CITY OF ST AUGUSTINE EST. 1565

CITY OF ST. AUGUSTINE SPECIAL MAGISTRATE CODE ENFORCEMENT

A G E N D A

WEDNESDAY, SEPTEMBER 4, 2024 - 9:00 AM

ALCAZAR ROOM

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1. Swearing in of Staff
2. Approval of Minutes
3. Modifications to the Agenda
4. General Public Comments for Items Not on the Agenda
5. New Violation Hearing

   a) CE2024-0407
   Hardy Richard
   Hardy Tracey
   117 Inlet Drive
   Ch. 11 Sec. 11-28(a)- Issuance of building permits

   b) CE2024-0426
   Smith Chad K
   71 Masters Dr
   Ch. 25 Sec. 56- Tree removal and replacement

   c) CE2024-0459
   Paper Root Industries LLC
   Dettra Gregory P
   213 W King St
   Ch. 17 Sec.17-72- Engaging in business without a receipt

6. Fine Assignment Hearing

a) CE2024-0227
Bicknell Family Trust
Bicknell Lee
19 Milton St
Ch.19 Sec. 19-3- Unlawful conditions.

b) CE2024-0374
Mis Ventures LLC
30 St. George St
Ch. 8 Sec. 608- Permit required.

c) CE2024-0384
Stewart Luther C III
Stewart Jodi Lynn
311 Anastasia Blvd
Ch. 3 Sec. 3-23- Signs regulations generally. (i) obsolete signs

7. Fine Reduction Hearing

a) None

8. Lien Hearing

a) CE2022-0217
Valerie Lee Properties LLC
Lee Valerie
38 White St E
Ch. 8 Sec. 608- Permits required.

9. Compliance Hearing

a) CE2024-0308
Santigo Antonio
Riberio Gilza Barreto
72 Anderson St
C. 25 Sec 25-56- Tree removal and replacement

b) CE2024-0342
Rimel Aaron J
Ramkisson-Rimel Asha
37 S. Whitney St
Ch. 25 Sec. 25-56- Tree
removal and replacement

10. Previously Heard Cases Update
11. City Attorney Items
12. Other Business
13. 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 <u>they may not engage in a discussion or debate amongst themselves</u> 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

Special Magistrate Hearing
August 7, 2024

The Special Magistrate held a hearing formal session at 9:00am, Wednesday, August 7, 2024, in the Alcazar Room at City Hall. The meeting was called to order by Becky Vose, Special Magistrate, and the following were present:

Becky Vose, Special Magistrate

Staff Present:

April Owen, Assistant City Attorney
Richard "Buddy" Schauland, Building Official
Barry Fox, Code Enforcement Manager
James Tomaselli, Code Enforcement Officer
Curtis Boles, Code Enforcement Officer
Morganne Lanni, Code Enforcement Officer
Emily Howington, Administrative Coordinator, Recording

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2. INTRODUCTION TO Becky Vose, SPECIAL MAGISTRATE

3. SWEARING IN OF STAFF

4. APPROVAL OF MINUTES
The July 3rd and June 5th minutes were approved.

5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Bj kaladi w city st Augustine. Asked about commenting on items on the agenda.

6. MODIFICATIONS TO THE AGENDA
Barry Fox requested the Special Magistrate remove case CE2024-0240 on 208 Alcazar Street, fine assignment hearing item 7b. The item was removed from the agenda.

7. REVIEW OF NEW CASES

a. CE2024-0337
Shanks Mary Joe Living Trust Etal
Kingwood Essie Estelle
Jones James Arthur
Jones Wayne Alexander
Jones Wayne Arthur
Reese Jimmy Lee Paul
Blount Rhonda Lavone
100 Fred Waters Way
Ch. 8 Sec. 3-1-Property maintenance code

Barry Fox provided case information and James Tomaselli gave testimony. On April 7, 2024, staff observed rubbish and debris including a mattress. The boards on the on windows had been removed. Notice of Violation sent April 26, 2024, the property owner was given 10 days to correct the violation. On July 20, 2024, staff reinspected, and the property remained same. On July 20, 2024, a Notice of Hearing was sent. The respondents were not present at the meeting.

MOTION
The Special Magistrate issued an Order Finding in Violation and allowed the property ten days to come into compliance by boarding up the windows and if not met a fine up to $250 day will be issued.

