



CITY OF ST. AUGUSTINE CODE ENFORCEMENT, ADJUSTMENT AND APPEALS BOARD

A G E N D A

TUESDAY, NOVEMBER 8, 2022 - 3:00 PM

ALCAZAR ROOM

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 September 13, 2022
5. Disclosure of Ex-Parte Communications
6. Building Code Variances
7. New Violation Hearing
 - a) CE2022-0337
Barbara Teisan
47 Grove Ave, St. Augustine,
FL 32084
Chapter 25, Section 56
 - b) CE2022-0209
The Vestry of Trinity Church
of St. Augustine, Inc.
2 Artillery Lane, St Augustine
32084
Chapter 29, Section 29-27
8. Fine Assignment Hearing
 - a) CE2021-0227
Bryan Greiner

215 Anastasia Blvd, St.
Augustine, FL 32259
Chapter 8, Section 8-608

9. Fine Reduction Hearing
10. Lien Hearing
 - a) CE2022-0211
Wallpher Revocable Living
Trust
19 Martin Luther King Ave,
St. Augustine, FL 32084
Chapter 25, Section 25-56
11. Compliance Hearing
 - a) CE2019-0314
47 Abbott St, St. Augustine, FL32084
Chapter 19, Section 19-4
12. City Attorney Items
13. Other Business
14. 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
September 13, 2022

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, September 13, 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 Marie Kelly
Marilyn Meade 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, Code Enforcement Officer
Emily Howington, Administrative Coordinator, Recording
Elyse Wiemann, Recording Secretary

2. SWEARING IN OF STAFF

All present

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

BJ Kalaidi of 8 Newcomb St spoke to the board about 12 Newcomb St and requested they review the property.

**4. APPROVAL OF MINUTES
(August 9, 2022)**

MOTION

Karen Valachovic moved to approve the minutes. The motion was seconded by **CeCe Reigle** and approved by a unanimous voice vote.

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

(None)

6. BUILDING CODE VARIANCES

(none)

7. REVIEW OF NEW CASES

a. CE2022-0217

Valerie Lee Properties LLC
38 White St. East
Violation Hearing
Respondent Valerie Lee

Code Enforcement Officer Robert Van Meirop relayed the case notice was delivered 7/29/22. On 5/7/22 an initial inspection was made followed by an immediate stop work order. Owner contacted and advised.

Van Meirop showed pictures relaying the violation, an exterior deck built without permit.

Stop work order photo showed to board. Staff instructed how property owner can file building permit. Property owner Valerie Lee apologized for not obtaining permit and stated she was in process of obtaining a builder. Ms. Lee asked staff to provide required documents that she needed. Stated she replaced a deck that previously was on property and had begun by making repairs to existing stairs. Property owner showed photos of replacement process stated she was not trying to build without a permit. Owner showed pictures of the continued work on property and asked for extended time to complete project.

Board discussed process of obtaining permits and the application process with Richard Schauland, Building official. Richard Thibault, City Attorney gave the

board's options review at future meeting or find in violation. Mr. Fox gave corrective action date, allowing a 60-to-90-day timeframe for the permitting process being the CEAAB meeting on January 10th. Mr. Schauland stated he will inform what owner needs for a complete permit application.

MOTION

Karen Valachovic motioned to find the case in violation and allow a 90-day timeframe to come into compliance with a fine up to \$250.00 per day if not in compliance. **Thomas Day** seconded the motion, and the votes were unanimous.

b. CE2021-0311

117 Colon Avenue LLC
117 Colon Ave
Violation Hearing

Larry Week motioned to amend agenda to correct case number. Seconded by Jan Kelly and voted unanimously. Code Enforcement Officer Curtis Boles stated details of the case and violation.

On 2/11/91 then owner of property issued permit to install boat shed, no additional or current permits were found.

On 9/23/21 Boles inspected property to find boat shed had been converted to a habitable space without a permit.

10/9/21 Mr. Boles advised the owner how to remedy issue to return to original state or obtain proper permits and a notice of violation was issued.

Board discussion commenced regarding how the department was made aware of

the situation. Mr. Fox stated came to attention via the short-term rental application process. Board discussed requirements to make the shed a habitable space.

Mr. Fox read a statement from attorney James G Whitehouse from the property owner stating the owners were in process to have work plans drafted to bring structure in compliance as approved non habitable storage structure and requested 90 days to bring property in compliance.

Public comment: none.

Board discussion followed and **Jan Kelly** motioned the board find the case in violation and allow 90 days to come into compliance after which a fine up to \$250.00 a day may be imposed. **Cece Reigle** seconded the motion, vote was unanimous.

8. REVIEW OF PREVIOUSLY HEARD CASES

(None)

9. CITY ATTORNEY ITEMS

(None)

10. OTHER BUSINESS

(None)

11. ADJOURNMENT

Meeting was adjourned at 3:44 P.M.

Larry Weeks, Chairperson

Emily Howington, Administrative
Coordinator, Recording Secretary

**CITY OF ST. AUGUSTINE
MEMORANDUM**

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

DATE: November 8, 2022

SUBJECT: Case Number: CE2022-0337

RESPONDENT: Barbara Teisan

LOCATION: 47 Grove Avenue Parcel Number : 1940200000

VIOLATION: Chapter 25, Section 25-56 (a)
Tree removal without a permit

BACKGROUND INFORMATION:

On September 26, 2022 I noticed large pile of tree debris on the sidewalk in front of 47 Grove Avenue. The tree debris was from a Southern Red Cedar. In the yard of 47 Grove Avenue there was another large pile of tree debris. This additional debris was also from a Southern Red Cedar. I contacted the property owner, Barbara Teisan, who allowed me access to the property to document the downed tree. It was measured at 23" dbh and the debris was photographed. Ms. Teisan stated she was afraid that the tree was sick, so she contacted "someone down the street" and asked if they would cut down the tree. She did not remember who did the work. There were no tree removal permits as of 9/26/22 for this tree, and Ms. Teisan stated that did not consult an Arborist prior to the removal of the tree.

Robert van Mierop
Code Enforcement Officer

Sec. 25-56. - Tree removal and replacement.

- (a) *Permits required.* It shall be unlawful for any person directly or indirectly to cut down, destroy, remove or effectively destroy by damaging any tree in the city without first obtaining a permit as herein provided. This requirement shall apply to all trees three (3) inches or larger dbh., and to Southern Red Cedar trees (*juniperus silicicola*) more than two (2) feet tall or having a trunk diameter at a point three (3) inches above ground level of more than one (1) inch. Provided, however, that it shall not be unlawful to remove a tree other than a Southern Red Cedar (*juniperus silicicola*) which is less than three (3) inches dbh., nor shall any permit be required for the removal of such tree. In addition, it shall not be unlawful to remove an exempt tree or an invasive species and no permit shall be required for the removal of such.
- (b) *Permit applications and application fees.*
- (1) Permits for removal or relocation of trees shall be obtained by making application for permit to the city planning and building division. The application shall indicate the number, species and diameter breast height (dbh.) of each tree to be removed or relocated and the reasons for the removal or relocation. Such applications for permits for removal or relocation of trees shall be accompanied by a fee of twenty dollars (\$20.00). Such fees are hereby declared to be necessary for the purpose of processing the application and making the necessary inspection for administration and enforcement of this section.
 - (2) Permits for removal or relocation of trees associated with a site plan for a development shall be obtained by making application for permit for the development to the city planning and building division. The application shall be accompanied by a site plan. When the permit for the development is issued it will include tree removal, relocation and replacement as indicated on the approved site plan for the development.
- (c) *Application review.* Upon receipt of a complete application, which may include a site plan for a development, the city planning and building division shall review such application which may include a field check of the site and referral of the application to other departments or agencies as necessary to determine any adverse effect upon the general public welfare, adjacent properties or city services and facilities.
- (1) The planning and building division may issue a tree removal permit for trees which are not considered preserved trees.
 - (2) To remove a preserved tree anywhere on site, approval shall first be given by the code enforcement, adjustments and appeals board, or by the planning and zoning board, if such approval is related to the review of a site plan.
 - (3) In determining whether or not a permit required by this section should be issued, the city planning and building division shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property.



