the following modules: Exemption Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

[User Privacy Policy](#)
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[Last Data Upload: 7/8/2022, 12:39:36 AM](#)

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 Schneider
GEOSPATIAL

Version 2.3.205

Dennis W. Hollingsworth Tax Collector

generated on 7/8/2022 8:54:07 AM EDT

Tax Record

Last Update: 7/8/2022 8:54:07 AM EDT

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account or Parcel Number		Tax Type		Tax Year	
219660-0000		REAL ESTATE		2021	
Mailing Address PHILCOX JAMES A S PO BOX 840085 SAINT AUGUSTINE FL 32080-0085		Physical Address 111 ZORATOA AVE			
Exempt Amount		Taxable Value			
\$0.00		\$238,125.00			
Exemption Detail NO EXEMPTIONS		Millage Code 452		Escrow Code	
Legal Description 17-07-30.22 Acres 3-99 DAVIS SHORES LOTS 4 & 5 BLK 45 OR1270/1495 & 3932/788(F/J)					
Ad Valorem Taxes					
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
COUNTY					
GENERAL	4.6537	238,125	0	\$238,125	\$1,108.16
ROAD	0.8444	238,125	0	\$238,125	\$201.07
HEALTH	0.0160	238,125	0	\$238,125	\$3.81
SCHOOL					
SCHOOL-STATE LAW	3.5640	286,855	0	\$286,855	\$1,022.35
SCHOOL - LOCAL BOARD	2.2480	286,855	0	\$286,855	\$644.85
SJRWMD	0.2189	238,125	0	\$238,125	\$52.13
MOSQUITO	0.2000	238,125	0	\$238,125	\$47.63
CITY OF ST AUGUSTINE	7.5000	238,125	0	\$238,125	\$1,785.94
FL INLAND NAV DISTRICT	0.0320	238,125	0	\$238,125	\$7.62
PORT AUTHORITY	0.0598	238,125	0	\$238,125	\$14.24
Total Millage		19.3368	Total Taxes		\$4,887.80
Non-Ad Valorem Assessments					
Code	Levying Authority				Amount
4105	C OF S A FIRE ASSESS FEE				\$207.80
Total Assessments				\$207.80	
Taxes & Assessments					\$5,095.60

Prior Year Taxes Due					
Year	Folio	Status	Cert.	Year	Amount
2021	128020		3002	2022	\$5,811.32

	Prior Years Total	\$5,811.32
If Paid By	Prior Years Due	
7/31/2022	\$5,811.32	

Please visit your local office for prior year payments.