



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

A G E N D A

TUESDAY, MARCH 14, 2023 - 3:00 PM

ALCAZAR ROOM

1. Roll Call
2. Swearing in of Staff
3. Approval of Minutes
4. General Public Comments for Items Not on the Agenda
5. Disclosure of Ex-Parte Communications
6. Building Code Variances
7. New Violation Hearing
 - a) CE2023-0228
Oasis Equity Holdings, LLC
1 Palm Row
Ch. 25 Section 25-56
 - b) CE2022-0375
Amanda Battell
12 Newcomb St
Ch.19 Section 3
 - c) CE2023-0234
Philip Smith
3912 N Ponce De Leon
Ch. 25 Section 25-56

8. Fine Assignment Hearing
 - a) CE2022-0352
Luther C. Stewart III
311 Anastasia Blvd
Ch 28 Section 28-368
9. Fine Reduction Hearing
10. Lien Hearing
 - a) CE2021-0227
Augustine Development Group LLC
215 Anastasia Blvd
Ch. 8 Section 8-608
11. Compliance Hearing
12. Previously Heard Cases Update
 - a) CE2022-0268
The Vestry of Trinity Church of St. Augustine, Inc.
2 Artillery Lane
Ch. 29 Section 29-27
 - b) CE2022-0217
Valerie Lee Properties, LLC
38 White St. East
Ch. 8 Section 608
13. City Attorney Items
14. Other Business
15. 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 800955-8771 (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
February 14, 2023

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, February 14 2023, 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

Jan Kelly, Chairwoman
Thomas Day, Vice Chairman
Karen Valachovic
CeCe Reigle
Irvin Rubin

Staff Present:

Danyelle Alston, 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

2. SWEARING IN OF STAFF

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

none

**4. APPROVAL OF MINUTES
(January 10, 2023)**

MOTION

The minutes were approved
unanimously.

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

(None)

6. BUILDING CODE VARIANCES

(none)

7. REVIEW OF NEW CASES

- a. **CE2022-0352**
Luther C Stewart III
311 Anastasia Blvd
Violation Hearing

Barry Fox relayed case
information. 3 non addressed vacant lots
being utilized as a parking lot without a
permit. Van Mierop informed the board of

case information. Complaint received on October 31st. On November 4th staff spoke with owner of vacant lots. As of Jan 21 no plans for parking lot improvement have been submitted. Submit plans for specifications of usage of lot or stop utilizing as parking lot.

Respondent Luther C. Stewart, 311 Anastasia. Owner of the property testified that the business tenant does not have a lease agreement to park on the abandoned lots. Owner stated that that he informed business owner that either submits plans for a parking lot or to stop using as a parking lot. Jan Kelly asked how long lease has been with the stampedes company. CeCe Reigle asked how much time he would need to put a fence up. Tom Day asked about how long lots had been there. Karen asked how long stampedes had a lease there. Luther stated that others have parked on the lots without his permission. Barry Fox referenced the business owner attending Friday review. CeCe Reigle asked staff what constitutes a barrier for the property. Barry fox stated it would have to be researched with staff when applying for a permit. Jonathan Foster of Public Works Department testified with the record of the Friday review on November 14th, the department spoke with the business tenant on the requirements of the parking lot improvements, per city standards, loose material such as gravel would not be approved. Direction on drainage per the city's code was also discussed. A permit with water management district may also be required. Karen Valachovic asked how many square feet were in each lot. Foster replied that it exceeds 4k square

feet. CeCe Reigle asked if there were variances to allow for permeable service. Irvin Rubin asked if the water management district had been contacted. Foster replied he was not aware they had and that would not be pursued until the permitting process.

Public comment: Bj Kalaidi, west city of St Augustine commented on the owner in regards to the start of the lease with the business and the process of blocking off the lot and the business.

MOTION

Karen motioned that property was in violation, the property owner has 30 days to put up containment to keep vehicles out of parking lot. And to reappear at the next meeting to evaluation. Jan Kelly seconded. Motion passed.

8. REVIEW OF PREVIOUSLY HEARD CASES

a. CE2022-0348

Carol Lee Corbitt
14 Myrtle Ave
Violation Hearing

Barry Fox relayed case information, repeat violator case. In January board heard case and tabled discussion until February meeting. Van Mierop updated the board since last meeting. Little progress has been made, on February 7th and February 13th little change has been made to improve property. Van Mierop contacted assistance agencies in the county in regard to volunteers assisting

to clean up property if respondent is willing.

Respondent Carol Corbitt was present. Jan Kelly asked if she was willing to have volunteers assist her in cleaning. Tom day asked what guarantee the respondent had to keep property in compliance once volunteers help clean. Respondent stayed she would try. Van Mierop clarified that the college student volunteers through council on aging would be available the week of March 6th to assist with the cleanup. Jan Kelly asked Danyele Alston regarding liens on homesteaded properties. Karen Valachovic asked about the details of finding in violation. Irvin Rubin asked about the previous liens on property.

Public comment: none

MOTION

Karen Valachovic made a motion that the property is in violation, gave the respondent until April 11 meeting to reevaluate status and establish a fine of up to \$500 per day. Irvin Rubin seconded. Motion passed.

b. CE2022-0294

Les Bons Temps Rouler LLC
52 Spring St
Fine Assignment

Barry Fox relayed case information. Board found the property in violation on December 13. On December 28 Code Enforcement department received update that a lien had been placed on the property. City commission dismissed foreclosure action on

property. Barry Fox stated as of February 13th property was still in violation. CeCe Reigle asked for clarification on the boards action.

Public comment: none

MOTION

CeCe Reigle motioned to find the property in violation, moved for city to move toward abatement and cost be levied as a fine against property owner. Tom Day seconded; motion passed.

c. CE2022-0337

Barbara Teisan
47 Grove Ave
Fine Reduction

Barry Fox relayed case information. The Board heard this case in November and found in violation then allowed property owner 90 days days to plant replacement trees. Robert Van Mierop contacted local vendors to obtain replacement cedar trees, Hillary Teisan spoke on behalf on her mother Barbara Teisan. Replacement trees were obtained and the respondent filed for a reduction of fine. The replacement trees were planted on property and staff verified the replanting.

Public comment:

MOTION

Tom Day motioned to lower the fine to \$1,000 have the case revisited in one year. CeCe Reigle seconded. Motion passes with 3 yes and 2 nos.

d. CE2022-0222

117 Colon Ave LLC

117 Colon Ave

Compliance Hearing

Barry Fox relayed case information.
Property was in compliance as of
January 27, 2023.

Public comment: none

MOTION

Irvin Rubin motioned to close case for
compliance. Jan Kelly seconded. Motion
passed.

9. CITY ATTORNEY ITEMS

(None)

10. OTHER BUSINESS

(None)

11. ADJOURNMENT

Meeting was adjourned at P.M.

4:19

Jan Kelly, Chairperson

Emily Howington, Administrative
Coordinator, Recording Secretary

**CITY OF ST. AUGUSTINE
MEMORANDUM**

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

DATE: March 14, 2023

SUBJECT: Case Number: CE2023-0228

RESPONDENT: Oasis Equity Holdings, LLC

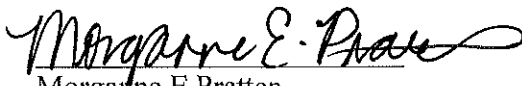
LOCATION: 1 Palm Row Parcel Number 1994200000

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

BACKGROUND INFORMATION:

On January 20, 2023, I responded to the property located at 1 Palm Row in response to a complaint we received about a tree being removed without the proper permits. Upon arrival, I confirmed the violation, noting an 18" Cabbage Palm had been cut off about 24" from the base. I contacted the property manager, Thomas Groom, advised him of the violation, and told him he needed to submit an "after-the-fact" tree permit application, as well as pay the fee associated. Based on the size in diameter of this tree, the "after-the-fact" permit fee was deemed to be \$400.00 in accordance with the tree removal ordinance 25-56, paragraph (i). The application was submitted the same day by Mr. Groom, but the fee was not paid, and therefore the application could not be processed. An email was sent by City staff to Mr. Groom in response, advising him he would need to pay the fee, however, no payment was ever submitted.