09/26/2022 09:52



09/26/2022 09:52



CODE ENFORCEMENT DIVISION



OFFICIAL NOTICE OF CEAAB HEARING

October 18, 2022

IN THE MATTER OF: Name: Barbara Teisan
Address: 47 Grove Ave
Saint Augustine, FL 32084

Case #: CE2022-0337

HEREBY KNOWN AS RESPONDENT(S)

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

Code Section: Chapter 25, Section 56- Removal of a Tree Without a Permit

SITE OF VIOLATION: 47 Grove Ave, St. Augustine, FL 32084

LEGAL DESCRIPTION: CITY OF ST AUG KINGSLAND ADDN LOTS 20 & 21 & E
30FT LOT 22 OR394/38 & 763/857 & 1116/30

PARCEL NUMBER: 194020 0000

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, November 8, 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:

- **Removal of a Southern Red Cedar Tree, measured 23" dbh, without a permit.**

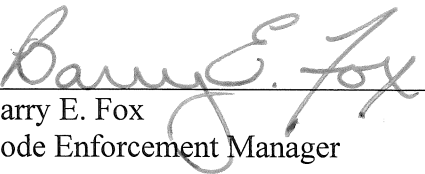
This is your "**Official Notice**" for you or your representative to appear before the CEAAB to respond to your violation. The CEAAB will conduct a hearing, in accordance with F.S. 162.07, concerning your case and, subsequently, they will issue findings of fact and may order corrective action and compliance 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
CE2022-0337

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 4580**

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 PRIMARY SERVICE

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

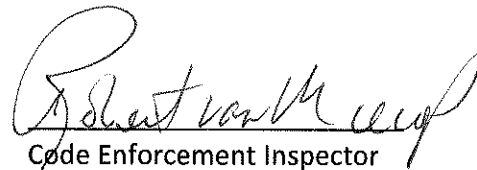
Barbara Teisan
47 Grove Avenue
St. Augustine, FL 32084
Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2022-0337

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 October 18, 2022, I received a copy of the attached Notice of Hearing for the hearing dated November 8, 2022.
3. That on October 18, 2022, I
☒ Mailed said Notice by certified U. S. Mail to the respondent, at the above listed address.
4. That on _____, 20__, I
☐ Hand delivered said Notice to _____ at _____.

FURTHER, Affiant saith not.


Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28 DAY OF October, 2022.


Notary Public, State of Florida

My Commission Expires: 28 day of August, 2024.



AFFIDAVIT OF SECONDARY SERVICE

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

Barbara Teisan

47 Grove Avenue

St. Augustine, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2022-0337

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 October 25, 2022, I received a copy of the attached Notice of Hearing for the hearing dated November 8, 2022.
3. That on October 25, 2022, I
☒ Posted said Notice on the property located at
47 Grove Avenue, St. Augustine, FL 32084.
4. That on October 25, 2022, I
☒ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St.,
St. Augustine, FL.

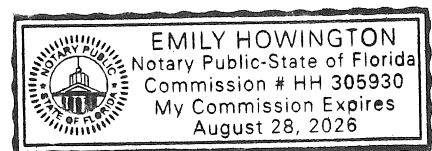
FURTHER, Affiant saith not.


Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 27 DAY OF October, 2022.


Notary Public, State of Florida

My Commission Expires: 28 day of August, 2026.





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



CODE ENFORCEMENT DIVISION

October 10, 2022

IN THE MATTER OF: Name: Barbara Teisan
Address: 47 Grove Avenue
St. Augustine, FL 32084
Case #: CE2022-0337

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: Sec. 25-56. - Tree removal and replacement. Removal of a Tree Without a Permit

SITE OF VIOLATION: **47 Grove Avenue, St. Augustine, FL 32084**

LEGAL DESCRIPTION: CITY OF ST AUG KINGSLAND ADDN LOTS 20 & 21 & E 30FT
LOT 22 OR394/38 & 763/857 & 1116/30

PARCEL NUMBER: 194020 0000

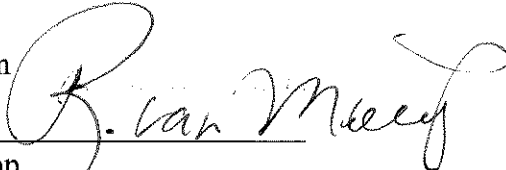
The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on September 1, 2022 which revealed the following violations:

A Southern Red Cedar tree, measured at 23" dbh, had been cut down and the tree debris was piled up in front of the above residence and beside the house on the lawn. There was no tree removal permit for this tree and there was no Arborist report recommending the tree's removal.

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent has caused irreparable and irreversible damage to the tree as outlined above.

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.

Notice of Violation
CE2022-0337


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: 7022 0410 0001 0217 4498

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.



St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

2022 TRIM Notice

2022 TRIM Notice (PDF)

Summary

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

12/6/2020



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Parcel ID 1940200000
Location Address 47 GROVE AVE
SAINT AUGUSTINE 32084-0000
Neighborhood Kingsland Addition (604)
Tax Description* CITY OF ST AUG KINGSLAND ADDN LOTS 20 & 21 & E 30FT LOT 22 OR394/38 & 763/857 & 1116/30
**The Description above is not to be used on legal documents.*
Property Use Code Single Family (0100)
Subdivision Kingsland Tract Corrected Map
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 19.3368
Acreage 0.430
Homestead Y

Owner Information

Owner Name Teisan Barbara W 100%
Mailing Address 47 GROVE AVE
SAINT AUGUSTINE, FL 32084-3251

Exemption Information

Exemption Type	Status	Amount
Homestead		\$50,000

Map



Valuation Information

	2022
Building Value	\$365,254
Extra Features Value	\$13,524
Total Land Value	\$535,080
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$913,858
Total Deferred	\$702,261
Assessed Value	\$211,597
Total Exemptions	\$50,000
Taxable Value	\$161,597

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
2022	\$365,254	\$13,524	\$535,080	\$0	\$0	\$913,858	\$211,597	\$752,261	\$161,597
2021	\$230,965	\$13,524	\$423,150	\$0	\$0	\$667,639	\$201,861	\$515,778	\$151,861
2020	\$209,814	\$13,524	\$354,900	\$0	\$0	\$578,238	\$195,020	\$433,218	\$145,020
2019	\$120,246	\$5,600	\$354,900	\$0	\$0	\$480,746	\$187,364	\$343,382	\$137,364
2018	\$96,743	\$2,186	\$327,600	\$0	\$0	\$426,529	\$180,730	\$295,799	\$130,730
2017	\$101,462	\$1,921	\$327,600	\$0	\$0	\$430,983	\$176,201	\$304,782	\$126,201
2016	\$96,346	\$1,921	\$286,650	\$0	\$0	\$384,917	\$169,912	\$265,005	\$119,912
2015	\$84,423	\$1,921	\$259,350	\$0	\$0	\$345,694	\$147,895	\$247,799	\$97,895
2014	\$75,016	\$1,921	\$235,462	\$0	\$0	\$312,399	\$146,721	\$215,678	\$96,721
2013	\$76,578	\$1,921	\$235,462	\$0	\$0	\$313,961	\$144,553	\$219,408	\$94,553
2012	\$71,306	\$1,921	\$196,253	\$0	\$0	\$269,480	\$142,137	\$177,343	\$92,137
2011	\$74,102	\$1,921	\$218,059	\$0	\$0	\$294,082	\$137,997	\$206,085	\$87,997
2010	\$66,872	\$2,075	\$242,288	\$0	\$0	\$311,235	\$135,958	\$225,277	\$85,958