DRAFT

b. CE2024-0393

Indigo Partners LLC
Sea Breeze Homes of the First Coast LLC
Nahmias Scot
Finn Kevin
Zentko Gene
125 Spoonbill Point Ct
Ch. 25 Sec. 25-56- Tree removal and replacement.

Barry Fox relayed case information and James Tomaselli gave testimony. On May 16, 2024, staff observed several trees had been removed from the lot. Notice of Violation sent on May 17, 2024. Notice of Hearing issued. Becky Vose asked Barry Fox about details of requirements for replacing cedar trees. Respondent is present Kevin Finn, 107 Vedra landing court. Becky Vose asked respondent about plans for replacement trees.

MOTION

The Special Magistrate issued an Order Finding in Violation and issued a $500 fine and required a replacement with two red cedar trees according to city code requirements and gave 45 days for compliance.

8. REVIEW OF PREVIOUSLY HEARD CASES

a . CE2024-0227

Bicknell Family Trust
Bicknell Lee
19 Milton St
Ch. 19 Sec. 19-3- Unlawful conditions.

Barry Fox provided case information and updates April 9 significant efforts made but remained in violation. Case tabled in July. August 6 property is still in violations. Barry fox state improvements still have been made and the goal is compliance. Presented Becky Vose with letter from a member of the church neighboring the property, the letter was read on the record. Respondent is present, lee Bicknell, 19 Milton Street.

MOTION

The Special Magistrate tabled the case to the September hearing.

a. CE2024-0240

Sinclair Jason
Sinclair Kelley
208 alcazar St
Ch. 8 Sec 608

This item was removed from agenda.

b. CE2022-0217

DRAFT

CITY OF ST. AUGUSTINE, FLORIDA

Special Magistrate Hearing
August 7, 2024

Valerie Lee Properties LLC
Lee Valerie
38 White St E
Ch. 8 Sec. 8-608- Permit required.

Barry Fox relayed case information and provided updates. On June 6, 2022, staff observed exterior staircase built with no permit. The fine threshold of 50,000 has been reached and not been paid and property was not in compliance Respondent is present, Valerie Lee, 23 Grove Ave stated she had not received notices. Staff presented receipts from certified mail notices to Becky Vose.

MOTION
The Special Magistrate tabled case until September 4.

c. **CE2024-0268**
Roots Construction Group
Largay Joseph
6 S Whitney St.
Ch. 28-Sec.337-Parking, storage or use of major recreational equipment.

Barry Fox relayed case information and provided updates. On July 9th property came into compliance by removing the pontoon boat from the property.

MOTION
The Special Magistrate stated staff may close the case administratively.

d. **CE2024-0331**
Rast Delana I
35 San Marco Ave
Ch. 8 Sec. 301-Property maintenance code.

Barry Fox relayed case information and provided updates. The property came into compliance on July 18th, 2024, by correcting violation securing electrical wiring.

MOTION
The Special Magistrate issued an ordered closing case for compliance.

9. **CITY ATTORNEY ITEMS**
None

10. **OTHER BUSINESS**
None

11. **ADJOURNMENT**
10:03AM

Becky Vose, Special Magistrate

Emily Howington, Administrative Coordinator, Recording Secretary

DRAFT

CITY OF ST. AUGUSTINE
MEMORANDUM

TO: Code Enforcement Special Magistrate

DATE: August 21, 2024

SUBJECT: Case Number: CE2024-0407

RESPONDENT: Richard L. Hardy
Tracey Y. Hardy

LOCATION: 117 Inlet Drive, Saint Augustine, FL 32080;
Parcel Number 2139190010

VIOLATION: City Code, Chapter 11, Sec. 11-28(a) – Issuance of Building Permits

BACKGROUND INFORMATION:

My name is James Tomaselli, and I have been sworn in. I am a Code Enforcement Officer for the City of St Augustine, in this capacity for approximately 8 months. This case, number CE2024-0407, concerns the property located at **117 Inlet Drive**, in the City of Saint Augustine, located in Saint Johns County, FL. According to the official records of the Property Appraiser of St. Johns County, the property owners are, **Richard L. Hardy** and **Tracey Y. Hardy**, and it is reflected as such on the agenda for today's meeting.