An Official Notice of Violation was sent on February 14, 2023, giving the respondent ten (10) days to come into compliance. After the expiration of that time frame, I personally reached out to Mr. Groom via telephone and email and advised him we had posted the property with an Official Notice of Hearing on March 1, 2023, and asked for any updates to the case. I never received a response from Mr. Groom, and as of this morning, the property is still non-compliant.


Morganne E Pratten
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.



Palm Row
circa 1904
**PRIVATE
DRIVE**
NO EXIT
NO THRU WAY
NO TURN
AROUND





From: [Morganne Pratten](#)
To: [Thomas Groom](#)
Subject: 1 Palm Row
Date: Thursday, March 2, 2023 4:56:00 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Good morning!

It has been 10 business days and we still have not received payment for your after-the-fact tree permit for the cabbage palm tree. We have posted the property with a Notice of Hearing for the March CEAAB Meeting, but I wanted to reach out to you to see if you had any updates? Let me know what I can do, thank you!

Very Respectfully,

Morganne Pratten, Code Enforcement Officer, Short Term Rentals

E: mpratten@citystaug.com | P: 904.201.8839 | W: www.CityStAug.com



City of St. Augustine

P.O. Box 210

St. Augustine, FL 32085



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.



CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF CEAAB HEARING



February 28, 2023

IN THE MATTER OF: Name: Oasis Equity Holdings, LLC
 C/O Hunter Hayden
 Address: 1 Palm Row
 St. Augustine, FL 32084
 Case #: CE2023-0228

HEREBY KNOWN AS RESPONDENT(S)

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

Code Violation: Chapter 25, Section 25-56, Tree removal and replacement.

SITE OF VIOLATION: 1 Palm Row, St. Augustine, FL 32084

LEGAL DESCRIPTION: PALM ROW SUBD CITY LOT E & E50FT OF N1/2 OF
 LOT 4 OR5396/917

PARCEL NUMBER: 1994200000

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, March 14, 2023, 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:

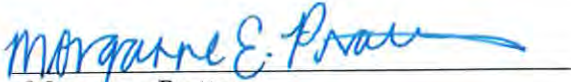
Removal of 18" d.b.h. Cabbage Palm without obtaining permits.

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 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."

Notice of Hearing
CE2023-0228

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


Morganne Pratten
Code Enforcement Officer

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

Certified Mail Number: 7022 3330 0001 2318 6261
7022 3330 0001 2318 6278
7022 3330 0001 2318 6285
7022 3330 0001 2318 6292
7022 3330 0001 2318 6308

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 SECONDARY SERVICE

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

Oasis Equity Holdings, LLC

1 Palm Row

Saint Augustine, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2022-0228

I, Morganne E. Pratten, being duly sworn and deposed say:

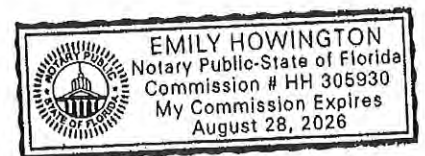
1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. That pursuant to Florida Statute 162.12, on March 1, 2023, I received a copy of the attached Notice of Hearing for the hearing dated March 14, 2023.
3. That on March 1, 2023, I
☒ Posted said Notice on the property located at
1 Palm Row, Saint Augustine, FL 32084.
4. That on March 1, 2023, I
☒ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St.,
St. Augustine, FL.

FURTHER, Affiant saith not.

Morganne E. Pratten
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1 DAY OF March, 2023.

Emily Howington
Notary Public, State of Florida
My Commission Expires: 28 day of March, 2026.





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



CODE ENFORCEMENT DIVISION

January 9, 2022

IN THE MATTER OF: Name: Oasis Equity Holdings, LLC
C/O Hunter Hayden
Address: 1 Palm Row
St. Augustine, FL 32084
Case #: CE2022-0362

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: City Code, Chapter 19, Section 19-4, Certain growth and conditions prohibited.

SITE OF VIOLATION: 1 Palm Row, St. Augustine, FL 32084

LEGAL DESCRIPTION: PALM ROW SUBD CITY LOT E & E50FT OF N1/2 OF LOT 4 OR5396/917

PARCEL NUMBER: 199420 0000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on December 5, 2022 which revealed the following violations:

Weeds and grass grown to an excess of 12". Yard debris and garbage littered throughout the property.

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent shall comply with the above cited sections of the City Code of St. Augustine, Florida, within **ten (10) days** of the 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:

Weeds and grass mowed, yard debris and garbage need to be collected and properly disposed.

Notice of Violation
CE2022-0362

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.


Morganne Pratten
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 2609
7022 0410 0001 0217 2108
7022 0410 0001 0217 2715
7022 0410 0001 0217 2586
7022 0410 0001 02172593

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](#)

Sales Questionnaire Form

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

[Sales Questionnaire](#)

2022 TRIM Notice

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

Summary

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

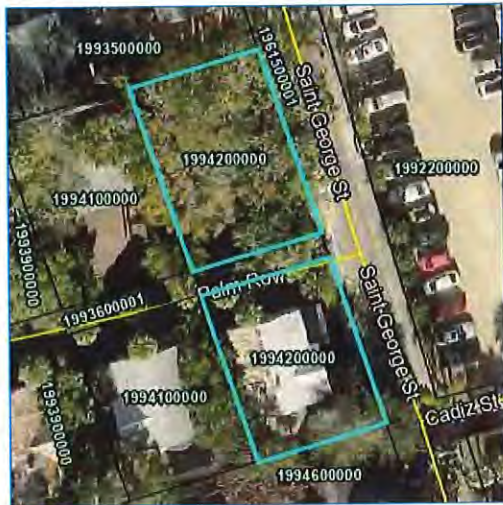


Parcel ID	1994200000
Location Address	1 PALM ROW SAINT AUGUSTINE 32084-0000
Neighborhood	Palm Row/St George St (610.14)
Tax Description*	PALM ROW SUBD CITY LOT E & E50FT OF N1/2 OF LOT 4 OR5396/917 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Palm Row
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	18.9763
Acreage	0.150
Homestead	N

Owner Information

Owner Name	Oasis Equity Holdings LLC 100%
Mailing Address	9310 OLD KINGS RD S STE 1703 JACKSONVILLE, FL 32257-8101

Map



Valuation Information

	2023
Building Value	\$205,168
Extra Features Value	\$813
Total Land Value	\$364,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$569,981
Total Deferred	\$0
Assessed Value	\$569,981
Total Exemptions	\$0
Taxable Value	\$569,981