Building Information

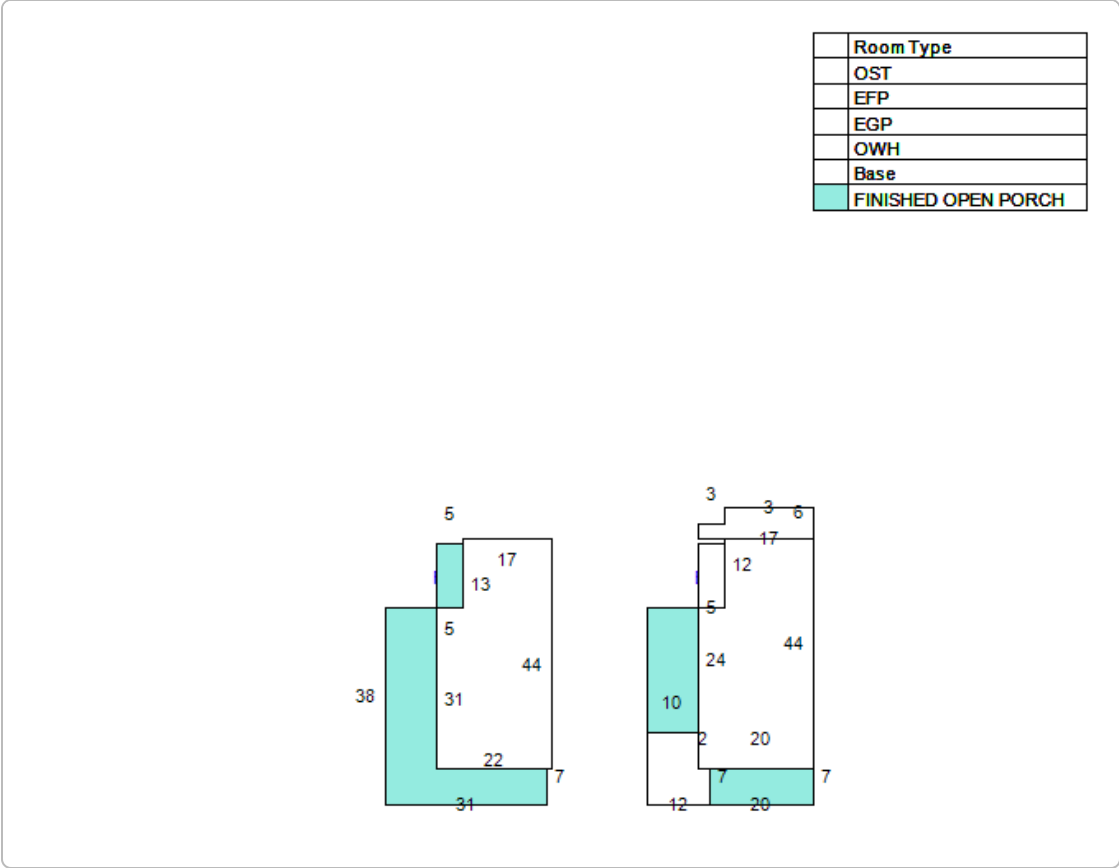
Building	1
Year Built	1915
Actual Area	3104
Conditioned Area	2257
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood

Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Pine Wood
Interior Wall	Drywall
Heating Type	Forced Air
Air Conditioning	Window
Bedrooms	4
Baths	2

Description	Square Footage
FINISHED OPEN PORCH	60
BASE AREA	903
FINISHED OPEN PORCH	527
FINISHED OPEN PORCH	240
1.5 STORY	903

FINISHED OPEN PORCH	140
ENCLOSED GLASS PORCH	154
ENCLOSED FRAMED PORCH	60
OUTSIDE STAIRS	117
Total SqFt	3104

Sketch Information



Extra Feature Information

Code Description	Status	Value
Finished Apartment		10500
Masonry Wall		1919
Storage Building		1105

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	130	140	130	EF	\$535,080

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	5/26/1995	\$46,000.00	WARRANTY DEED	1116	30	U	I	TEISAN JOSEPH,BARBARA W	TEISAN BARBARA W
	10/1/1987	\$0.00		763	857	U	I		TEISAN JOSEPH,BARBARA W
	1/1/1978	\$42,000.00		394	38	U	I		

No data available for the following modules: Sales Questionnaire Form.

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.

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[Last Data Upload: 10/19/2022, 2:03:01 AM](#)

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Version 2.3.226

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 2 Artillery Lane / CE 2022-0209:

- October 15, 2021 - Trinity Church attended the Development Review Committee to discuss modifications to their parking lot. A list of requirements was discussed for them to meet, before progressing forward with the project.
- March 18, 2022 – Work was observed occurring at the Trinity Church parking lot. No permits were located for the scope of work that was occurring. A stop work order was issued at that time. Representatives of Trinity Church are referred to Planning and Zoning and Public Works for remedies.
- March 29, 2022 – A meeting occurred at Planning and Zoning and the representatives of Trinity Church were informed to return the parking lot to the 2010 standard or present plans resolving the Development Review Committee concerns stated in October 2021.
- April 29, 2022 – A deadline was established making the plan submittal for June 24, 2022.
- July 15, 2022 – An official “Notice of Violation” was issued to Trinity Church allowing for 10 days to become compliant.
- July 22, 2022 – Plans were submitted to Public Works.
- August 25, 2022 - Public Works issued review comments and established a resubmittal deadline of September 26, 2022.
- October 18, 2022 – No resubmittal plans have been received and an official “Notice of Hearing” was issued to Trinity Church.

**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments and Appeals Board

DATE: November 3, 2022

SUBJECT: Case Number 2022- 0209

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

LOCATIONS: 2 Artillery Lane

VIOLATION: Chapter 29, Sections 29-27 (Permits required for construction)

BACKGROUND INFORMATION:

On March 18, 2022, I responded to the area of 2 Artillery Lane in reference to work being performed in the parking lot. Once there I observed a small excavator and dump truck on site. It appeared that they were expanding the parking lot. At that time, I checked for any permits open for this location and found none. I was directed to post the property with a “Stop Work” order. I informed the representatives of Trinity Church to contact Planning and Zoning and Public Works for further information and direction.

On July 15, 2022, I issued a “Notice of Violation”, since plans had not been submitted to Public Works in a timely manner.

On October 8, 2022, I issued a “Notice of Hearing”, since plans failed to be resubmitted at the request of Public Works.

Respectfully Submitted,

Curtis Boles
Code Enforcement Inspector

Sec. 29-27. - Permits required for construction.

- (a) The developer must obtain a permit from the city manager prior to constructing any project meeting the minimum criteria established in section 29-26 of this Code. In the event that a project involves demolition or removal of existing impervious area from a site prior to the construction of new impervious area on the site, the burden of establishing the amount and nature of the existing impervious area rests with the developer.
- (b) Compliance with the requirements of this article does not relieve the developer of the responsibility to obtain the approval of other applicable city departments and citizen advisory boards related to archaeology and historic preservation.
- (c) Compliance with the requirements of this article does not relieve the developer of the responsibility to obtain required permits from the St. Johns River Water Management District, the Florida Department of Transportation or other applicable regulatory agencies.

(Ord. No. 02-02, § 3, 3-11-02)



3/18/22, 3:26 PM
St. Augustine
Curtis Boles

Trinity Parish Church
City of St. Augustine, FL
Planning & Building Department

STOP WORK ORDER

BY ORDER OF THE BUILDING OFFICIAL PURSUANT TO CHAPTER 8, SECTION 8-101 OF THE CITY OF ST. AUGUSTINE CODE, AND SECTION 115 OF THE FLORIDA BUILDING CODE, ALL CONSTRUCTION OPERATIONS AT THIS SITE MUST CEASE AND NOT CONTINUE UNTIL THIS STOP ORDER IS RELEASED IN WRITING BY THE BUILDING OFFICIAL.

SITE ADDRESS: 2 Artillery Lane / Parking Lot PARCEL No. 199220 0000

VIOLATION(S): Sec. 28-267: INCREASE IN PARKING SPACES

CORRECTIVE ACTION REQUIRED: OBTAIN ZONING CLEARANCE

by Curtis Boles
Code Enforcement Officer

Posting Date: March 22, 2022

It is unlawful to deface or remove this sign from this location. Any unauthorized person removing this sign will be prosecuted. (Report all violations of City Codes to 904-825-1066)

City of St. Augustine, FL
Planning & Building Department

STOP WORK ORDER

BY ORDER OF THE BUILDING OFFICIAL PURSUANT TO CHAPTER 8, SECTION 8-101 OF THE CITY OF ST. AUGUSTINE CODE, AND SECTION 115 OF THE FLORIDA BUILDING CODE, ALL CONSTRUCTION OPERATIONS AT THIS SITE MUST CEASE AND NOT CONTINUE UNTIL THIS STOP ORDER IS RELEASED IN WRITING BY THE BUILDING OFFICIAL.