On May 24, 2024, it was reported work was being performed within the conservation overlay, located on the property. Upon arrival on scene, I observed a backhoe loading different size boulders aka Rip Rapp at the east end of the property beyond the existing sea wall and into an area determined to be the "Conservation Overlay." I conducted a search of the city database to determine if any permits have been issued at the property for construction related work and determined no applications have been filed. I spoke with the owner, Mr. Hardy, who observed me parked down the street from the residence and initiated contact. I advised him of the violation and discussed how to come into compliance. Mr. Hardy stated he was a contractor, and no permit was required.

Upon the completion of the initial ten-day compliance period, and after noting the violation remained as no permits had been applied for, I issued an Official Notice of Violation to **Richard L. Hardy** and **Tracey Y. Hardy**, on June 13, 2024. In the notice, I cited a violation of the City of Saint Augustine Code, **Chapter 11, Sec. 11-28(a) – Issuance of Building Permits**, for failure to obtain the proper permits prior to the performance of work.

The Notice of Violation was delivered to the Respondents by certified mail and posted to the property on June 13, 2024. In the Notice of violation, the Respondents were given ten (10) days

to correct the violation and were informed of the need to contact the City of Saint Augustine's Code Enforcement office upon doing so.

I have established contact with the respondent. I feel the respondent does understand the violation. On May 24, 2024, I photographed the property. The photograph accurately shows what I saw on that date and has not been altered in any way. On June 21, 2024, I reinspected the property and noted the property owner had not removed the Rip Rapp and added additional topsoil to the property. Again, the photographs I present accurately show what I observed on May 24, 2024 and have not been altered in any way. Because compliance was not achieved, a Notice of Hearing was issued on June 21, 2024, which was delivered to the Respondents via certified mail, and posted upon the property.

Due to the continuance regarding the previous Hearing, Respondent was issued a Notice of Hearing on 8/21/2024 via Certified Mail, regarding this Hearing.

That concludes my presentation at this time pending any questions you may have.

James Tomaselli
Code Enforcement Officer

Sec. 11-28. - Issuance of building permits.

(a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

(b) The planning and building division may issue permits for additions to existing structures, for construction of new secondary structures, such as fences, driveways, decks, patios, greenhouses, garages and sheds, and use permits for uses otherwise permitted to be conducted in these structures located in Conservation Overlay Zone 2 when no drainage into the marsh is proposed, no significant alteration of surface water hydrology will occur and native plant materials are preserved or replaced. The planning and building division may issue permits for the construction of new primary structures located in Conservation Overlay Zone 2 when the above conditions are met and when the subject property contains a seawall, bulkhead or rip rap shoreline, or is located within one hundred fifty (150) feet of existing development and the primary structure is located no closer to the marsh edge or to the mean high water line than are adjacent primary structures. In addition, such additions and new structures may not exceed the lesser of seventy-five (75) feet or seventy-five (75) percent of the lot width.

(c) The planning and building division may issue permits for structures and uses otherwise permitted and located within Conservation Overlay Zone 3 provided that all healthy significant trees are retained on the site.

(d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

(Code 1964, § 7-114; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 09-17, § 1, 5-11-09; Ord. No. 19-03, § 1, 1-28-19)

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

CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF SPECIAL MAGISTRATE HEARING

August 19, 2024

IN THE MATTER OF: Name: Hardy Richard
Hardy Tracey Y

Address: 117 Inlet Drive, St. Augustine, FL 32080

Case #: CE2024-0407

HEREBY KNOWN AS RESPONDENT(S)

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida
Code Section: Chapter 11, Sec. 11-28 (a)- Issuance of Building Permits

SITE OF VIOLATION: 117 Inlet Drive, St. Augustine, FL 32080

LEGAL DESCRIPTION: (12-39 EL CHAR SUB LOTS 1 & 2 & 3-097 SHORES LOTS 87 & 88 BLK 1 OR4151/1414 (T/R) & 4777/572

PARCEL NUMBER: 2139190010

The purpose of this letter is to notify you that the City of St. Augustine Special Magistrate will meet on **Wednesday, September 4, 2024, at 9:00 a.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:

Unapproved material was dumped in the conservation overlay zone without prior approval from the Planning and Building Department.

This is your "Official Notice" for you or your representative to appear before the Special Magistrate to respond to your violation. The Special Magistrate 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 Special Magistrate. 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 Special Magistrate.