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

Historical Assessment Information

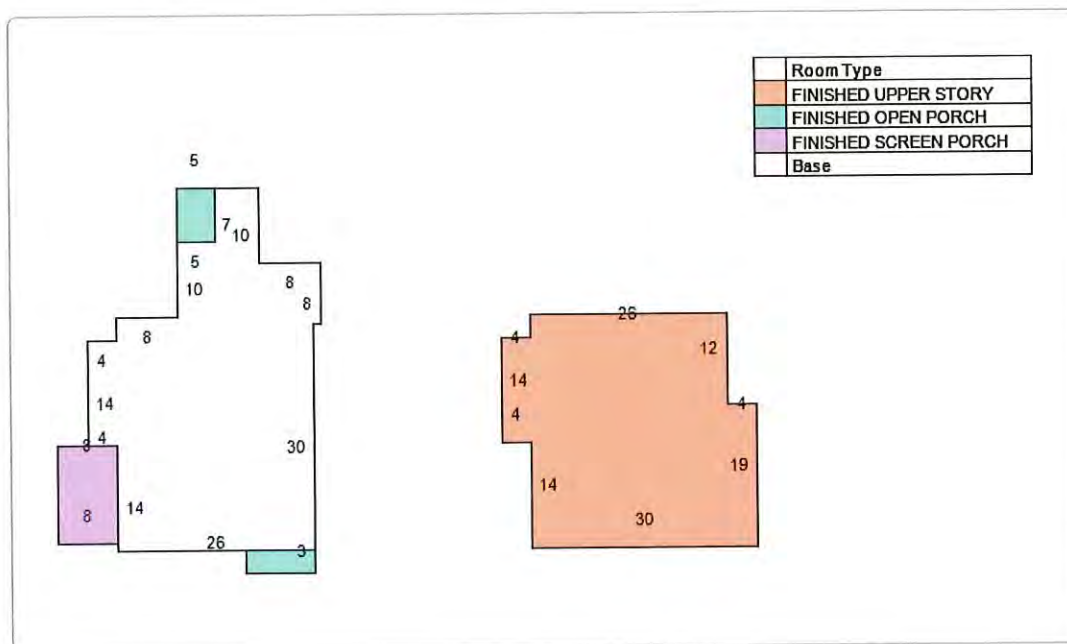
Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$176,336	\$1,493	\$364,000	\$0	\$0	\$541,829	\$541,829	\$0	\$541,829
2021	\$146,176	\$1,493	\$325,000	\$0	\$0	\$472,669	\$277,110	\$246,059	\$226,610
2020	\$148,326	\$1,493	\$325,000	\$0	\$0	\$474,819	\$273,284	\$252,035	\$222,784
2019	\$131,463	\$1,337	\$325,000	\$0	\$0	\$457,800	\$267,140	\$241,160	\$216,640
2018	\$92,773	\$2,010	\$167,376	\$0	\$0	\$262,159	\$262,159	\$50,500	\$211,659
2017	\$94,476	\$2,010	\$167,376	\$0	\$0	\$263,862	\$263,862	\$50,000	\$213,862
2016	\$97,339	\$2,010	\$167,376	\$0	\$0	\$266,725	\$266,725	\$50,000	\$216,725
2015	\$98,770	\$2,010	\$167,376	\$0	\$0	\$268,156	\$267,160	\$50,996	\$217,160
2014	\$95,654	\$2,010	\$167,376	\$0	\$0	\$265,040	\$265,040	\$50,000	\$215,040
2013	\$97,002	\$2,010	\$167,376	\$0	\$0	\$266,388	\$266,388	\$50,000	\$216,388
2012	\$99,696	\$2,010	\$167,376	\$0	\$0	\$269,082	\$265,662	\$53,420	\$215,662
2011	\$78,745	\$2,004	\$186,876	\$0	\$0	\$267,625	\$257,924	\$59,701	\$207,924
2010	\$92,091	\$2,004	\$208,000	\$0	\$0	\$302,095	\$254,112	\$97,983	\$204,112

Building Information

Building 1
 Year Built 1910
 Actual Area 2175
 Conditioned Area 2009
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Wood

Roof Cover Composite Shingle, Metal
 Roof Structure Gable Hip
 Interior Flooring Pine Wood
 Interior Wall Drywall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms 3
 Baths 2

Description	Square Footage
BASE AREA	1071
FINISHED SCREEN PORCH	104
FINISHED OPEN PORCH	35
FINISHED OPEN PORCH	27
FINISHED UPPER STORY	938
Total SqFt	2175

Sketch Information**Extra Feature Information**

Code Description	Status	Value
Canopy (Mix)		431
Masonry Wall (Mix)		382

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	50	65	3250	SF	\$182,000
Single Family	50	65	3250	SF	\$182,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/18/2021	10/13/2021	\$550,000.00	WARRANTY DEED	5396	917	Q	I	GANNON DONNA M	OASIS EQUITY HOLDINGS LLC
	3/6/1996	\$0.00	QUIT CLAIM DEED	1162	287	U	I	GANNON PATRICK T, DONNA M ETAL	GANNON PATRICK T & DONNA M
	1/30/1996	\$72,000.00	WARRANTY DEED	1152	1624	U	I	GANNON MICHAEL V ETAL	GANNON PATRICK T, DONNA M ETAL
	8/1/1986	\$0.00		712	1953	U	I		GANNON MICHAEL V ETAL
	4/1/1986	\$0.00		702	313	U	I		

No data available for the following modules: Exemption Information.

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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

[Last Data Upload: 3/1/2023, 2:18:20 AM](#)

Developed by
 **Schneider**
GEOSPATIAL

Version 2.3.250

CITY OF ST. AUGUSTINE
MEMORANDUM

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

DATE: March 14, 2023

SUBJECT: Case Number: CE2022-0375

RESPONDENT: Amanda N. Battell

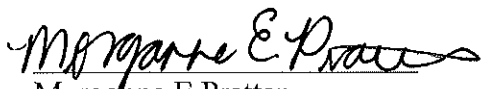
LOCATION: 12 Newcomb Street Parcel Number 124450 0000

VIOLATION: Sec. 19-3. - Unlawful conditions (Unsheltered storage of junk and debris)

BACKGROUND INFORMATION:

On December 27, 2022, I responded to the property located at 12 Newcomb Street in response to a complaint we received about unsheltered junk and debris. Upon arrival, I confirmed the violation, noting debris of all kinds scattered in the front yard, filling the driveway almost out to the curb, and overturned furniture on the front porch. I spoke with the owner, Amanda Battell, and discussed with her what a reasonable amount of time would be for her to get the debris cleaned from the front yard, driveway and front porch. We agreed upon a timeframe of ten (10) days to come into compliance. After that period of time, I responded to the property again and while some of the debris had been cleaned from the front yard, the driveway and porches were still littered with debris. An official Notice of Violation was issued on February 13, 2023 after several delays in delivery with the post office, and a period of three (3) days was given to come into compliance.

The property did not come into compliance within the given timeframe and an Official Notice of Hearing was hand-delivered to a resident of the property, Randy, on February 17, 2023. As of this morning, the property is still non-compliant.