SITE ADDRESS: Artillery Lane/Parking Lot PARCEL No. 199220 0000

VIOLATION(S): SEC. 28-367: INCREASE IN PARKING SPACES

CORRECTIVE ACTION REQUIRED: OBTAIN ZONING CLEARANCE [REDACTED]

by Curtis Boles
Code Enforcement Officer

Posting Date: March, 2022

It is unlawful to deface or remove this sign from this location. Any unauthorized person removing this sign will be prosecuted. (Report all violations of City Codes to 904-825-1066)









CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF CEAAB HEARING



October 18, 2022

IN THE MATTER OF: Name: The Vestry of Trinity Church of St. Augustine, Inc
 Address: 2 Artillery Lane
 Saint Augustine, FL 32084

Case #: CE2022-0209

HEREBY KNOWN AS RESPONDENT(S)

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

**Code Section: Chapter 29, Section 29-27- Permits
required for construction.**

SITE OF VIOLATION: 2 Artillery Lane, St. Augustine, FL 32084

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

PARCEL NUMBER: 199220 0000

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, November 8, 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:

- **No official Civil Plan has been submitted to the Public Works Department for the expansion/changes to the parking lot.**

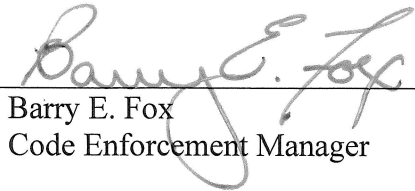
This is your “**Official Notice**” for you or your representative to appear before the CEAAB to respond to your violation. The CEAAB will conduct a hearing, in accordance with F.S. 162.07, concerning your case and, subsequently, they will issue findings of fact and may order corrective action and compliance 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

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 4597
7022 0410 0001 0217 4603
7022 0410 0001 0217 4610

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 PRIMARY SERVICE

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

Susan Lieberman
2 Artillery Lane
Saint Augustine, Florida 32084
Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE 2022-0268

I, Curtis Boles, 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 October 31, 2022, I received a copy of the attached Notice of Hearing for the hearing dated November 8, 2022.
3. That on October 19, 2022, I
☒ Mailed said Notice by certified U. S. Mail to the respondent, at the above listed address.
4. That on October 31, 2022, I
☒ Hand delivered said Notice to Susan Lieberman at
2 Artillery Lane.

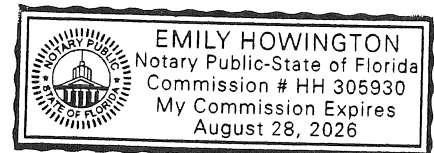
FURTHER, Affiant saith not.

Curtis Boles
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31 DAY OF October, 2022.

Emily Howington
Notary Public, State of Florida

My Commission Expires: 28 day of August, 2026.





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



CODE ENFORCEMENT DIVISION

July 15, 2022

IN THE MATTER OF: Name: The Vestry of Trinity Church of St. Augustine, Inc.
Address: 2 Artillery Lane
Saint Augustine, FL 32084
Case #: CE2022-0268

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 29, Section 29-27 – Permits required for construction.

SITE OF VIOLATION: 2 Artillery Lane, Saint Augustine, FL 32084

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

PARCEL NUMBER: 1992200000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on June 24, 2022 which revealed the following violations:

- **No official Civil Plan has been submitted to the Public Works Department for the expansion/changes to the parking lot.**

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of S. Augustine that the Respondent shall comply with the above cited sections of the City Code of St. Augustine, Florida, **no later than ten (10) days** after receipt of this notice, 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:

- **Submit an official Civil Plan to the Public Works Department.**

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.

Notice of Violation
CE2022-0268



Curtis Boles
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: 7022 0410 0001 0217 3989
7022 0410 0001 0217 3996
7022 0410 0001 0217 4009

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.



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

Summary

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


Parcel ID 1992200000
Location Address 2 ARTILLERY LN
 SAINT AUGUSTINE 32084-0000
Neighborhood City St Aug S of Plaza (COM) (610.03)
Tax Description* CITY OF ST AUGUSTINE LOT 1 BLK 34 DB224/584
**The Description above is not to be used on legal documents.*
Property Use Code Parking Lots (Owner Occupied) (2815)
Subdivision City of St Augustine
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 19.3368
Acreage 0.620
Homestead N

Owner Information

Owner Name Trinity Chr Of St Aug Vestry 100%
Mailing Address 215 SAINT GEORGE ST
 SAINT AUGUSTINE, FL 32084-0000

Exemption Information

Exemption Type	Status	Amount
Church/Religious		\$418,194

From: [Jonathan Foster](#)
To: [Rob Matthews](#); fmatt@trinitysta.org; [Jim Saghir](#); susan@trinitysta.org
Cc: jknepper@mdginc.com; [Reuben Franklin](#); [Richard Schauland](#); [Amy Skinner](#); [Barry Fox](#); [Curtis Boles](#); [Kim M. Oglesby](#)
Subject: RE: 21190 Trinity Parish Parking
Date: Wednesday, June 15, 2022 1:46:41 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[Trinity Episcopal Church Parking Lot.msg](#)

Hello Rob,

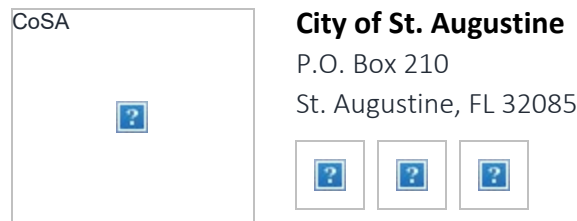
As discussed in the Friday Review that was held on 10/15/21 as well as follow-up communications between City Staff and the Trinity Episcopal team on 3/29/22, a Civil plan submittal is required for the parking area improvements to address any site plan considerations as well as storm water. See attached email for reference. The landscaping would be a component of this larger plan and we would conduct review of the landscaping plans when a complete submittal is made. As we had communicated in the attached email, the Civil plans are due by 6/24/22 which is next week. What is the progress of this plan submittal?

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com



Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

From: Jessica Knepper <jknepper@mdginc.com>
Sent: Tuesday, June 14, 2022 4:22 PM
To: Kim M. Oglesby <koglesby@citystaug.com>; Public Works Submittals <PWsubmittals@citystaug.com>
Cc: Michelle Jenshak <michelle@mdginc.com>; Eric Lanehart <elanehart@mdginc.com>; SA Project Group <saprojectfile@mdginc.com>
Subject: 21190 Trinity Parish Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact the City IT Department.

Good Afternoon Kim,

Please find our application and landscape plan attached for the Trinity Parish Parking. Please let us know if there is a fee for this tree replacement plan and if you have any questions.

Thank you,



Jessica Knepper | [Project Coordinator](#)

Phone: 904.374.4667

[6621 Southpoint Drive N. Suite 315, Jacksonville, FL 32216](#)

JKnepper@MDGinc.com

www.MDGinc.com

CERTIFIED DBE AND SB FIRM

From: [Jonathan Foster](#)
To: [Barry Fox](#); [Amy Skinner](#); [Reuben Franklin](#)
Cc: [Richard Schauland](#); [Curtis Boles](#)
Subject: RE: Meeting request concerning Trinity Episcopal Church
Date: Thursday, June 30, 2022 10:44:40 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Hello Barry,

I would be free to meet at the following times:

Tomorrow, 6/30:	Later morning after Friday Review
Tuesday, 7/5:	Any time
Wednesday, 7/6:	Any time
Thursday, 7/7:	Morning
Friday, 7/8:	Later morning after Friday Review

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com



City of St. Augustine

P.O. Box 210
St. Augustine, FL 32085



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From: Barry Fox <bfox@citystaug.com>
Sent: Tuesday, June 28, 2022 11:23 AM
To: Amy Skinner <askinner@citystaug.com>; Reuben Franklin <rfranklin@citystaug.com>; Jonathan Foster <jfoster@citystaug.com>
Cc: Richard Schauland <rschauland@citystaug.com>; Curtis Boles <cboles@citystaug.com>
Subject: Meeting request concerning Trinity Episcopal Church

All,

I would like to establish a meeting with you to discuss the next actions involving the issues surrounding Trinity Episcopal Church. They were given a deadline by Mr. Foster, which has come and

gone. They have responded with their own time frame for compliance. I believe an action to guarantee their compliance is necessary. Please advise me of some dates and times that you are available, so that we may discuss this issue at length.

Thank you,

Barry E. Fox
Code Enforcement / Short Term Rental Manager
City of St. Augustine
904-640-9919

From: [Jonathan Foster](#)
To: [Richard Schauland](#); [Amy Skinner](#); [Barry Fox](#)
Cc: [Curtis Boles](#); [Reuben Franklin](#); [Morganne Pratten](#)
Subject: RE: Trinity Episcopal Church Parking Lot
Date: Friday, April 29, 2022 2:32:30 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

I have updated with the highlighted portion below.

Good Afternoon,

A meeting was held on March 29th between City Staff, Father Matt, Junior Warden Jim Saghir, and the Facilities Manager for the Trinity Episcopal Church to discuss the recent work at the parking lot on the church property. One of the topics discussed was that the church would work with their engineer on a plan for the parking lot improvements and communicate with the City on their progress. These plans were to address the drainage and stormwater implications as well as the proposed layout and curb cuts to access the parking lot. It was discussed that the 2010 plans from the construction of the original parking lot and retention pond would serve as the baseline for "existing conditions". When the Civil Plans are submitted, the City will determine any landscaping, tree replacement, site plan requirements/storm water requirements, potential archaeology impacts and any review requirements related to PZB and HARB, as well as any other issues that need to be addressed.

