



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

A G E N D A

TUESDAY, OCTOBER 10, 2023 - 3:00 PM

ALCAZAR ROOM

1. Roll Call
2. Swearing in of Staff
3. Approval of Minutes
4. Disclosure of Ex-Parte Communications
5. General Public Comments for Items Not on the Agenda
6. Building Code Variances
7. New Violation Hearing
 - a) None
8. Fine Assignment Hearing
 - a) CE2023-0305
Twin Peaks Property Mgmt., LLC
56 Carrera St
Ch.8 Sec. 8-608
9. Fine Reduction Hearing
 - a) None
10. Lien Hearing
 - a) CE2021-0219
Philcox James A S Estate
Devon Philcox
111 Zoratoa Ave
Ch. 19 Sec. 4
Lien Reduction Request

11. Compliance Hearing
 - a) CE2023-0333
16 Paws Realty Mgmt. LLC
C/O 54 Carrera St
Ch. 8 Sec. 8-608
 - b) CE2009-4299
Jig Management LLC Et AL,
Mitchell Management Inc,
James Mays,
Betty Mays-Phillip,
Maryann Mays,
Jason Grear,
Casandra Mays,
Gregory Mays,
Tanya Mays,
Jeffrey Mays,
Agnetta Moultrie,
Andre Taylor,
95 Evergreen Ave
Ch. 8 Sec. 8-301
12. Previously Heard Cases Update
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 Code Enforcement, Adjustments and Appeals Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

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

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

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
September 12, 2023

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, September 12, 2023, in the Alcazar Room at City Hall. The meeting was called to order by Jan Kelly, Chairman, and the following were present:

1. ROLL CALL

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

Staff Present:

Kelly Traynor, 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 Lanni, Code Enforcement Officer
Emily Howington, Administrative Coordinator, Recording

2. SWEARING IN OF STAFF

3. APPROVAL OF MINUTES
(August 8, 2023)

The minutes were approved unanimously.

4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

5. DISCLOSURE OF EX-PARTE COMMUNICATIONS

6. BUILDING CODE VARIANCES
(None)

7. REVIEW OF NEW CASES

a. CE2023-0374

Robert Corioli
14 Poinciana Ave
Ch 25 Sec 25-56
New Violation

Barry Fox relayed case information. Violation of City Code Ch 25 sec 25-56, tree removal without a permit. Curtis Boles provided violation information. Two cedar trees removed and several palm trees. Curtis Boles was told an arborist report would be sent; no report sent to department. A Notice of Violation was sent, and a Notice of Hearing was sent.

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
September 12, 2023

Marilyn Garret asked about the stop work order posted. Curtis Boles stated it had been removed. Jan Kelly asked for further questions and if respondent was present. The respondent Robert Corioli was present and stated the property was very overgrown when purchased. Respondent provided pictures of property prior to purchase. Karen Valachovic asked why trees continued to be cut down after the stop work order was posted. CeCe Reigle asked staff if any trees had been replanted. Curtis Boles stated they have planted 4 shade trees in the back of property. The Board discussed the amounts of fines.

Public comment: None

MOTION

Karen Valachovic motioned find in violation and issue a fine of \$2,500 per two cedar trees for a total fine of \$5,000. Jan Kelly seconded; the motion passed with one no from CeCe Reigle.

8. REVIEW OF PREVIOUSLY HEARD CASES

a. CE2023-0296

Rose Jane Prevatt
R. L. Peterson
David Peterson
Gloria Jean Peterson
Dee Ann Peterson
Lori Harvey
Lee Peterson
Todd Peterson
Amy Peterson-Golde
Shawna Enos
30 S. Leonardi
Ch 19 Sec 19-3
Fine Assignment Hearing

Barry Fox relayed case information, the violation is unsheltered junk and debris. The property remains in violation. Larry Weeks asked how long the fine would run. Karen Valachovic asked how many days the property has been out of compliance. CeCe Reigle asked about communication with owners. Larry Weeks asked when the case began. The department was aware in May.

Public comment: None

MOTION

Jan Kelly motioned to set a fine of \$250 per day for each day out of compliance starting August 16, 2023. Marilyn Garrett seconded, the motion passed unanimously

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
September 12, 2023

b. CE2023-0307

Bcs Acquisition Group LLC
56 Carrera St
Ch 28 Sec 28-90
Lien Hearing

Barry Fox relayed case information. Demolition occurred without HARB approval, the Board issued a fine set at \$2,500. The respondent had past 30 days to pay, the fine was not paid.

