



CITY OF
ST. AUGUSTINE
EST. 1565

CITY OF ST. AUGUSTINE CODE ENFORCEMENT, ADJUSTMENT AND APPEALS BOARD
CODE ENFORCEMENT DEPARTMENT
TUESDAY, AUGUST 9, 2022 - 3:00 PM
ALCAZAR ROOM

1. Roll Call
2. Swearing in of Staff
3. Approval of Minutes
4. Disclosure of Ex-Parte Communications
5. General Public Comments for Items Not on the Agenda
6. Review of Previously Heard Cases
 - a) CE2022-0208 The Vestry of Trinity Church of St. Augustine, Inc.
2 Artillery Lane, St. Augustine, FL, 32084
Compliance Hearing
7. Review of New Cases
8. City Attorney Items
9. Other Business
10. Review of Conflict Statements from Previous Meeting
11. Adjournment

Notices: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the Historic Architectural Review 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 or 1-800-955-8771 (TDD).

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
July 12, 2022

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, July 12, 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
Jan Kelly
Marilyn Garrett
CeCe Reigle
Karen Valachovic
Irvin Rubin

Staff Present:

Richard Thibault, Assistant City Attorney
Amy Skinner, Director, Planning & Building Department
Richard "Buddy" Schauland, Building Official
Barry Fox, Code Enforcement Manager
Robert van Mierop, Code Enforcement Officer
Curtis Boles, 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
(June 14, 2022)

MOTION

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

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

(None)

6. BUILDING CODE VARIANCES

(none)

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.

Mr. Fox introduced the case.

He read from the City Code and clarified the code outlining the application for the reduction of fines process.

Mrs. Wallpher approached the stand and expressed why she was here. She explained this was their first unintentional incident in more than 20 years of living in the City. She stated she hoped today would result in a different outcome than was previously

Mr. Thibault reiterated that The Board cannot consider any of the details of the case to make their decision.

Mrs. Wallpher expressed her dissatisfaction with the Code Enforcement Officer that issued the notice of violation.

She stated during the public hearing her constitutional rights were compromised, as she was told she was not allowed to speak. She stated the fee would cause many problems with her husband and herself. She spoke about how she teaches her students about the six pillars of character, and now she does not know what she will teach them anymore. She stated the fines that were imposed are excessive. She suggested the penalty should not exceed \$500.00.

In conclusion, after the public hearing, the tree company said the CE Officer only asked for the report of one tree, which was sent to the office.

Then Mrs. Wallpher submitted a copy of the most recent arborist report including the other trees to The Board. Mrs. Wallpher requested that the CEAAB dismiss the case and fines the fines removed and not require new tree planting.

Larry Weeks stated they are familiar with the FL statute.

Mrs. Wallpher stated she also wanted to put emphasis on the fact that she feels they have

Charles Pappas took the stand and sworn in. He stated the CE officers should not be called unprofessional; he stated ignorance is not a defense to break the law. He stated we were not here to rehear the case, if you feel the fines were excessive, The Board could act accordingly. He stated the reports that were submitted today were the reports the City needed before the trees were cut down. He stated the time to argue the case was the previous meeting.

Board Discussion:

Karen Valachovic asked about the maximum fine per tree that was \$5,000 per tree, which was confirmed. Tom Day motioned that the previous meeting's assignment of the \$2,500 fine

remained. Motion seconded by
Karen Valachovic.

Vote unanimous, fine stays and
case was closed.

8. REVIEW OF NEW CASES

- a. **CE2022-0221**
James A. Philcox
111 Zorotoa Avenue

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

Mr. Fox introduced the case; he read the
City Code and explained the affidavit of
compliance is on file.

The Board discussed the owner of the
property.

Larry Weeks stated he believed they
should hear the case and find the case in
violation.

Mr. van Mierop took the stand and
explained the violation and the nature of
the case. He showed photos of the
furniture stacked up against the front of
the house.
public hearing: none

Board discussed whether to find the
case in violation and then close for
compliance. Karen Valachovic motioned
that the case was in violation but no fine
be issued due to now being in

compliance. Marilyn Garrett seconded
and the motion passed unanimously.

9. REVIEW OF PREVIOUSLY HEARD CASES

10. CITY ATTORNEY ITEMS

(None)

11. OTHER BUSINESS

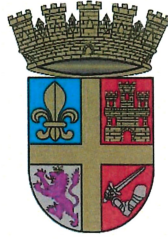
(None)

12. ADJOURNMENT

Meeting was adjourned at 3:37 P.M.