Also, for reference, the comments (and meeting notes) from the October 15, 2021 Friday Review DRC Meeting are attached to this email which outline the specific requirements communicated to the Church at that time when they had approached the City with their original intent to conduct this work.

At this time it's been about a month since we've met and we have not received an update on this. We will need to receive an official Civil plan submittal to Public Works by Friday, June 24, 2022. **Also, there would be an option to bring the parking area back to the original configuration as shown in the 2010 plans and if this is the intent we would need confirmation on this.** Failure to respond will result in referring this to Code Enforcement for further action. Feel free to reach out to me to discuss further.

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com

CoSA



City of St. Augustine

P.O. Box 210

St. Augustine, FL 32085



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From: [Jonathan Foster](#)
To: [Barry Fox](#); [Amy Skinner](#)
Cc: [Richard Schauland](#); [Curtis Boles](#); [Reuben Franklin](#); [Morganne Pratten](#)
Subject: Trinity Episcopal Church Parking Lot
Date: Friday, April 29, 2022 1:23:56 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[FRI-REV-215 St George St-10.15.21-PW Comments.pdf](#)

Good Afternoon,

I have typed up the below email that I plan on sending to the Trinity Episcopal team. Please let me know if you feel this satisfies what you guys need and feel free to give me a call to discuss.

Good Afternoon,

A meeting was held on March 29th between City Staff, Father Matt, Junior Warden Jim Saghir, and the Facilities Manager for the Trinity Episcopal Church to discuss the recent work at the parking lot on the church property. One of the topics discussed was that the church would work with their engineer on a plan for the parking lot improvements and communicate with the City on their progress. These plans were to address the drainage and stormwater implications as well as the proposed layout and curb cuts to access the parking lot. It was discussed that the 2010 plans from the construction of the original parking lot and retention pond would serve as the baseline for "existing conditions". When the Civil Plans are submitted, the City will determine any landscaping, tree replacement, site plan requirements/storm water requirements, potential archaeology impacts and any review requirements related to PZB and HARB, as well as any other issues that need to be addressed.

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At this time it's been about a month since we've met and we have not received an update on this. We will need to receive an official Civil plan submittal to Public Works by Friday, June 24, 2022. Failure to respond will result in referring this to Code Enforcement for further action. Feel free to reach out to me to discuss further.

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com

CoSA



City of St. Augustine

P.O. Box 210

St. Augustine, FL 32085



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From: [Jonathan Foster](#)
To: frmatt@trinitysta.org; jas@demorgan.com; susan@trinitysta.org
Cc: [Reuben Franklin](#); [Richard Schauland](#); [Amy Skinner](#); [Barry Fox](#); [Curtis Boles](#)
Subject: Trinity Episcopal Church Parking Lot
Date: Friday, April 29, 2022 3:11:29 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[FRI-REV-215 St George St-10.15.21-PW Comments.pdf](#)

Good Afternoon,

A meeting was held on March 29th between City Staff, Father Matt, Junior Warden Jim Saghir, and the Facilities Manager for the Trinity Episcopal Church to discuss the recent work at the parking lot on the church property. One of the topics discussed was that the church would work with their engineer on a plan for the parking lot improvements and communicate with the City on their progress. These plans were to address the drainage and stormwater implications as well as the proposed layout and curb cuts to access the parking lot. It was discussed that the 2010 plans from the construction of the original parking lot and retention pond would serve as the baseline for “existing conditions”. When the Civil Plans are submitted, the City will determine any landscaping, tree replacement, site plan requirements/storm water requirements, potential archaeology impacts and any review requirements related to PZB and HARB, as well as any other issues that need to be addressed.

Also, for reference, the comments (and meeting notes) from the October 15, 2021 Friday Review DRC Meeting are attached to this email which outline the specific requirements communicated to the Church at that time when they had approached the City with their original intent to conduct this work.

At this time it’s been about a month since we’ve met and we have not received an update on this. We will need to receive an official Civil plan submittal to Public Works by Friday, June 24, 2022. Also, there would be an option to bring the parking area back to the original configuration as shown in the 2010 plans and if this is the intent we would need confirmation on this. Failure to respond will result in referring this to Code Enforcement for further action. Feel free to reach out to me to discuss further.

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com

City of St. Augustine
P.O. Box 210
St. Augustine, FL 32085



CoSA



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From: [Jonathan Foster](#)
To: [Curtis Boles](#)
Cc: [Barry Fox](#); [Kim M. Oglesby](#)
Subject: Trinity Parish Parking Lot
Date: Wednesday, July 27, 2022 9:07:35 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[T:ConSPlan.pdf](#)
[21190 - Construction Plans S&S Red.pdf](#)
[21190 - Drainage Comparison Calculations - S&S.pdf](#)
[21190 - Landscape Plan \(digitally S&S\).pdf](#)
[21190 DesignConstPlanApp.pdf](#)
[Pynt-2 Artillery Ln-07.26.22.pdf](#)

Hello Curtis,

We received a Civil plan submittal for this project on 7/26/22 with the review fee payment. We have determined that this submittal is sufficient to start the plan review process and the applicant at this time is working towards addressing the outstanding issues. Attached are the items they have submitted for review.

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com



City of St. Augustine

P.O. Box 210

St. Augustine, FL 32085



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From: [Jonathan Foster](#)
To: [Barry Fox](#)
Cc: [Reuben Franklin](#)
Subject: Unpermitted Work at Trinity Episcopal Church - 5 Artillery Lane
Date: Wednesday, March 23, 2022 5:03:21 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Hello Barry,

We understand that there is a Code Enforcement case involving Trinity Episcopal Church at 5 Artillery Lane. On Friday, I was made aware of unpermitted work involving the construction of a gravel/dirt parking area on the southeast corner of the property. The location where the parking area has been constructed was originally designed to serve as the stormwater retention area that handles the drainage for the remainder of the existing parking area. This area cannot be altered or serve as additional parking for this reason. Typically, any work to alter the grading and surface to create parking would require Civil Engineering plans that would need to be reviewed and approved by Public Works. There may be additional work that has taken place involving a curb cut or driveway access. If any such work of that nature has taken place then that would also need to be permitted with Public Works. Typically, the number of curb cuts are kept to a minimum and a second access on Cadiz Street would require greater considerations and approval from Public Works. Feel free to reach out to discuss further.

Best Regards,

Jonathan C. Foster, P.E.

Development Supervisor – Public Works Department

E: jfoster@citystaug.com | O: 904.209.4273 | W: www.CityStAug.com



City of St. Augustine

P.O. Box 210

St. Augustine, FL 32085



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CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 215 Anastasia Blvd. / CE 2021-0227:

- On August 31, 2021, a routine inspection by staff revealed that a full bar had been constructed on the property without an issued permit.
- On March 8, 2022, the CEAAB heard this case and issued an “Order Finding Violation”. The order allowed “10” days for the respondent to come into compliance or face a \$250.00 a day fine.
- On August 26, 2022, all completed documents were received by the City of St. Augustine for the issuance of the proper permit.
- At this time, the property was found to be in violation for 160 days, from March 19, 2022 through August 25, 2022, at \$250.00 a day, which equals to a fine amount of \$40,000.00.

**CITY OF ST. AUGUSTINE
MEMORANDUM**

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

DATE: April 12, 2022

SUBJECT: Case Number: 2021-0227

RESPONDENT: Augustine Development Group, LLC

LOCATION: 215 Anastasia Boulevard Parcel Number 219090 0000

VIOLATION: City Code, Chapter 8, Section 8-608 - Alteration/Construction
Without Permit

BACKGROUND INFORMATION:

On March 8, 2022, the Board found that this property was in violation of the above Code and a period of ten (10) days was allowed for the property to get into compliance. The Board ordered that, after that period of time, a fine in the amount of \$250.00 per day would begin, and it would remain for each day that the violation continued.

As of March 21, 2022, the violation was not corrected, in that the bar was still in place and was serving customers during the inspection. There was no active building permit for the installation of the bar.

Robert van Mierop
Code Enforcement Officer

Sec. 8-608. - Permit required.