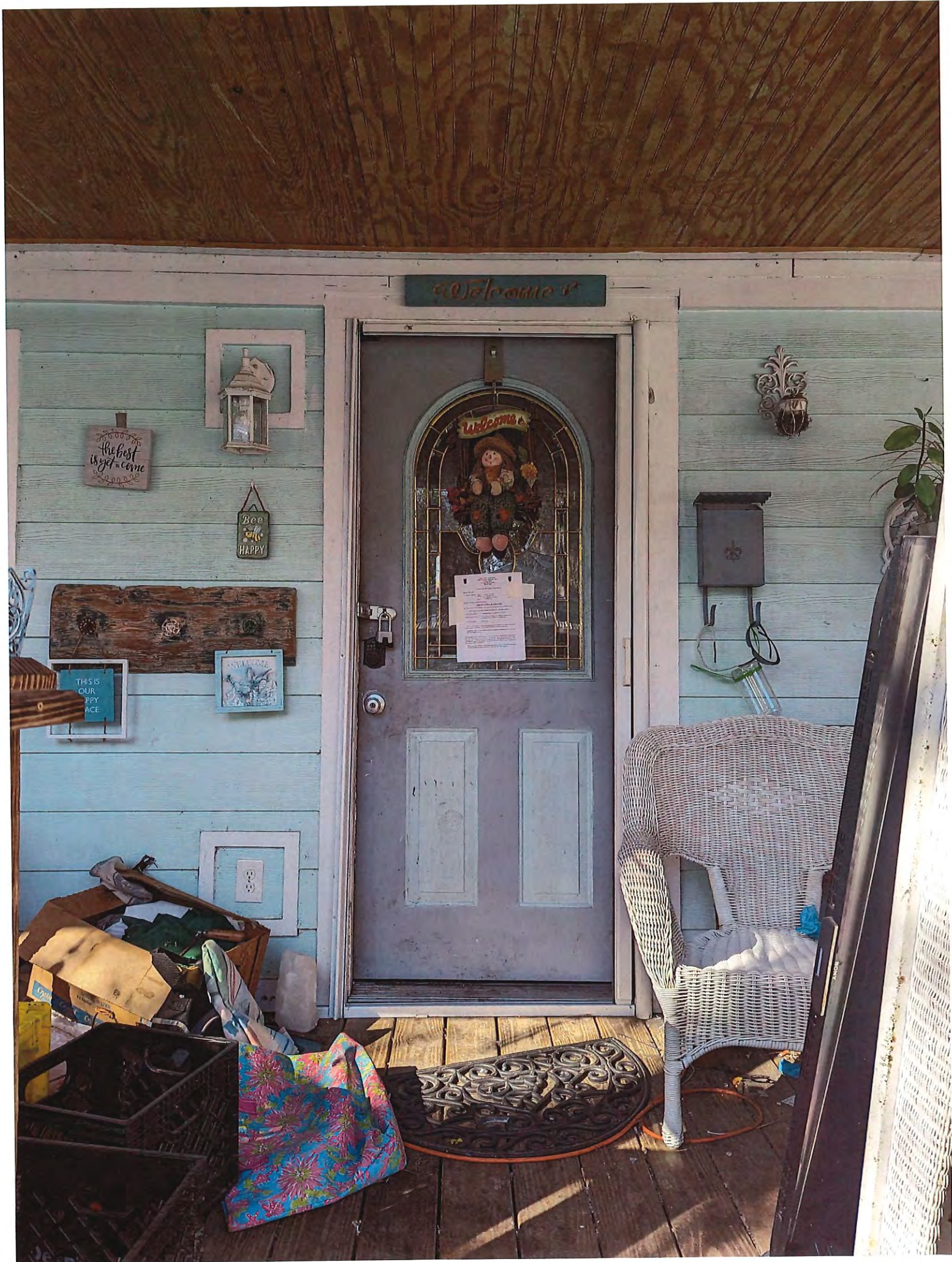

Morganne E Pratten
Code Enforcement Officer

Sec. 19-3. - Unlawful conditions.

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

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







CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF CEAAB HEARING



February 14, 2023

IN THE MATTER OF: Name: Amanda N Battell
Address: 12 Newcomb St
ST.AUGUSTINE, FL 32084
Case #: CE2022-0375

HEREBY KNOWN AS RESPONDENT(S)

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

Code Section: Chapter 19, Section 3, Unlawful conditions.

SITE OF VIOLATION: 12 Newcomb Street, St. Augustine, FL 32084

LEGAL DESCRIPTION: 1-61 LLAMBIAS ADDN LOT 16 BLK A OR491/453 &
3199/1008 & 3425/1109(D/C) & 4482/818 (Q/C)

PARCEL NUMBER: 124450 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, March 14, 2023, 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:

- **Unsheltered debris of several kinds littered throughout the property, on the front porch and covering the driveway.**

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 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."

Notice of Hearing
CE2022-0375

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


Morganne Pratten

Code Enforcement Officer

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

Certified Mail Number: 7019 2280 0000 6192 9376

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

Amanda N Battell
12 Newcomb Street
Saint Augustine, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2022-0375

I, Morganne E. Pratten, 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 February 16, 2023, I received a copy of the attached Notice of Hearing for the hearing dated March 14, 2023.
3. That on , 20 , I
☐ Mailed said Notice by certified U. S. Mail to the respondent, at the above listed address.
4. That on February 17, 2023, I
☒ Hand delivered said Notice to Mr. Randy at
12 Newcomb Street, St. Augustine, FL 32084.

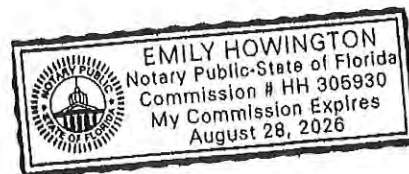
FURTHER, Affiant saith not.

Morganne E. Pratten
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1 DAY OF March, 2023.

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

January 18, 2023

IN THE MATTER OF: Name: Amanda N Battell
Address: 12 Newcomb Street
St. Augustine, FL 32084
Case #: CE2022-0375

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: City Code, Chapter 19, Section 19-3, Unlawful conditions.

SITE OF VIOLATION: 12 Newcomb Street, St. Augustine, FL 32084

LEGAL DESCRIPTION: 1-61 LLAMBIAS ADDN LOT 16 BLK A OR491/453 &
3199/1008 & 3425/1109(D/C) & 4482/818 (Q/C)

PARCEL NUMBER: 124450 0000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on December 27, 2022 which revealed the following violations:

Unsheltered debris of several kinds littered throughout the property, on the front porch and covering the driveway.

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent shall comply with the above cited sections of the City Code of St. Augustine, Florida, within **three (3) days** of the 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:

Debris needs to be cleared or moved from the driveway, the household items/furniture need to be stored correctly, disposed of, or relocated off of the property.

Notice of Violation
CE2022-0375

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.


Morganne Pratten
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 2616

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 1244500000
Location Address 12 NEWCOMB ST
 SAINT AUGUSTINE 32084-0000
Neighborhood Madore-Columbus Street (SF) (2510)
Tax Description* 1-61 LLAMBIAS ADDN LOT 16 BLK A OR491/453 & 3199/1008 & 3425/1109(D/C) & 4482/818 (Q/C)
**The Description above is not to be used on legal documents.*
Property Use Code Single Family (0100)
Subdivision Llambias Addition to St. Augustine, The
Sec/Twp/Rng 45-7-29
District City of St Augustine (District 452)
Millage Rate 18.9763
Acreage 0.120
Homestead Y

Owner Information

Owner Name Battell Amanda N 100%
Mailing Address 12 NEWCOMB ST
 SAINT AUGUSTINE, FL 32084-0000

Exemption Information

Exemption Type	Status	Amount
Homestead		\$29,598

Map



Valuation Information

	2023
Building Value	\$111,010
Extra Features Value	\$0
Total Land Value	\$41,041
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$152,051
Total Deferred	\$97,453
Assessed Value	\$54,598
Total Exemptions	\$29,598
Taxable Value	\$25,000