Public comment: None

MOTION

Larry Weeks motioned to set a lien on the property in the amount of \$2,500. Karen Valachovic seconded and the motion passed unanimously.

c. CE2023-0259

Direct Home Buyer1 Inc.
Christa Jackson
118 Lincoln St
Ch 19 Sec 19-3
Lien Hearing

Barry Fox relayed case information, property was found in violation and the board issued a fine set at \$5,000. On August 8, 2023, respondent went before the board to request a fine reduction. The fine reduction was denied, and the respondent had 30 days to pay. The fine was not paid.

Public comment: None

MOTION

Jan Kelly motioned to issue an order of lien at \$5,000. Larry Weeks seconded, and the motion passed unanimously.

d. CE2009-4299

Jig Management LLC Et Al,
Mitchell Management Inc
James Mays
Betty Mays-Phillip
Maryann Mays
Gregory Mays
Tanya Mays
Jeffery Mays
Agnetta Moultrie
Andre Taylor
95 Evergreen
Ch 8 Sec 8-301
Compliance Hearing

Barry Fox relayed case information. On February 9, 2010 the board issued a fine set at \$1,750. On August 31, 2023 the fine was paid in full and the property is in compliance.

Public comment: None

MOTION

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
September 12, 2023

Karen Valachovic motioned to find the property in compliance and recommended the City Commission issue an order to release the lien. Marylin seconded, motion passed unanimously.

e. CE2023-0349

Jlb Management company LLC
Justin Hoffnagle
169 Martin Luther King Ave
Ch 25 Sec 25-56
Compliance Hearing

Barry Fox relayed case information, the fine was set at \$7,500. The fine was paid in full replacement trees were planted.

Public comment: None

MOTION

Larry Weeks motioned to close case for compliance. Tom Day seconded and the motion unanimously.

f. CE2023-0314

16 Paws Realty Mgmt. LLC
Susan Valzovano
54 Carrera St
Ch 28 Sec 28-90
Compliance Hearing

Barry Fox relayed case information, the fine of \$2,500 was paid in full.

Public comment: None

MOTION

Marylin Garrett motioned to close for compliance. Tom Day seconded and CeCe Reigle recused herself from the vote. The motion passed.

9. CITY ATTORNEY ITEMS

(None)

10. OTHER BUSINESS

(None)

11. ADJOURNMENT

3:56 PM ADJOURNED.

Jan Kelly, Chairperson

Emily Howington, Administrative Coordinator, Recording Secretary

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 56 Carrera St / CE 2023-0305: Ch 8 Sec 8-608

- On May 19, 2023, a member of staff observed two front exterior doors and 19 exterior windows had been replaced without obtaining building permits.
- On August 8, 2023, the CEAAB heard this case and issued an “Order Finding Violation” which allowed the respondent 7 days to correct the violation by obtaining a building permit.
- As of the the compliance date of August 17, 2023 no building permits have been obtained.



08/08/2023 07:34

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

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2023-0305

IN THE MATTER OF:

**Bcs Acquisition Group LLC
56 Carrera Street.
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, Building construction without a permit.

VIOLATION SITE: **56 Carrera Street, St. Augustine, FL 32084**

LEGAL DESCRIPTION: **2-39 MODEL LAND CO SUB CITY LOT 7 BLK E
OR5594/163**

PARCEL NUMBER: **204070 0000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **AUGUST 8, 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 August 8, 2023, 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 May 19, 2023:

Two front exterior doors and 19 exterior windows have been replaced without obtaining 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, Building construction without a permit.

4. On May 22, 2023, the Planning and Building Department sent an “**Official Notice of Violation**” to formally advise the respondent of the violation, via certified mail.
5. On July 20, 2023, the Planning and Building Department sent the respondent, via certified mail, an “**Official Notice of CEAAB Hearing**” AND a Posting Affidavit was placed at the property and with the City Clerk’s office for the CEAAB Hearing for August 8, 2023.

6. **On August 8, 2023, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an "Order Finding Violation" which allowed the Respondent seven (7) days from the date of the "Order" to correct the violation by obtaining a building permit.**
7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, September 12, 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 **8TH DAY OF AUGUST, 2023**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

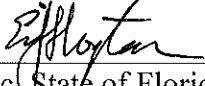


Jan Kelly, Chairman
Code Enforcement, Adjustments & Appeals Board

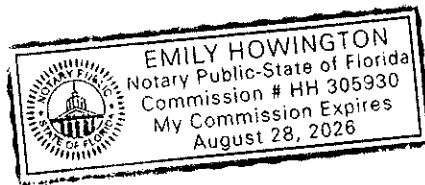
STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, 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 14 day of August, 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 \$500 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 111 Zoratoa Ave / CE 2021-0219: Ch 19 Sec 19-4

- On November 9, 2021 the CEAAB found the property in violation and moved to continue an existing order of a fine in the amount of \$250 per day until compliance.
- On March 8, 2022, the CEAAB heard this case issued an "Order Imposing a Fine" in the amount of \$5,000. On April 12, 2022 the CEAAB issued an "Order Imposing Penalties and Lien" for the \$5,000 fine that was unpaid.
- On September 15, 2023 the current owner filed an Application to Appear to request the CEAAB recommend a reduction of lien to the City Commision.