It shall be unlawful for any person, firm, or corporation to construct, erect, alter, repair, or demolish any building within the city without first obtaining a permit therefor from the planning and building department, and upon the payment of such reasonable fees adopted by the city. The building official is empowered to revoke any such permit upon a determination that the construction, erection, alteration, repair, or demolition of the building for which the permit was issued is in violation of, or not in conformity with, the provisions of the city building codes. Installation, replacement, removal, or metering of any load management control device is exempt from and shall not be subject to the permit process and fees otherwise required by this section.



08/03/2021 14:08

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

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2021-0227

IN THE MATTER OF:

**AUGUSTINE DEVELOPMENT
GROUP LLC
C/O MICHAEL HARRIGAN &
BRYAN GREINER**

**215 ANASTASIA BOULEVARD
ST. 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 8, Section 8-608

VIOLATION SITE: **215 ANASTASIA BLVD**

LEGAL DESCRIPTION: **3-99 DAVIS SHORES LOTS 1 THRU 7 BLK 38 ORD3859/472
& 3881/205 (RE-REC) & 3896/1081 (CD)**

PARCEL NUMBER: **219090 0000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **MARCH 8, 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 hearing held on March 8, 2022, in accordance with Chapter 162 F.S.

The respondent and/or representative was not present.

2. During a routine code enforcement inspection, the staff observed the following code violations on August 31, 2021:

Full bar, including plumbing and electrical, constructed without building permits.

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

City Code, Chapter 8, Section 8-608

4. On January 5, 2022, the Planning and Building Department sent an “**Official Notice of Violation**” to formally advise the respondent of the violation, via certified mail. The notice gave the respondent fifteen (10) days from the receipt of the letter to correct the violation, or stipulated that the board may impose a maximum fine of \$250 for each day the violation continued.
5. On February 22, 2022, the Planning and Building Department sent the respondent, via certified mail, an “**Official Notice of CEAAB Hearing**” for March 8, 2022. **AND** a Posting

- Affidavit was placed at the property and with the City Clerk's office on February 24, 2022 for the CEAAB Hearing for March 8, 2022.
6. On February 23, 2022, the Planning and Building Department hand-delivered an "**Official Notice of CEAAB Hearing**" for March 8, 2022 to Scott Russom, General Manager at VOCO Hotel, located at 215 Anastasia Boulevard.
 7. **On March 8, 2022, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an "Order Finding Violation" which allowed the Respondent ten (10) days from the date of the "Order" to correct the violation, or the Board stipulated that a fine of \$250 per day would be imposed for each day the violation continued.**
 8. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, April 5, 2022** at 3:00 P.M. in the Alcazar Room in City Hall. Your presence will not be necessary if this matter has been satisfactorily resolved and the code inspector has been duly notified and has acknowledged correction of the violation.
 9. In the event of a future violation of this "**Order Finding Violation,**" Respondent shall again be notified of a new compliance hearing, at which time the Board will review the evidence and impose the fine provided herein, or a maximum fine of \$500 per day if said violation is determined to have again occurred.

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. THEREFORE, IF FOR ANY REASON YOU ARE UNABLE TO COMPLY WITHIN THE STATED TIME, PLEASE NOTIFY THE CODE ENFORCEMENT INSPECTOR IMMEDIATELY.

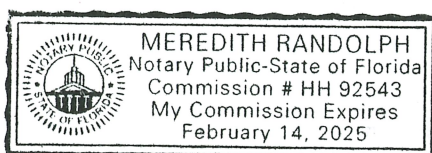
DONE AND ORDERED THIS 8TH DAY OF MARCH, 2022. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.


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 14th day of March, 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.

AFFIDAVIT OF COMPLIANCE

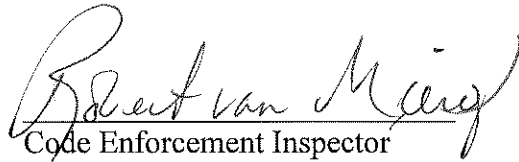
STATE OF FLORIDA
COUNTY OF ST. JOHNS
CITY OF ST. AUGUSTINE

Augustine Development Group, LLC
215 Anastasia Boulevard
St. Augustine, FL 32080

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2021-0227

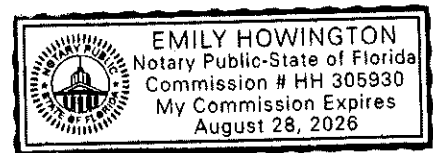
I, Robert van Mierop, have personally examined the property described above, and find that said property is
NOW in compliance with the City of St. Augustine Code of Ordinance(s)
Chapter 19, Section 19-3 as of August 26, 2022.

FURTHER, Affiant saith not.

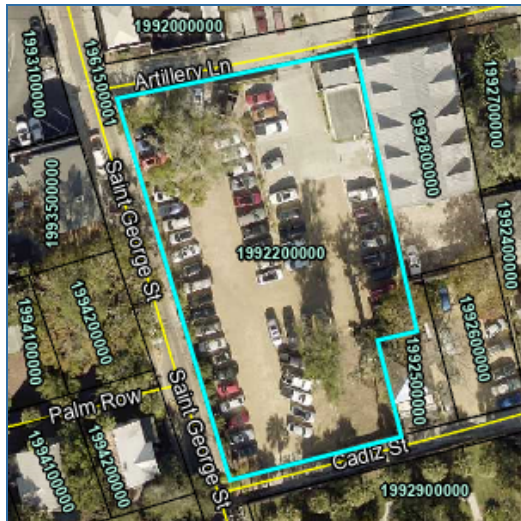

Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3 DAY OF November, 2022.


Notary Public, State of Florida
My Commission Expires: 28 day of August, 2026.



Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$11,394
Total Land Value	\$406,800
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$418,194
Total Deferred	\$0
Assessed Value	\$418,194
Total Exemptions	\$418,194
Taxable Value	\$0

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
2022	\$0	\$11,394	\$406,800	\$0	\$0	\$418,194	\$418,194	\$418,194	\$0
2021	\$0	\$11,415	\$406,800	\$0	\$0	\$418,215	\$418,215	\$418,215	\$0
2020	\$0	\$11,446	\$406,800	\$0	\$0	\$418,246	\$418,246	\$418,246	\$0
2019	\$0	\$11,476	\$406,800	\$0	\$0	\$418,276	\$403,457	\$418,276	\$0
2018	\$0	\$11,507	\$355,272	\$0	\$0	\$366,779	\$366,779	\$366,779	\$0
2017	\$0	\$11,529	\$355,272	\$0	\$0	\$366,801	\$366,801	\$366,801	\$0
2016	\$0	\$11,559	\$355,272	\$0	\$0	\$366,831	\$366,831	\$366,831	\$0
2015	\$0	\$11,589	\$355,272	\$0	\$0	\$366,861	\$366,861	\$366,861	\$0
2014	\$0	\$11,619	\$355,272	\$0	\$0	\$366,891	\$366,891	\$366,891	\$0
2013	\$0	\$11,650	\$355,272	\$0	\$0	\$366,922	\$366,922	\$366,922	\$0
2012	\$0	\$11,681	\$355,272	\$0	\$0	\$366,953	\$366,953	\$366,953	\$0
2011	\$0	\$11,711	\$393,240	\$0	\$0	\$404,951	\$404,951	\$404,951	\$0
2010	\$0	\$11,741	\$433,920	\$0	\$0	\$445,661	\$445,661	\$445,661	\$0

Extra Feature Information

Code Description	Status	Value
Masonry Wall		11130
Stops		238
Wood Fence (Commercial)		26

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Parking Lots	226	120	27120	SF	\$406,800

No data available for the following modules: Sales Questionnaire Form, Building Information, Sketch Information, Sale 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: 10/19/2022, 2:03:01 AM](#)

Developed by



Version 2.3.225

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 19 M. L. King Ave / CE 2022-0211:

- On April 14, 2022, a member of staff observed that five trees had been removed from the residential property without a permit.
- On May 10, 2022, the CEAAB heard this case and issued an “Order Finding Violation” and established a \$12,500.00 fine to be paid within 30 days.
- On July 12, 2022, the CEAAB held a “Reduction of Fines” hearing for which the respondent requested and applied. At that time, the CEAAB denied the request of a reduction in fine. The respondent was given 30 days to pay the fine in full.
- As of November 3, 2022, the fine has not been paid.

Sec. 25-56. - Tree removal and replacement.