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

Historical Assessment Information

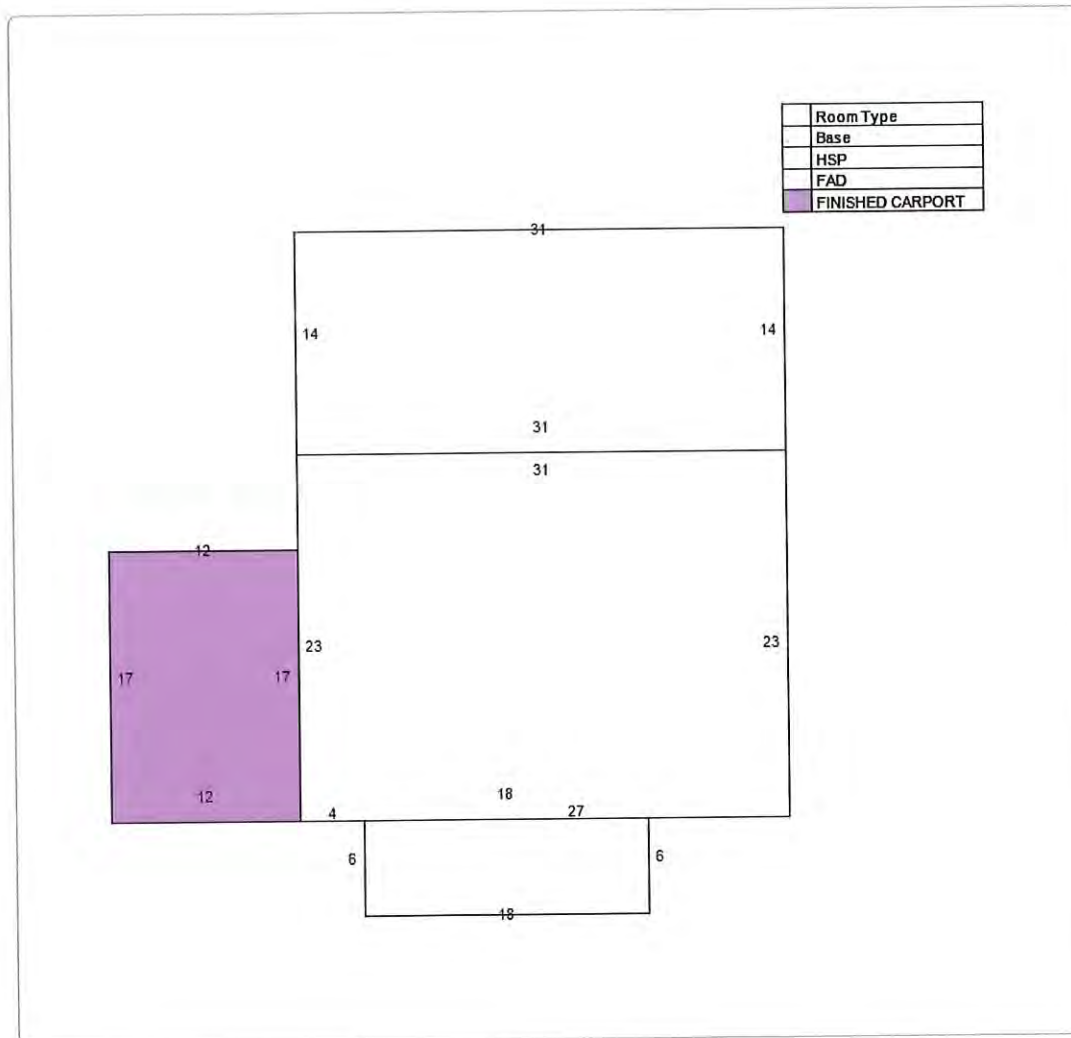
Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$95,616	\$0	\$41,041	\$0	\$0	\$136,657	\$53,008	\$111,657	\$25,000
2021	\$63,123	\$0	\$23,888	\$0	\$0	\$87,011	\$51,464	\$62,011	\$25,000
2020	\$64,875	\$0	\$23,888	\$0	\$0	\$88,763	\$50,753	\$63,763	\$25,000
2019	\$51,335	\$0	\$23,660	\$0	\$0	\$74,995	\$49,612	\$50,383	\$24,612
2018	\$29,577	\$0	\$19,110	\$0	\$0	\$48,687	\$48,687	\$25,000	\$23,687
2017	\$27,804	\$275	\$14,560	\$0	\$0	\$42,639	\$42,639	\$0	\$42,639
2016	\$29,160	\$330	\$12,058	\$0	\$0	\$41,548	\$41,548	\$0	\$41,548
2015	\$25,939	\$385	\$9,214	\$0	\$0	\$35,538	\$34,568	\$26,470	\$9,068
2014	\$24,955	\$440	\$9,214	\$0	\$0	\$34,609	\$34,294	\$25,815	\$8,794
2013	\$26,041	\$495	\$9,214	\$0	\$0	\$35,750	\$33,787	\$26,963	\$8,787
2012	\$23,458	\$550	\$9,214	\$0	\$0	\$33,222	\$33,222	\$25,000	\$8,222
2011	\$24,415	\$605	\$10,238	\$0	\$0	\$35,258	\$35,258	\$0	\$35,258
2010	\$32,138	\$660	\$11,375	\$0	\$0	\$44,173	\$44,173	\$25,500	\$18,673

Building Information

Building 1
 Year Built 1958
 Actual Area 1459
 Conditioned Area 1147
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Wood

Roof Cover Metal
 Roof Structure Gable Hip
 Interior Flooring Pine Wood
 Interior Wall Minimum
 Heating Type Forced Air
 Air Conditioning Window
 Bedrooms 2
 Baths 1

Description	Square Footage
BASE AREA	713
FINISHED CARPORT	204
FRAME ADDITION	434
HALF SCREEN PORCH	108
Total SqFt	1459

Sketch Information**Land Information**

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	50	100	50	EF	\$41,041

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/2/2018	3/30/2018	\$0.00	MARRIAGE CERTIFICATE	4523	1780	U	I	CAMPBELL AMANDA N	BATTELL KYLE SANCHEZ
12/27/2017	10/7/2015	\$100.00	QUIT CLAIM DEED	4482	818	U	I	GIRAUD BARBARA	CAMPBELL AMANDA N
2/16/2012	2/7/2012	\$0.00	OTHER INSTRUMENT	3526	1325	U	I	OXFORD FINANCIAL SERVICES INC	GIRAUD BARBARA
8/29/2011	8/29/2011	\$0.00	LIS PENDENS	3468	1764	U	I	OXFORD FINANCIAL SERVICES INC	GIRAUD BARBARA
4/7/2011	11/21/2010	\$0.00	DEATH CERTIFICATE	3425	1109	U	I	CAMPBELL MARY ALICE (DECD)	GIRAUD BARBARA (SURV J/T)
	5/22/2009	\$9,800.00	QUIT CLAIM DEED	3199	1008	U	I	CAMPBELL MARY ALICE	CAMPBELL MARY ALICE & GIRAUD BARBARA (JTRS)
	4/1/1981	\$8,000.00		491	453	U	I		CAMPBELL JOHN E, MARY A

No data available for the following modules: Sales Questionnaire Form, Extra Feature 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](#)
[GDPR Privacy Notice](#)

Developed by
 **Schneider**
 GEOSPATIAL

Last Data Upload: 1/28/2023, 1:08:05 AM

Version 2.3.243

**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments and Appeals Board

DATE: March 14, 2023

SUBJECT: Case Number 2023- 0234

RESPONDENT: Philip R. Smith

LOCATIONS: 3912 North Ponce De Leon

VIOLATION: Chapter 25, Sections 25-56 Tree removal and replacement

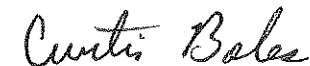
BACKGROUND INFORMATION:

On January 31, 2023, I responded to the back area of 3912 North Ponce De Leon in reference to work being performed in the parking area. Once there I observed two men with a small stump grinder and dump trailer on site. It appeared that they were expanding the parking lot. An inspection was performed and revealed the following: two tree companies involved in the removal of trees at the above-mentioned. 1) SB Tree Service owned by Todd Deal and 2) Florida Tree Master owned by Jayson Kolodzie. The complaint was received by The Building Official from Mr. and Mrs. Kyle owners of Kyle's Seafood Market. All persons on the site were directed to stop all work and apply for all necessary permits. I found on the site the removal of seven 7 trees. One 1 Water Oak "49 inches, 5 Live Oaks 17", 22", 14", 13", and 15" and 1 Golden Rain Tree 19" inches. At that time, I checked for any permits open for this location and found none. By ordinance six 6 of these trees required permits for removal.

On February 8, 2023, I issued a "Notice of Violation", since plans had not been submitted to Planning and Building prior to the removal.

On February 28, 2023, I issued a "Notice of Hearing", since plans failed to be submitted to the Planning and Building Department.