Notice of Hearing
CE2024-0407

In accordance with Florida Statutes 286.0105: "If any if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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

Barry Fox
Code Enforcement Manager

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

Certified Mail Number: **9489 0090 0027 6577 5187 15**

cc: David Birchim, City Manager

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

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

CODE ENFORCEMENT DIVISION

June 12, 2024

IN THE MATTER OF: Name: **Richard L. Hardy**
Tracey Y. Hardy

Address: **117 Inlet Drive St Augustine Fl 32080**

Case #: **CE2024-0407**

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

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

Code Section: Chapter 11, Sec. 11-28(a) – Issuance of Building Permits

SITE OF VIOLATION: **117 Inlet Drive St. Augustine, FL.**

LEGAL DESCRIPTION: 12-39 EL CHAR SUB LOTS 1 & 2 & 3-97 DAVIS SHORES LOTS 87 & 88 BLK 1 OR4151/1414(T/R) & 4777/572

PARCEL NUMBER: 2139190010

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on May 24, 2024 which revealed the following violations:

UNAPPROVED MATERIAL WAS DUMPED INTO THE CONSERVATION OVERLAY ZONE WITHOUT PRIOR PLANNING AND ZONING APPROVAL.

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: **REMOVE THE UNAPPROVED MATERIAL OR OBTAIN CITY OF ST AUGUSTINE PLANNING AND ZONING BOARD APPROVAL.**

Notice of Violation
CE2024-0407

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.

J. TOMASELLI
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: 9489 0090 0027 6577 5171 45

cc: David Birchim, City Manager

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

Hardy, Richard
Hardy, Tracey Y.

117 Inlet Drive
Saint Augustine Fl. 32084

Respondents

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: **CE2024-0407**

I, James Tomaselli, being duly sworn and deposed say:

1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. Pursuant to Florida Statute 162.12, on August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated September 4, 2024.
3. That on August 21, 2024, I
   - [x] Mailed said Notice by Certified U.S. Mail to Respondents, at the above listed
   - [ ] That on, _____, I Hand delivered said Notice to _____ At_____.

FURTHER, Affiant saith not.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

Hardy, Richard
Hardy, Tracey Y.

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: **CE2024-0407**

I, James Tomaselli, being duly sworn and deposed say:

1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. Pursuant to Florida Statute 162.12, on August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated September 4, 2024.
3. That on_____, I
   ☐ Posted said Notice on the property located at
   _____.
4. That on August 21, 2024, I
   ☑ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St., St. Augustine, FL.

FURTHER, Affiant saith not.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024

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

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

2024 TRIM Notice

2024 TRIM Notice (PDF)

Summary

Parcel ID	2139190010
Location Address	117 INLET DR SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores (ICWFR) (590.05)
Tax Description*	12-39 EL CHAR SUB LOTS 1 & 2 & 3-97 DAVIS SHORES LOTS 87 & 88 BLK 1 OR4151/1414(T/R) & 4777/572 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	El-Char Subdivision
Sec/Twp/Rng	17-7-30
District	City of St Augustine (District 452)
Millage Rate	18.872
Acreage	1.180
Homestead	Y

Click Here to Open Cyclomedia Viewer in a New Tab

Owner Information

Owner Name	Hardy Richard L,Tracey Y 100% Hardy Tracey Y 100%
Mailing Address	117 INLET DR SAINT AUGUSTINE, FL 32080-3812

Exemption Information

Exemption Type	Status	Amount
Homestead		$50,000

Map

CITY OF ST. AUGUSTINE
MEMORANDUM

TO: **Code Enforcement Special Magistrate**

DATE: **August 22, 2024**

SUBJECT: **Case Number: CE2024-0426**

RESPONDENT: **Chad K Smith**

LOCATION: **71 Masters Drive, Saint Augustine, FL 32084;**
Parcel Number 1094800000

VIOLATION: **City Code, Chapter 25, Section 25-56 – Tree removal and replacement.**

BACKGROUND INFORMATION:

My name is Morganne Lanni, and I have been sworn in. I am a Code Enforcement Officer for the City of St Augustine, in this capacity for approximately two years. This case, number CE2024-0426, concerns the property located at 71 Masters Drive, in the City of Saint Augustine, located in Saint Johns County, FL. According to the official records of the Property Appraiser of St. Johns County, the property owner is Chad K Smith, and it is reflected as such on the agenda for today's meeting.