- (a) *Permits required.* It shall be unlawful for any person directly or indirectly to cut down, destroy, remove or effectively destroy by damaging any tree in the city without first obtaining a permit as herein provided. This requirement shall apply to all trees three (3) inches or larger dbh., and to Southern Red Cedar trees (*juniperus silicicola*) more than two (2) feet tall or having a trunk diameter at a point three (3) inches above ground level of more than one (1) inch. Provided, however, that it shall not be unlawful to remove a tree other than a Southern Red Cedar (*juniperus silicicola*) which is less than three (3) inches dbh., nor shall any permit be required for the removal of such tree. In addition, it shall not be unlawful to remove an exempt tree or an invasive species and no permit shall be required for the removal of such.
- (b) *Permit applications and application fees.*
- (1) Permits for removal or relocation of trees shall be obtained by making application for permit to the city planning and building division. The application shall indicate the number, species and diameter breast height (dbh.) of each tree to be removed or relocated and the reasons for the removal or relocation. Such applications for permits for removal or relocation of trees shall be accompanied by a fee of twenty dollars (\$20.00). Such fees are hereby declared to be necessary for the purpose of processing the application and making the necessary inspection for administration and enforcement of this section.
 - (2) Permits for removal or relocation of trees associated with a site plan for a development shall be obtained by making application for permit for the development to the city planning and building division. The application shall be accompanied by a site plan. When the permit for the development is issued it will include tree removal, relocation and replacement as indicated on the approved site plan for the development.
- (c) *Application review.* Upon receipt of a complete application, which may include a site plan for a development, the city planning and building division shall review such application which may include a field check of the site and referral of the application to other departments or agencies as necessary to determine any adverse effect upon the general public welfare, adjacent properties or city services and facilities.
- (1) The planning and building division may issue a tree removal permit for trees which are not considered preserved trees.
 - (2) To remove a preserved tree anywhere on site, approval shall first be given by the code enforcement, adjustments and appeals board, or by the planning and zoning board, if such approval is related to the review of a site plan.
 - (3) In determining whether or not a permit required by this section should be issued, the city planning and building division shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property.

The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.

- e. Whether the tree has been designated a preserved tree.
- f. Impact upon the urban and natural environment, including:

Ground and surface water stabilization.

Water quality and aquifer recharge.

Ecological impacts.

Noise pollution.

Air movement.

Air quality.

Wildlife habitat.

- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

(d) *Issuance of permit.* The planning and building division shall issue the removal permit unless, upon consideration of the criteria set forth above, the division finds any of the following will result:

- (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
- (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
- (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
- (4) That the subject trees are preserved trees and removal must be reviewed by the code enforcement, adjustments and appeals board or the planning and zoning board.

(e) *Denial of permit.* If the planning and building division denies the removal permit it shall set forth with particularity its reasons for such denial in writing.

(f) *Appeals.* When a tree removal permit, including a permit for the removal of a preserved tree not involved with a site plan for new development, has been denied by the planning and building division, the property owner or agent may appeal this decision to the code enforcement, adjustments and appeals board. The code enforcement, adjustments and appeals board shall approve or deny the appeal and may impose conditions as required, such as specific tree species and sizes for the required replacement trees. The board may require more stringent replacement requirements than is required by this chapter. The code enforcement, adjustments and appeals board shall not be empowered to relax the standards and requirements contained herein. If a

preserved tree is approved by the board to be removed, a minimum of two (2) shade trees a minimum of ten (10) feet in height shall be used as replacement. The replacement of trees that have been removed after board approval shall be done within thirty (30) days after the tree has been removed.

- (g) *Relocation and replacement.* As condition to the granting of a permit, the property owner or agent will be required to relocate the tree being removed or required to replace the tree being removed with a tree somewhere within the site. Native vegetation shall be replaced with native vegetation. Shade trees must be replaced by shade trees. Understory and palm trees may be replaced by any type tree. Replacement shade trees shall be a minimum of ten (10) feet high and understory trees shall be a minimum of ten (10) feet high when planted. Each Southern Red Cedar tree (*juniperus silicicola*) removed shall be replaced with a minimum of two (2) Southern Red Cedars of such a size and quality as shall be determined by the city building official to be assured of such Southern Red Cedars' continued viability and growth. The property owner or agent shall also be required to replace the relocated or replacement tree should same die within three (3) years from date of planting.
- (h) *Public lands.* No tree shall be removed from any public property or public right-of-way except in accordance with the provisions of this section.
- (i) *"After the fact" tree removal permits.*
 - (1) The application fee shall be as follows:
 - a. One hundred dollars (\$100.00) for each tree three (3) inches or more but less than seven (7) inches dbh.
 - b. Two hundred dollars (\$200.00) for each tree seven (7) inches or more but less than twelve (12) inches dbh.
 - c. Four hundred dollars (\$400.00) for each tree twelve (12) inches or more but less than twenty (20) inches dbh.
 - d. Eight hundred dollars (\$800.00) for each tree twenty (20) inches or more dbh.
 - (2) The planning and building director may issue an "after the fact" tree removal permit for trees which are not considered preserved trees, but only after considering the above mentioned factors and the reason why a permit was not obtained prior to the removal.
 - (3) If the planning and building director denies the "after the fact" tree removal permit, he/she shall set forth with particularity the reasons for such denial in writing. When such permit is denied, said denial may be appealed as stated above to the adjustments and appeals board.
 - (4) No "after the fact" tree removal permits shall be issued for the removal of preserved trees. Any such action shall be subject to code enforcement proceedings wherein any explanation or reason for removal without a permit and evidence as to the tree's condition prior to removal may be presented as mitigation.
- (j) In certain instances, it may be impossible or infeasible for a property owner to replace a tree or trees as required by subsection (g) of this section and section 11-28(d) of this Code. In such cases, the owner may instead pay a sum of money into the tree mitigation fund.
 - (1) The amount to be paid into the tree mitigation fund shall be determined by resolution, updated from time to time in order to reflect the actual cost for the city to purchase and plant an appropriate replacement tree offsite.
 - (2) Monies paid into the tree mitigation fund shall be used by the city to plant and maintain trees on the city right-of-way or on city or other public property within the city, with the location to be determined by the city

manager or his or her designee, in order to promote street tree rehabilitation, maintain a diverse tree inventory, and support the tree canopy throughout the city.

- (3) The city manager or his or her designee shall not issue a tree removal permit until the monies owed for tree mitigation are paid in full.

(Ord. No. 04-17, § 1, 10-25-04; Ord. No. 09-17, § 1, 5-11-09; Ord. No. 15-09, § 3, 3-19-15; Ord. No. 20-05, § 1, 2-10-20)



04/14/2022 08:50

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:

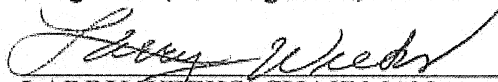
Chapter 25, Section 25-56

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.

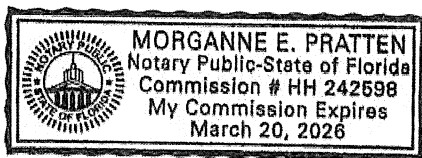


LARRY WEEKS, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

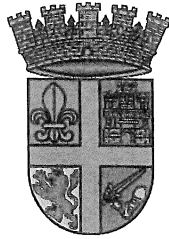
STATE OF FLORIDA
COUNTY OF ST. JOHNS

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.



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

**OFFICIAL NOTICE OF
CONFIRMATION OF ACTION**

July 12, 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**

Dear Mr. or Ms. or 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 July 12, 2022 relative to your case.

The CEAAB **denied** the request for a reduction of 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 (904) 825-1066 if you have any questions concerning this correspondence.

Sincerely,

Barry E. Fox
Manager, Code Enforcement

Attachment

cc: John P. 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: 2022-0211

IN THE MATTER OF:

APPLICANT: Wallpher Revocable Living Trust
C/O Luis and Monica Wallpher
19 Martin Luther King Avenue
St. Augustine, FL 32084

OWNER: Wallpher Revocable Living Trust

RE: Motion of denial for reduction of fine.

DESCRIPTION OF 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)

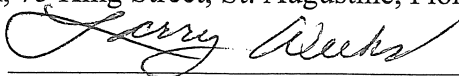
PARCEL NUMBER: 2031900000

THIS MATTER originally came before the Board for public hearing on **May 10, 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" on all five counts and issued an "Order Imposing a Fine," in the amount of \$2,500.00 per violation, for a total of \$12,500.00. 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 July 12, 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**.

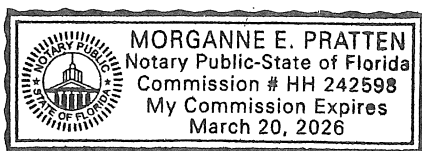
DONE AND ORDERED, at a public hearing on the 12th day of July, 2022 in the Alcazar Room, 75 King Street, St. Augustine, Florida.