01/08/2022 16:48

Sec. 2-213. - Powers.

Enforcement proceedings, conducting of hearings and powers of the code enforcement board shall be as provided by the Local Government Code Enforcement Board Act [F.S. § 162.01 et seq.].

The code enforcement board shall hear applications for reduction of fines or fees prior to recordation of lien and approve or deny applications based on the evidence presented after consideration of factors as outlined in section 162.09(2)(b).

The code enforcement board shall hear application for reduction of recorded liens and make recommendation for approval or denial to the city commission. The city commission shall make final determination and approve or deny reduction, modification, or release of recorded liens.

(Code 1964, § 2-73; Ord. No. 20-31, § 1, 12-14-20)

RECEIVED

AUG 25 2023

Planning/Building Dept.

CITY OF ST. AUGUSTINE

A15-APPLICATION TO BOARD OF ADJUSTMENTS AND APPEALS

Application Fee 100.00

BDAC No. _____

Receipt No. 2700080Meeting Date October 10, 2023Deadline Date September 15, 2023

PLEASE PRINT OR TYPE

1. ACTION REQUESTED: ☐ Building Code Variance ☐ Appeal of Staff Determination
Other Appeal of lien on house / reduction of lien
2. NAME OF APPLICANT Skye and Devon Philcox Daytime Telephone 904-429-8177
Address 111 Zoratoa Avenue city St. Augustine State FL Zip 32080
3. NAME OF PROPERTY OWNER Devon and Skye Philcox Telephone 904-429-8177
Address 111 Zoratoa Avenue city St. Augustine State FL Zip 32080
4. PROJECT STREET ADDRESS 111 Zoratoa Avenue
5. TYPE OF CONSTRUCTION Existing none Proposed none
6. BUILDING USE Existing none Proposed none
7. REASON FOR ACTION REQUESTED:

Justification:

During the time that the lien was placed onto the property my father was ill, and could not manage care of the property alone. My sister and I were unaware

Hardship:

My father was ill for a long time before his death. While my sister and I cared for him he was not able to communicate the ongoing issues at 111 Zoratoa Avenue that need to be addressed

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

[Signature]
SIGNATURE OF APPLICANT

8/25/23

DATE

[Signature]
SIGNATURE OF PROPERTY OWNER

8/25/23

DATE

MISCELLANEOUS PAYMENT RECPT#: 2700080
CITY OF SAINT AUGUSTINE
50 Bridge Street

St. Augustine, FL 32084

DATE: 08/25/23 TIME: 14:54:50
CLERK: 1596pcoun DEPT: Plannin
CUSTOMER#:

COMMENT:

CHG: BDFEE BOARD APP & APP 100.00

AMOUNT PAID: 100.00

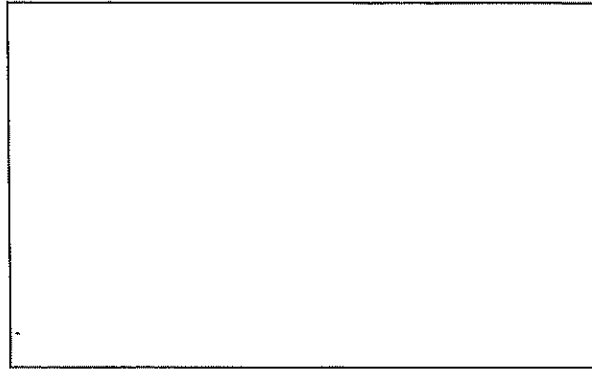
PAID BY: ILSE A PHILCOX
PAYMENT METH: CHECK
 810

REFERENCE:

AMT TENDERED: 100.00
AMT APPLIED: 100.00
CHANGE: .00
VA

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

**ORDER
IMPOSING PENALTIES AND
LIEN
CEAAB CASE NO. 2021-0219**



IN THE MATTER OF:

JAMES A. PHILCOX
111 ZORATOA AVENUE
ST. AUGUSTINE, FL 32080
(Hereinafter referred to as Respondent)

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

ORDER

THIS MATTER originally came before the Board for public hearing on **October 12, 2021** 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 reduced to writing and furnished to the Respondent(s) to take corrective action by time certain, as more specifically set forth in that order. On November 9, 2021, this Board conducted a compliance hearing and determined that the Board's order of October 12, 2021, had not been complied with.