Respectfully Submitted,



Curtis Boles
Code Enforcement Inspector

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

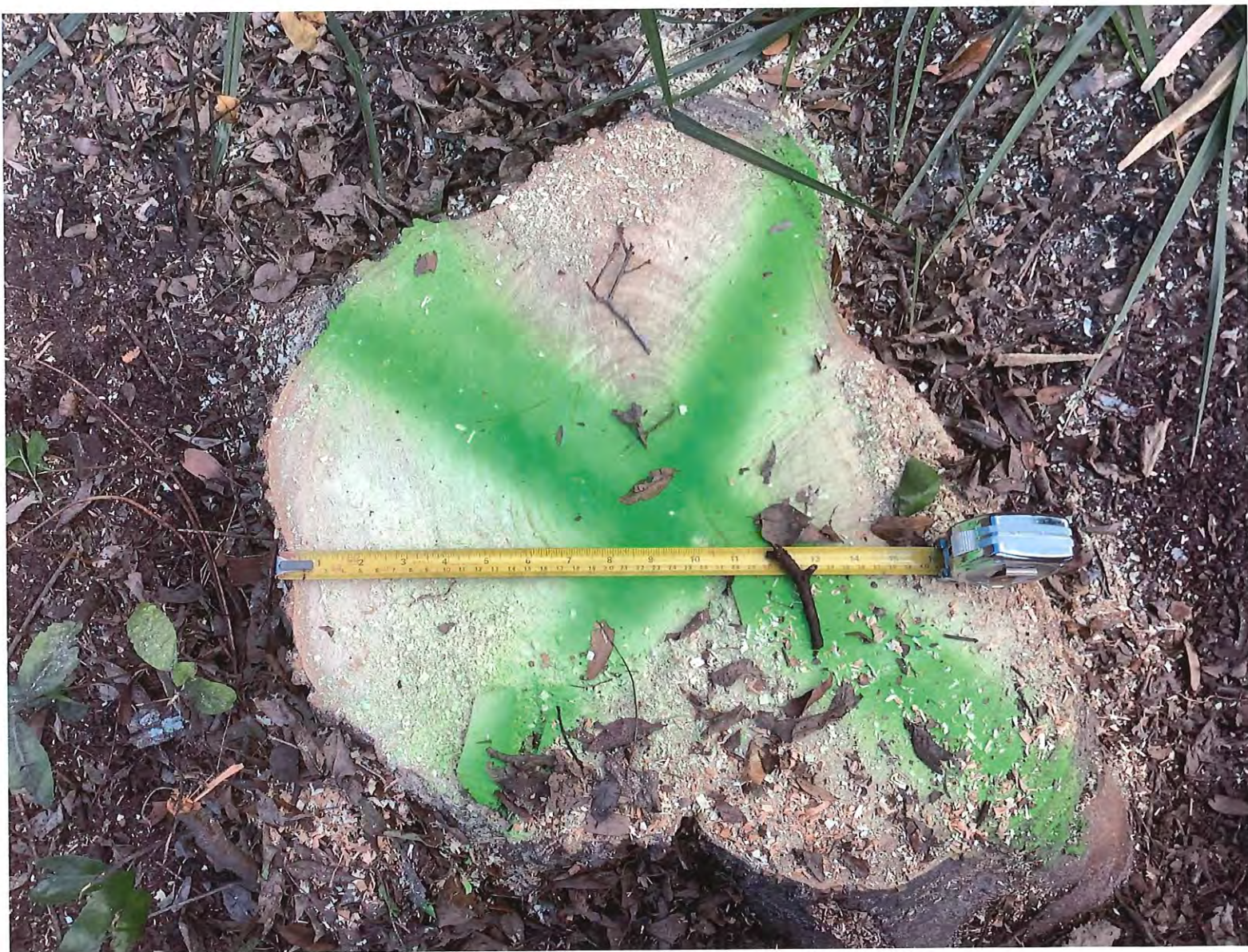
- (a) *Permits required.* It shall be unlawful for any person directly or indirectly to cut down, destroy, remove or effectively destroy by damaging any tree in the city without first obtaining a permit as herein provided. This requirement shall apply to all trees three (3) inches or larger dbh., and 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.



















CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF CEAAB HEARING



February 28, 2023

IN THE MATTER OF: Name: Philip R. Smith
 Address: 3912 N Ponce De Leon Blvd
 St. Augustine, FL 32084
 Case #: CE2023-0234

HEREBY KNOWN AS RESPONDENT(S)

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

Code Violation: Chapter 25, Section 25-56, Tree removal and replacement.

SITE OF VIOLATION: 3912 N Ponce De Leon Blvd, St. Augustine, FL 32084

LEGAL DESCRIPTION: 4-34 FORT MOOSA GARDENS LOTS 1 THRU 6 BLK B
 (EX W44.1FT IN R/W OF RD #5) OR5637/141

PARCEL NUMBER: 149760 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, March 14, 2023, 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 six (6) trees without a permit.

The trees removed include one Rain Tree 19 in diameter, five Water Oaks 17", 22", 14", 13", 15" in diameter and one Live Oak 49" in diameter causing irreparable and irreversible damage to the trees as outlined.

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
CE2023-0234

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.



Curtis Boles
Code Enforcement Officer

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

Certified Mail Number: 7022 3330 0001 318 6315
7022 3330 0001 2318 6322

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

Philip R. Smith
3912 North Ponce De Leon
Saint Augustine, Florida 32084
Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2023-0234

I, Curtis Boles, being duly sworn and deposed say:

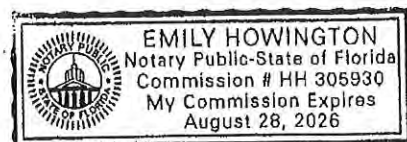
1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. That pursuant to Florida Statute 162.12, on _____, 20__, I received a copy of the attached Notice of Hearing for the hearing dated _____, 20__.
3. That on March 1, 2023, I
☒ Mailed said Notice by certified U. S. Mail to the respondent, at the above listed address.
4. That on _____, 20__, I
☐ Hand delivered said Notice to _____ at _____.

FURTHER, Affiant saith not.

Curtis Boles
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1 DAY OF March, 2023.

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



AFFIDAVIT OF SECONDARY SERVICE

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

Philip R. Smith
3912 North Ponce De Leon
Saint Augustine, Florida 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2023-0234

I, Curtis Boles, being duly sworn and deposed say:

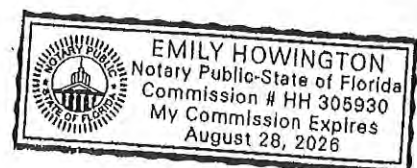
1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. That pursuant to Florida Statute 162.12, on March 1, 2023, I received a copy of the attached Notice of Hearing for the hearing dated March 14, 2023.
3. That on March 2, 2023, I
☒ Posted said Notice on the property located at
3912 North Ponce De Leon.
4. That on March 2, 2023, I
☒ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St.,
St. Augustine, FL.

FURTHER, Affiant saith not.

Curtis Boles
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 2 DAY OF March, 2023.

Emily Howington
Notary Public, State of Florida
My Commission Expires: 28 day of March, 2026.





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



CODE ENFORCEMENT DIVISION

February 8, 2023

IN THE MATTER OF: Name: Philip R. Smith
Address: 3912 N Ponce De Leon Blvd
St. Augustine, FL 32084
Case #: CE2023-0234

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: City Code, Chapter 25, Section 56, Tree removal and replacement.

SITE OF VIOLATION: 3912 N Ponce De Leon Blvd, St. Augustine, FL 32084

LEGAL DESCRIPTION: 4-34 FORT MOOSA GARDENS LOTS 1 THRU 6 BLK B
(EX W44.1FT IN R/W OF RD #5) OR5637/141

PARCEL NUMBER: 1497600000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on January 31, 2023 which revealed the following violations:

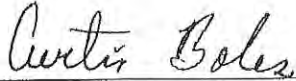
Removal of six (6) trees with out a permit.