LARRY WEEKS, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Witness my hand and official seal, this 20th day of July, A.D., 2022.




Notary Public, State of Florida

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 47 Abbott St. / Case Number: 2019-0314

- On October 8, 2019, the CEAAB heard testimony regarding a violation of Chp. 19, Section 19-4 Weeds and Grass. At that time, the CEAAB found in violation and issued an order of corrective action with a fine amount of \$500.00 a day.
- On February 11, 2020, the CEAAB held a compliance hearing on this case and issued an order setting the fine in the amount of \$63,500.00 and ordered a lien be established.
- On March 18, 2020, a lien in the amount of \$63,500.00 was filed on the property of 47 Abbott St.
- On August 8, 2022, the Chicago Title Insurance Company requested a payoff statement for the order concerning 47 Abbott St. They were supplied with the necessary paperwork.
- On September 26, 2022, the St. Augustine City Commission issued a “Satisfaction and Release of Lien” order for this case.

Sec. 19-4. - Certain growth and conditions prohibited.

It shall be unlawful on any lot, parcel or tract of land within the city to allow weeds, grass, or underbrush to grow thereon to a height of twelve (12) inches or more from the ground; or to allow garbage, junk, refuse, dead trees, or other unsightly or unsanitary matter to remain thereon; or to allow conditions to remain thereon that create harborage for rodents, vermin, or mosquitos; or to allow the existence of depressions, excavations, containers, or any other condition on such premises wherein untreated water may accumulate and stand in such a manner as to make possible the propagation of mosquitoes thereon.

(Code 1964, § 14-14; Ord. No. 19-05, § 1, 4-22-19)



47

NO
TRESPASSING

POSTING AFFIDAVIT

OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT AND APPEALS BOARD
OF THE CITY OF ATLANTA
ON SEPTEMBER 30, 2019
AT 2:00 PM IN THE ALACRAN ROOM
AT CITY HALL, 200 N. DECATUR STREET

REGARDING THE FOLLOWING:

CASE NUMBER:	CERTIFICATE
PROPERTY LOCATION:	AT ADDRESS 47, BOWLING LANE
PROPERTY OWNER:	AT ADDRESS 47, BOWLING LANE
VIOLATION OR CITY CODE:	CHAPTER 10, SECTION 10-2

NOTED AT PROPERTY: *[Signature]* 9/30/2019

NOTED PUBLIC:
DATE OF RECORDING: *[Signature]*

NOTED BY: *[Signature]*
DATE OF RECORDING: *[Signature]*

09/30/2019 11:57

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

**ORDER IMPOSING
PENALTIES AND LIEN
CEAAB CASE NUMBER: 2019-0314**

Public Records of St. Johns County, FL
Clerk number: 2020021928
BK: 4904 PG: 1467
3/18/2020 2:42 PM
Recording \$18.50

IN THE MATTER OF:

**ALLEN GEORGE A.
47 ABBOTT STREET
SAINT AUGUSTINE, FL 32084
(Hereinafter referred to as Respondent)**

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:
Excessive growth of weeds and grass.
City Code, Chapter 19, Section 19-4

ORDER

THIS MATTER originally came before the Board for public hearing on October 8, 2019, after due notice to the Respondent(s), at which time the Board heard testimony under oath and received evidence. The Board issued findings of fact, conclusions of laws, and an oral order which was reduced to writing and furnished to the Respondent(s) to take corrective action by a certain time, as more specifically set forth in that order. On February 11, 2020, this Board conducted a compliance hearing and determined that the Board's order of October 8, 2019, had not been complied with.

Based on the evidence and testimony presented at the February 11, 2020 hearing, the Board finds that the required corrective action **has not** been taken as ordered, which constitutes non-compliance with the City Code, Chapter 19, Section 19-4.

The Board's previous order set forth a compliance date of October 8, 2019 and a fine of \$500.00 for the first day of violation and \$500.00 for each day the violation continues beyond the referenced compliance date. The Board acknowledged that the fine had accrued to \$63,500.00. On February 11, 2020, the Board ordered a fine in the amount of \$63,500.00.

IT IS HEREBY ORDERED that the above described fine in the amount of \$63,500.00 is hereby imposed against the Respondent(s) for the violation that exist upon the following described property, situated in St. Augustine, Florida, to wit:

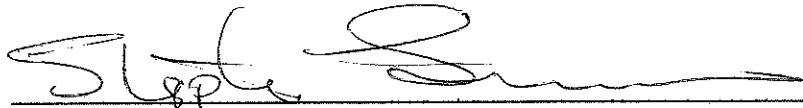
Violation Site: 47 ABBOTT STREET

Legal Description: ABBOTT TRACT CITY LOT 5 BLK G OR652/1670 &
653/1800 (ORDER OF FAMILY ADMIN)

Parcel Number: 195290 0000

THIS ORDER SHALL 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. FURTHER INFORMATION ON THIS MATTER MAY BE OBTAINED BY CONTACTING THE BUILDING AND CODE ENFORCEMENT DIVISION, P.O. BOX 210, ST. AUGUSTINE, FL 32085-0210, (904) 825-1065.

DONE AND ORDERED, at a public hearing on the 11th day of February, 2020, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

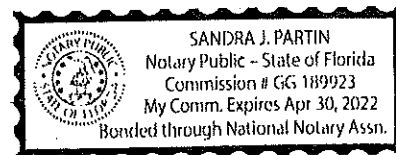


STEPHEN SIMMONS, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

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, STEPHEN SIMMONS, by means of [☒] physical presence or [☐] online notarization, who is personally known to me, who is the person 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 25th day of February, A.D., 2020.


Notary Public, State of Florida

CHICAGO TITLE INSURANCE COMPANY

601 Riverside Avenue • Building 5, Fourth Floor • Jacksonville, FL 32204 • (888) 453-4095

August 8, 2022

75 King St Suite 241,
St. Augustine, FL 32084

SENT VIA FEDEX ONLY

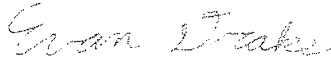
RE: **Claim Number:** **929817**
 Property: 47 Abbott Street
 St Augustine, FL 32084 ("Property")

To Whom It May Concern:

Chicago Title Insurance Company ("Company") represents the owners of the above-referenced Property as insured clients of the Company. I'm reaching out today to see if you could assist in providing a payoff statement for the enclosed order that still encumbers the Property.

Should you have any questions or concerns regarding this matter, you may contact me at (904) 513-6074 or Evan.Drake@fnf.com. **Please reference the above claim number in all communications with my office.** Thank you.

Sincerely,



Evan Drake
Claims Administrator, AVP

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085

Public Records of St. Johns County, FL
Clerk number: 2022091799
BK: 5640 PG: 1731
9/27/2022 12:27 PM
Recording \$27.00

SATISFACTION AND RELEASE OF LIEN

CEAAB CASE NO. 2019-0314

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "lienor"), in consideration of full payment of the lien in case number 2019-0314, hereby releases **GEORGE A. ALLEN**, whose address is 47 Abbott Street, St. Augustine, Florida 32084, their heirs, assigns or successors in title (hereinafter referred to as "lienee"), from the lien dated March 18, 2020, recorded at Official Records Book 4904, Page 1467, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Lienor hereby releases the Code Enforcement lien recorded at Official Record Book 4904, Page 1467, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this 26th day of September, 2022.

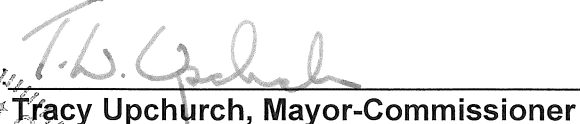
ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation


Darlene Galambos, City Clerk

(SEAL)

By


Tracy Upchurch, Mayor-Commissioner

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☒ physical presence or ☐ online notarization, **Tracy Upchurch**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this 24th day of September, 2022.

Elyse Wiemann
Notary Public, State of Florida

(S E A L)

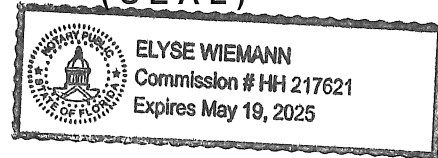


EXHIBIT "A"

LEGAL DESCRIPTION: **ABBOT TRACT CITY LOT 5 BLK G OR652/1670 &
653/1800 (ORDER OF FAMILY ADMIN)**

PARCEL ID NUMBER: **195290-0000**

LOCATION ADDRESS: 47 ABBOTT STREET, ST. AUGUSTINE, FLORIDA 32084