Based on the evidence and testimony presented at the **March 8, 2022** hearing, the Board finds that the required corrective action **has** been taken as ordered which constitutes compliance with the City Code, Chapter 19, Section 19-4.

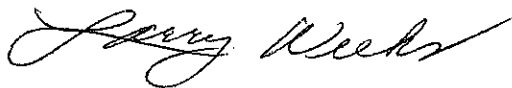
The Board's previous order set forth a compliance date of ten (10) days from the date of the "Order", and a fine of \$250 for each day the violation continues beyond the referenced compliance date. On November 9, 2021, the Board found the property in violation and moved to continue the existing order of a fine in the amount of \$250 per day until the property is brought into compliance. On **March 8, 2022**, the Board issued an "Order Imposing a Fine" in the amount of **\$5000.00**, and allowed the Respondent thirty (30) days from the date of the "Order" to pay the fine in full, in the amount of **\$5,000.00**.

IT IS HEREBY ORDERED that the above described fine in the amount of **\$5000.00** is hereby pending against the Respondent(s) for the violation that existed upon the following described property, situated in St. Augustine, Florida, to wit:

Violation Site: 111 Zoratoa Avenue
Legal Description: 3-99 DAVIS SHORES LOTS 4 & 5 BLK 45 OR1270/1495
& 3932/788(F/J)
Parcel Number: 2196600000

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 SECTIONS 162.08 AND 162.09, 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) 825-1066.

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

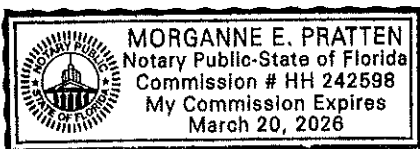


LARRY WEEKS, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

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, 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 she executed the same for the purposes therein expressed.

Witness my hand and official seal, this 18 day of APRIL, A.D., 2022.


Notary Public, State of Florida

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 54 Carrera St / CE 2023-0333: Ch 8 Sec 8-608

- On August 8, 2023 the CEAAB heard this case and issued an "Order Finding Violation" which allowed the respondent 7 days from the date of the order to correct the violation by obtaining a building permit after which if compliance is not met a fine of up to \$250 per day will be issued for each day the property is out of compliance.
- As of August 28, 2023 the respondent has obtained a building permit and the property is now in compliance.



FOR SALE

BERKSHIRE
HATHAWAY
HOMESERVICES
FOURSTAR
REALTY

Scan
QR Code
For Info

Christine Matkalo
904-347-9976
christine@fourstar.com

08/08/2023 07:35

AFFIDAVIT OF COMPLIANCE

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

16 Paws Realty Mgmt. LLC

54 Carrera Street

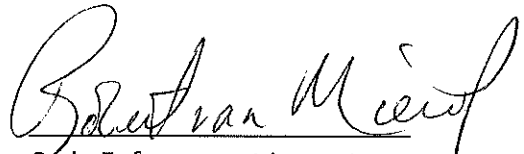
St. Augustine, FL 32084

Respondent

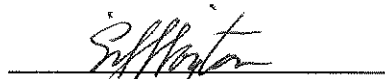
CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2023-0333

I, Robert van Mierop, have personally examined the property described in the Code Enforcement Order dated August 8, 2023, in reference to the above case, and find that said property is **NOW** in compliance with the City of St. Augustine Code of Ordinance(s) Chapter 8, Section 8-608 as of August 28, 2023.

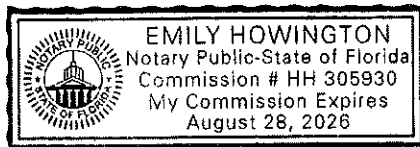
FURTHER, Affiant saith not.


Code Enforcement Inspector

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


Notary Public, State of Florida

My Commission Expires: 28 day of August, 2026.