On June 18, 2024, I received information from our Planning Manager that he had received information that a large Cedar tree had been removed without permits or approvals at 71 Masters Drive. He also informed me that this property had been scheduled to appear before the Planning and Zoning Board on March 5, 2024 to have the tree removal approved, but the application had been withdrawn by the owner as of March 1, 2024. Upon inspection, I observed a cedar tree had indeed been removed, only the partial stump and debris from removal remained. Based upon the investigation, I issued a Notice of Violation to the Respondent, on July 8, 2024. In the notice, I cited a violation of the City of Saint Augustine Code, Chapter 25, Section 25-56, for removal of the large cedar tree.

The Notice of Violation was delivered to the Respondent by certified mail. In the Notice of violation, and based on the possible irreversible/ irreparable nature of this violation, the Respondent was given instructions to appear before the Code Enforcement Special Magistrate for remediation.

I have established contact with the respondent. He did advise me that an arborist report was on file for the tree. I advised him the arborist report was only applicable for removal of trees located on residentially zoned properties. I feel the respondent does understand the violation. On June 18, 2024, I photographed the property. The photographs accurately show what I saw on that date and have not been altered in any way. On July 1, 2024, I reinspected the property and the photographs accurately reflect what I saw on that day. A Notice of Hearing was issued on August 19, 2024, which was delivered to the Respondent via certified mail.

That concludes my presentation at this time pending any questions you may have.

Morganne E. Lanni

Morganne E Lanni
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.

Jun 18, 2024 at 2:23:11 PM
CE INSP M.LANNI

Jun 18, 2024 at 2:23:52 PM
CE INSP M.LANNI

Jul 1, 2024 at 11:18:08 AM
CE INSP M.LANNI

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

CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF SPECIAL MAGISTRATE HEARING

August 19, 2024

IN THE MATTER OF:

Name: Smith Chad K

Address: 71 Masters, St. Augustine, FL 32084

Case #: CE2024-0426

HEREBY KNOWN AS RESPONDENT(S)

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

SITE OF VIOLATION: 71 Masters Drive, St. Augustine, FL 32084

LEGAL DESCRIPTION: 1-116 RAVENSWOOD SUB LOTS 1 & 2 BLK 41-B (EXT N30FT ESMT IN OR36/318) OR4097/1369

PARCEL NUMBER: 1094800000

The purpose of this letter is to notify you that the City of St. Augustine Special Magistrate will meet on **Wednesday, September 4th, 2024, at 9:00 a.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:

Cedar tree removed without permit.

This is your "Official Notice" for you or your representative to appear before the Special Magistrate to respond to your violation. The Special Magistrate 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 Special Magistrate. 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 Special Magistrate.

In accordance with Florida Statutes 286.0105: "If any if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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.

Margaret E. Larsi

Code Enforcement Inspector

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

Certified Mail Number: **9489 0090 0027 6577 5159 74**
9489 0090 0027 6577 5159 81

cc: **David Birchim, City Manager**

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

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

CODE ENFORCEMENT DIVISION

July 8, 2024

IN THE MATTER OF: Name: Smith Chad K

Address: 134 RIBERIA ST #6
SAINT AUGUSTINE, FL 32084

Case #: CE2024-0426

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

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

Code Section: Chapter 25, Sec. 25-56

SITE OF VIOLATION: 71 Masters Drive, Saint Augustine, FL 32084

LEGAL DESCRIPTION: 1-116 RAVENSWOOD SUB LOTS 1 & 2 BLK 41-B (EXT N30FT ESMT IN OR36/318) OR4097/1369

PARCEL NUMBER: 1094800000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on June 18, 2024 which revealed the following violations:

Cedar tree removed without a permit.

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. A fine of **$5000.00** may be imposed by the Special Magistrate. The violation may be corrected via:

Appear before the Code Enforcement Special Magistrate.