The trees removed include one Rain Tree 19" in diameter, five Water Oaks 17", 22", 14", 13", 15" in diameter and one Live Oak 49" in diameter.

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
CE2023-0234



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: 7019 2280 0000 6192 9239
7019 2280 0000 6192 9222

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](#)

Sales Questionnaire Form

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

[Sales Questionnaire](#)

2022 TRIM Notice

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

Summary

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



Parcel ID	1497600000
Location Address	3912 N PONCE DE LEON BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Ponce Boulevard North (COM) (681.01)
Tax Description*	4-34 FORT MOOSA GARDENS LOTS 1 THRU 6 BLK B (EX W44.1FT IN R/W OF RD #5) OR5637/141 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Nightclubs, Lounges, Bars (Owner Occupied) (3305)
Subdivision	Fort Moosa Gardens, Revised Plat Of
Sec/Twp/Rng	60-7-30
District	City of St Augustine (District 452)
Millage Rate	18.9763
Acreage	0.620
Homestead	N

Owner Information

Owner Name	Smith Phillip R 100%
Mailing Address	9715 KIRCHERR AVE HASTINGS, FL 32145-0000

Map



Valuation Information

	2023
Building Value	\$658,438
Extra Features Value	\$17,494
Total Land Value	\$340,270
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,016,202
Total Deferred	\$0
Assessed Value	\$1,016,202
Total Exemptions	\$0
Taxable Value	\$1,016,202

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	\$230,430	\$16,812	\$134,671	\$0	\$0	\$381,913	\$381,913	\$0	\$381,913
2021	\$197,913	\$16,812	\$137,125	\$0	\$0	\$351,850	\$351,850	\$0	\$351,850
2020	\$203,821	\$16,812	\$137,125	\$0	\$0	\$357,758	\$356,802	\$956	\$356,802
2019	\$170,428	\$16,812	\$137,125	\$0	\$0	\$324,365	\$324,365	\$0	\$324,365
2018	\$175,229	\$16,812	\$137,125	\$0	\$0	\$329,166	\$329,166	\$0	\$329,166
2017	\$175,229	\$10,655	\$137,125	\$0	\$0	\$323,009	\$321,036	\$1,973	\$321,036
2016	\$180,030	\$10,696	\$101,125	\$0	\$0	\$291,851	\$291,851	\$0	\$291,851
2015	\$184,831	\$10,737	\$74,125	\$0	\$0	\$269,693	\$269,693	\$0	\$269,693
2014	\$178,477	\$10,778	\$74,125	\$0	\$0	\$263,380	\$263,380	\$0	\$263,380
2013	\$182,995	\$10,819	\$74,125	\$0	\$0	\$267,939	\$265,184	\$2,755	\$265,184
2012	\$185,254	\$10,859	\$74,125	\$0	\$0	\$270,238	\$241,076	\$29,162	\$241,076
2011	\$121,648	\$12,162	\$85,350	\$0	\$0	\$219,160	\$219,160	\$0	\$219,160
2010	\$125,772	\$12,162	\$93,875	\$0	\$0	\$231,809	\$231,809	\$0	\$231,809

Building Information

Building 1
 Year Built 1973
 Actual Area 6200
 Conditioned Area 4571
 Use Nightclubs, Bars (City/Historical)
 Style 04
 Class N
 Exterior Wall Concrete Stucco

Roof Cover Composite Shingle, Built Up, Metal
 Roof Structure Wood Truss
 Interior Flooring Ceramic Tile, Carpet
 Interior Wall Drywall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms
 Baths

Description	Square Footage
BASE AREA	4436
ADDITION	135
FINISHED CANOPY	30
FINISHED OPEN PORCH	725
FINISHED CANOPY	874
Total SqFt	6200

Sketch Information**Extra Feature Information**

Code Description	Status	Value
Asphalt Paving (COM)		15646
Concrete Paving - Under 8" (COM)		1848

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Nightclubs, Cocktail Lounges & Bars	200	90	17550	SF	\$245,700
Nightclubs, Cocktail Lounges & Bars	50	88	9457	SF	\$94,570

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/20/2022	9/9/2022	\$2,500,000.00	WARRANTY DEED	5637	141	U	I	NIJMAN NICOLETTE FAMILY TRUST	SMITH PHILIP R
1/13/2014	12/23/2013	\$100.00	WARRANTY DEED	3835	205	U	I	NIJMAN FRED & NICOLETTE LIVING TRUST	NIJMAN NICOLETTE FAMILY TRUST
2/16/2010	11/24/2009	\$0.00	QUIT CLAIM DEED	3287	360	U	I	NIJMAN FREDERIK, NICOLETTE R	NIJMAN FRED & NICOLETTE LIVING TRUST
	8/1/1990	\$304,000.00		867	1712	Q	I		NIJMAN FREDERIK, NICOLETTE R
	10/1/1989	\$279,000.00		836	336	Q	I		
	2/1/1986	\$0.00		696	1853	U	I		

No data available for the following modules: Exemption Information.

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

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CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 311 Anastasia Blvd / CE 2022-0352:

- On December 10, 2022, a member of staff observed that three unaddressed vacant lots were being used as a parking facility without approved plans and specifications.
- On February 14, 2023, the CEAAB heard this case and issued an “Order Finding Violation” which allowed the respondent 30 days to correct the violation by obtaining permitted containment to prevent vehicles from parking the the parcels or a fine of up to \$250 per day would be issued for each day the violation continued.
- As of March 7, the property is still not in compliance and updates will be provided by staff at the CEAAB meeting on March 14, 2023.

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

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2022-0352

IN THE MATTER OF:

LUTHER C. STEWART III

311 ANASTASIA BLVD

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 28, Section 28-368, Design Standard. Use of Parking Facility
Without Approved Plans**

VIOLATION SITE: **311 Anastasia Boulevard**

LEGAL DESCRIPTION: **3-99 DAVIS SHORES LOT 33 BLK 37 (EX PT IN
OR4204/278) OR4904/844**

PARCEL NUMBER: **2189800330 Commercial- Anastasia Blvd
2190300000 Residential- Arricola Ave
2190200000 Residential- Arricola Ave**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD
TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **FEBRUARY 14,
2023**, 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 February 14, 2023, in accordance with Chapter 162 F.S.

The respondent and/or representative was present.

2. During a routine code enforcement inspection, the staff observed the following code violations on December 10, 2022:

**The above three vacant parcels of land had been improved and is being used
as a parking facility without approved plans and specifications.**

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

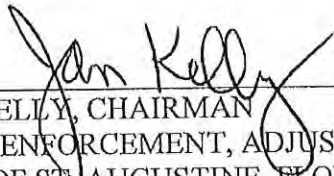
**City Code, Chapter 28, Section 28-368 Design Standards. Use of Parking
Facility Without Approved Plans.**

4. On December 10, 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 ten (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 January 26, 2023, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of CEAAB Hearing"** for February 14, 2023. AND a Posting Affidavit was placed at the property and with the City Clerk's office on February 1, 2023 for the CEAAB Hearing for February 14, 2023.
6. On February 14, 2023, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an **"Order Finding Violation"** which allowed the Respondent thirty (30) days from the date of the **"Order"** to correct the violation by obtaining permitted containment to prevent vehicles from parking on the parcels, or the Board stipulated that a fine of \$250 per day would be imposed for each day the violation continued.
7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, March 14, 2023** 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.
8. 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 14TH DAY OF FEBRUARY 2023. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

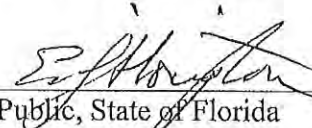


JAN KELLY, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

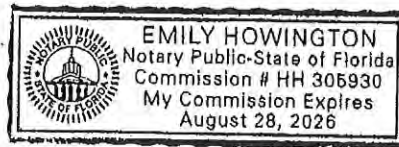
STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Jan Kelly, 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 1 day of March, A.D., 2023.