Larry Weeks, Chairperson

Morganne Pratten, Administrative
Coordinator, Recording



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

**OFFICIAL NOTICE OF
CONFIRMATION OF ACTION**

June 22, 2022

The Vestry of Trinity Church of St. Augustine, Inc.
C/O Rob Cook
215 Saint George Street
Saint Augustine, FL 32084

RE: **2 Artillery Lane
Request for Reduction in Fine
CEAAB Case No. 2022-0208**

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 June 14, 2022 relative to your case.

The CEAAB **denied** the request for a reduction in fine. 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 me at 825-1065 if you have any questions concerning this correspondence.

Sincerely,

Barry E. Fox
Manager, Code Enforcement

Attachment

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

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

**ORDER DENYING REDUCTION OF
FINE**

CEAAB CASE NUMBER: 2022-0208

IN THE MATTER OF:

APPLICANT: The Vestry of Trinity Church of
St. Augustine, Inc.
C/O Rob Cook
215 Saint George Street
St. Augustine, FL 32084

OWNER: The Vestry of Trinity Church of St. Augustine, Inc.

RE: Motion of denial for reduction of fine.

DESCRIPTION OF SITE: 2 Artillery Lane

LEGAL DESCRIPTION: CITY OF ST. AUGUSTINE LOT 1 BLK 34 DB224/584

PARCEL NUMBER: 1992200000

THIS MATTER originally came before the Board for public hearing on **April 12, 2022** after due notice to the Applicant(s), at which time the Board heard testimony under oath and received evidence. Based on the evidence and testimony presented at the hearing, the Board **found the case "In Violation" and issued an "Order Imposing a Fine," in the amount of \$5,000.00. The Respondent was given thirty (30) days from the date of the order to pay the fine in full. Prior to the recordation of lien, the applicant(s) requested a reduction of fines. On May 14, 2022, at a public hearing, the Code Enforcement, Adjustments and Appeals Board heard the Applicant(s) request for a reduction of fine. After consideration of the factors in 162.09 (2)(B), the Board declined to reduce the fines. The Respondent is given thirty (30) days from the date of this order to pay the fines in full.**

IT IS HEREBY ORDERED,

- The request for reduction in fine has been **DENIED**.

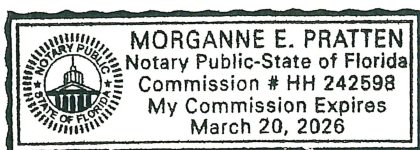
DONE AND ORDERED, at a public hearing on the 14th day of June, 2022 in the Alcazar Room, 75 King Street, St. Augustine, Florida.



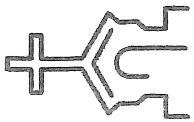
LARRY WEEKS, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Witness my hand and official seal, this 22 day of JUNE, A.D., 2022.




Notary Public, State of Florida



TRINITY PARISH
215 SAINT GEORGE STREET
SAINT AUGUSTINE, FL 32084
904-824-2876

AMERIS BANK
790 N PONCE DE LEON BOULEVARD
SAINT AUGUSTINE, FL 32084
64-175/612

6392

Five thousand dollars and no cents
City of Saint Augustine

DATE 7/18/22
AMOUNT \$ 5,000.00

PAY
TO THE
ORDER
OF

VOID
IF
COPIED
WITH
IN

Mary Louie Belmont

MP

⑈006392⑈ ⑆061201754⑆2049499235⑈

Security Features Included Details on back.

PAYMENT SUMMARY RECEIPT

Trinity Episcopal Parish

CITY OF ST. AUGUSTINE - LIVE
75 King Street
St. Augustine FL 32084

CE2022-0208

DATE: 07/19/22 CUSTOMER#: 000000000
TIME: 11:41
CLERK: 1596plan

RECPT#: 2424235 PREV BAL:
TP/YR: MS/2022 AMT PAID: 5000.00
BILL: ADJSTMNT:
EFF DT: 07/19/22 BAL DUE:
MISCELLANEOUS PAYMENT

-----TOTALS-----

PRINCIPAL PAID: 5000.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00

AMT TENDERED: 5000.00
AMT APPLIED: 5000.00
CHANGE: .00

PAID BY: CUSTOMER
PAYMENT METH: CHECK
PAYMENT REF: 6392

VA

AFFIDAVIT OF COMPLIANCE

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

Trinity Parish Church
215 Saint George Street
Saint Augustine, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: 2022-0208

I, Curtis Boles, have personally examined the property described in the Code Enforcement Order dated April 12, 2022, in reference to the above case, and find that said property is **NOW** in compliance with the City of St. Augustine Code of Ordinance(s) Sec25-56g as of July 19, 2022.

FURTHER, Affiant saith not.

Curtis Boles
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 4th DAY OF August, 2022.

Morganne E. Pratten
Notary Public, State of Florida

My Commission Expires: 20 day of March, 2026