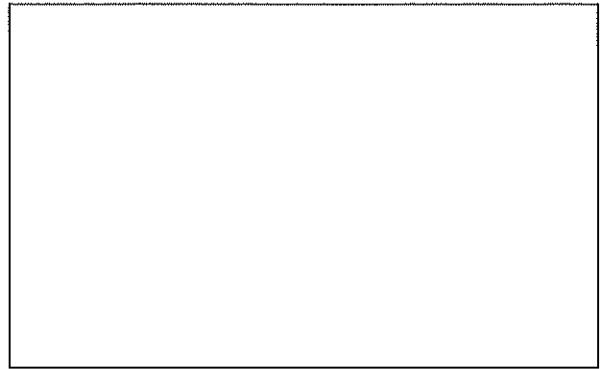
BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS AND APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2023-0333

IN THE MATTER OF:

**16 Paws Realty Mgmt. LLC
C/O Susan Valzovano
54 Carrera Street.
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, Building construction without a permit.

VIOLATION SITE: **54 Carrera Street, St. Augustine, FL 32084**

LEGAL DESCRIPTION: **2-39 MODEL LAND CO SUB CITY LOT 8 BLK E
OR4517/1487**

PARCEL NUMBER: **204080 0000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD
TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **AUGUST 8, 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 August 8, 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 May 24, 2023:

**Exterior windows in the front and on the east and west sides of the structure
have been replaced with no 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, Building construction without permit.

4. On April 18, 2023, the Planning and Building Department sent an “**Official Notice of Violation**” to formally advise the respondent of the violation, via certified mail.
5. On June 26, 2023, the Planning and Building Department sent the respondent, via certified mail, an “**Official Notice of CEAAB Hearing**” AND a Posting Affidavit was placed at the property and with the City Clerk’s office for the CEAAB Hearing for July 11, 2023.

6. **On August 8, 2023, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an "Order Finding Violation" which allowed the Respondent seven (7) days from the date of the "Order" to correct the violation by obtaining a building permit after which if compliance is not met a fine of up to \$250 per day will be issued for each day the property is out of compliance.**
7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, September 12, 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 **8TH DAY OF AUGUST, 2023**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

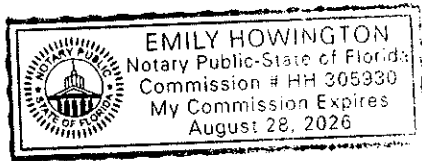


Jan Kelly, Chairman
Code Enforcement, Adjustments & Appeals Board

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, 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 14 day of August, A.D., 2023.



[Signature]
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 \$500 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 95 Evergreen Ave/ CE 2009-4299:

- On February 9, 2010 the CEAAB issued an "Order Imposing Lien" in the amount of \$1,750 for the cost incurred by the City for abatement of the property by removing an unsafe building.
- On August 31, 2023 the remaining balance of the lien in the amount of \$550 was paid in full bringing the property into compliance.
- On September 25, the City Commission voted to release the lien.

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

ORDER RELEASING LIEN
CEAAB CASE NO. 2009-4299

Public Records of St. Johns County, FL
Clerk number: 2023077020
BK: 5833 PG: 496
9/29/2023 2:44 PM
Recording \$18.50

IN THE MATTER OF: **LOTTIE MAYS, ET AL**
 218-99TH AVENUE
 QUEENS VILLAGE
 JAMAICA, NEW YORK 11429-1206

VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:
 CITY CODE, CHAPTER 8, SECTION 8-301

LIEN FILED AGAINST: **LOTTIE MAYS, ET AL**

VIOLATION SITE: **95 EVERGREEN AVENUE, ST. AUGUSTINE, FLORIDA 32084**

LEGAL DESCRIPTION: **GREENO TRACT LOT 1 & E1/2 OF LOT 2 BLOCK 6**
 OR1913/1685 (ORD SUMM/ADMIN) & 1914/1632 (S/A) &
 2328/555(H/R)

PARCEL NUMBER: **103770-0000**

ORDER

THIS MATTER having come to be heard before the Code Enforcement, Adjustments and Appeals Board of the City of St. Augustine, and this Board having entered the following Order:

➤ **ORDER IMPOSING A LIEN**

- Dated February 12, 2010
- Recorded in O.R. Book 3287, Page 528 on February 17, 2010

And the Board, being fully advised in the premises, hereby finds:

➤ **THE ABOVE REFERENCED LIEN HAS BEEN PAID IN FULL.**

THEREFORE, it is hereby ordered that the lien against the property, as established in the Order referenced herein, is hereby released.

IN WITNESS WHEREOF, this Order Releasing Lien has been duly signed and executed by the Lienor, this 25th day of September, 2023.

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

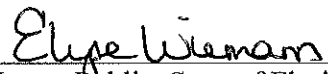
By: 
Nancy Sikes-Kline, Mayor-Commissioner

ATTEST:



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

WITNESS my hand and official seal, this 25th day of September, 2023.


Notary Public, State of Florida

(SEAL)