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
Code Enforcement Department

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

- On August 31, 2021, a member of staff observed that a full bar, including plumbing and electrical had been constructed without building permits.
- On March 8, 2022 the Board found the case in violation and issued an "Order Imposing a Fine," which allowed the respondent fifteen days to correct the violation. The Property came into compliance on August 26, 2022 the Board imposed a fine of \$40,000 for the 160 days the property was out of compliance.
- On January 10, 2023 the Board heard the applicant's request for a reduction of fine which was denied and the respondent was given thirty days to pay the fines in full.
- As of February 10, 2023 the fine has not been paid and the code enforcement department requests a lien be placed upon the property.

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

**ORDER DENYING REDUCTION OF
FINE
CEAAB CASE NUMBER: 2021-0227**

IN THE MATTER OF:

APPLICANT: Augustine Development Group LLC
215 Anastasia Blvd
St. Augustine, FL 32080

OWNER: Augustine Development Group LLC

RE: Denial of request for reduction of fine.

DESCRIPTION OF SITE: 215 Anastasia Blvd

LEGAL DESCRIPTION: 3-99 DAVIS SHORES LOTS 1 THRU 7 BLK 38 OR3859/472 &
3881/205 (RE-REC) &3896/1081(C/D)

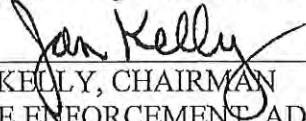
PARCEL NUMBER: 2190900000

THIS MATTER originally came before the Board for public hearing on **March 8, 2022** after due notice to the Applicant(s), at which time the Board heard testimony under oath and received evidence. Based on the evidence and testimony presented at the hearing, the Board found the case **"In Violation"** and issued an **"Order Imposing a Fine,"** which allowed the Respondent fifteen (15) days from the date of the order to correct the violation, or a fine of \$250.00 per day would be imposed each day the violation continued. The Property came into compliance on August 26, 2022 and the Board imposed the fine of \$250.00 per day in the amount of \$40,000 for the 160 days the property was out of compliance. Prior to the recordation of lien, the applicant(s) requested a reduction of fines. On January 10, 2023, 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. As a result, 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 10th day of January, 2023 in the Alcazar Room, 75 King Street, St. Augustine, Florida.


JAN KELLY, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Witness my hand and official seal, this 25 day of
January, A.D., 2023.





CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 2 Artillery / CE 2022-02688:

- On June 24, 2022, a member of staff observed that expansion and changes were made to the parking lot without an official Civil Plan submitted to Public Works Department.
- On November 8, 2022, the CEAAB heard this case and issued an "Order Finding Violation" which allowed the respondent 10 days to submit a complete application to the Planning and Building department or 60 days to return the parking lot to the "2010 design plan". If neither conditions were met a fine up to \$250 per day would accrue.
- On November 18, 2022 Public Works received an application which failed the plans review.
- On March 2, 2023 Public Works received the second submittal for the project which is currently under review.

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

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2022-0268

IN THE MATTER OF:

**The Vestry of Trinity Church of
St. Augustine, Inc.
2 ARTILLERY LANE
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 29, Section 29-27

VIOLATION SITE: **2 ARTILLERY LANE**

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

PARCEL NUMBER: **199220 0000**

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

The respondent and/or representative were present.

2. During a routine code enforcement inspection, the staff observed the following code violation on June 24, 2022:

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

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

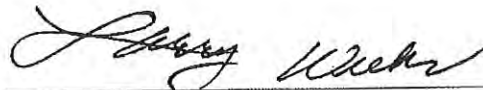
City Code, Chapter 29, Section 29-27-- Permits required for construction.

4. On July 15, 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 stated the Respondent shall comply no later than ten (10) days or a fine of \$250.00 per day may be imposed by the Code Enforcement, Adjustments, and Appeals Board.
5. On October 18, 2022, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of CEAAB Hearing"** for November 8, 2022 AND was placed at the property and with the City Clerk's office on October 18, 2022 for the CEAAB Hearing for November 8, 2022.

6. On October 18, 2022, the Planning and Building Department delivered certified by U. S. Mail an **"Official Notice of CEAAB Hearing"** for November 8, 2022 to The Vestry of Trinity Church of St. Augustine, Inc. the organization in ownership of 2 Artillery Lane.
7. On November 8, 2022, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an **"Order Finding Violation"** and the Board stipulated the respondent had ten (10) calendar days to submit a complete application to the Planning and Building department OR 60 days to return the parking lot to the **"2010 design plan"**, and if neither of these conditions were met, a fine up to \$250.00 per day would accrue.
8. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, February 14, 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 NOVEMBER, 2022. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

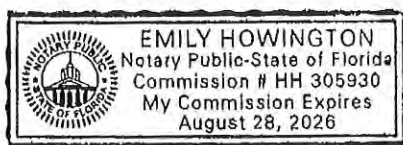


Larry Weeks, Chairman
Code Enforcement, Adjustments & Appeals Board

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 18 day of November, A.D., 2022.



Emily Howington

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
Code Enforcement Department

In the matter pertaining to 38 White East / CE 2022-0217:

- On June 6, 2021 a member of staff observed that on the west side of the building, an external staircase and a second floor deck was under construction without obtaining proper permits.
- On September 13, 2022 the CEAB issued an "Order Finding in Violation" which allowed the respondent 90 days to correct the violation or a fine of up to \$250 per day would be imposed for each day the violation remained.
- As of December 19, 2022 advised plans and application were submitted to Public Works for the deck and stairs.
- On January 24, 2023 Public Works review the permit application and requested additional information from the respondent.

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

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2022-0217

IN THE MATTER OF:

**Valerie Lee Properties LLC
C/O Valerie Lee
38 White Street East
Saint Augustine, FL 32080**

(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: **38 White Street E**

LEGAL DESCRIPTION: **3-58 KILLINGSWORTH SUB OF BLK 9 CARVERS SUB
ANASTASIA LOT 7 OR4384/1791**

PARCEL NUMBER: **158230 0000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **SEPTEMBER 13, 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 September 13, 2022, in accordance with Chapter 162 F.S.

The respondent and/or representative was present.

2. During a routine code enforcement inspection, the staff observed the following code violations on June 6, 2021:

On the west side of the building, an external staircase and a second floor deck was under construction without obtaining proper permits.

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

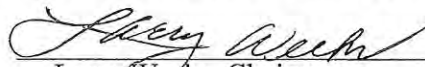
City Code, Chapter 8, Section 8-608

4. On July 26, 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 ten (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 August 29, 2022, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of CEAAB Hearing"** for September 13, 2022. **AND** a Posting Affidavit was placed at the property and with the City Clerk's office on August 29, 2022 for the CEAAB Hearing for September 13, 2022.
6. **On September 13, 2022, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an "Order Finding Violation" which allowed the Respondent ninety (90) days from the date of the "Order" to correct the violation, or the Board stipulated that a fine up to \$250 per day would be imposed for each day the violation continued.**
7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, January 10, 2023** 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.
8. 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 up to \$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 13TH DAY OF SEPTEMBER, 2022. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

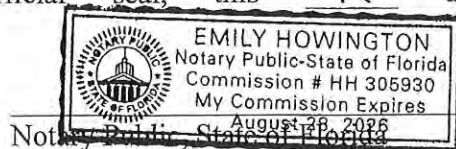


Larry Weeks, Chairman
Code Enforcement, Adjustments & Appeals Board

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 16 day of September, A.D., 2022.



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.