Notice of Violation
CE2024-0426

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 E. Lanni

Morganne E Lanni
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: 9489 0090 0027 6577 5168 89
9489 0090 0027 6577 5168 96

cc: David Birchim, City Manager
CEAAB File

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

CITY OF ST. AUGUSTINE
PO BOX 210
ST. AUGUSTINE, FLORIDA 32085-0210

ADDRESS SERVICE REQUESTED

9489 0090 0027 6577 5160 32

Label 890-PB, Oct. 2015
Pitney Bowes

Smith Chad
18 Ponce De Leon Blvd
SAINT AUGUSTINE, FL 32080

AFFIDAVIT OF PRIMARY SERVICE

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

CHAD K SMITH
134 RIBERIA ST #6
ST. AUGUSTINE, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0426

I, Morganne E. Lanni, 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 August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated September 4, 2024.
3. That on August 21, 2024, I
   [✓] Mailed said Notice by certified U. S. Mail to the respondent, at the above listed address.
4. That on _____, 2024, I
   [ ] Hand delivered said Notice to _____ at _____.

FURTHER, Affiant saith not.

Morganne E. Lanni
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

AFFIDAVIT OF SECONDARY SERVICE

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

CHAD K SMITH
134 RIBERIA ST #6
ST. AUGUSTINE, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0426

I, Morganne E. Lanni, 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 August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated Sep. 4, 2024.
3. That on _____, 20 24, I
   ☐ Posted said Notice on the property located at
   _____.
4. That on August 22, 20 24, I
   ☑ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St., St. Augustine, FL.

FURTHER, Affiant saith not.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Morganne E. Lanni
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

Apply for Exemptions

Apply for Exemptions

2024 TRIM Notice

Skip to main content

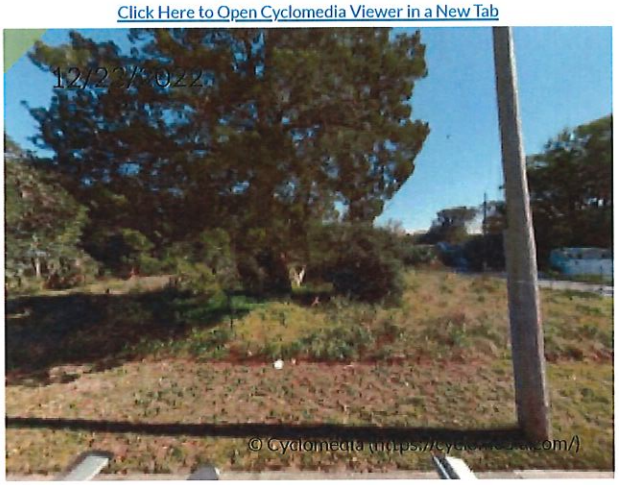
2024 TRIM Notice (PDF)

Summary

St. Johns County, FL

Parcel ID	1094800000
Location Address	71 MASTERS DR SAINT AUGUSTINE 32084-0000
Neighborhood	West St. Augustine (433)
Tax Description*	1-116 RAVENSWOOD SUB LOTS 1 & 2 BLK 41-B (EXT N30FT ESMT IN OR36/318) OR4097/1369 *The Description above is not to be used on legal documents.
Property Use Code	Vacant Residential (0000)
Subdivision	Whitneys Subdivision-Part Of Ravenswood
Sec/Twp/Rng	41-7-29
District	City of St Augustine (District 452)
Millage Rate	18.872
Acreage	0.220
Homestead	N

Click Here to Open Cyclomedia Viewer in a New Tab



Owner Information

Owner Name	Smith Chad K 100%
Mailing Address	134 RIBERIA ST #6 SAINT AUGUSTINE, FL 32084-0000

Map

Valuation Information

	2024
Building Value	$0
Extra Features Value	$0
Total Land Value	$133,000
Agricultural (Assessed) Value	$0
Agricultural (Market) Value	$0
Just (Market) Value	$133,000
Total Deferred	$88,569
Assessed Value	$44,431
Total Exemptions	$0
Taxable Value	$44,431

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

CITY OF ST. AUGUSTINE
MEMORANDUM

TO: **Code Enforcement Special Magistrate**

DATE: **August 21, 2024**

SUBJECT: **Case Number: CE2024-0459**

RESPONDENT: **Paper Root Industries LLC**
C/O Gregory P Dettra

LOCATION: **213 W King Street, Saint Augustine, FL 32084; Parcel Number 1198600010**

VIOLATION: **City Code, Chapter 17, Section 17-72- Engaging in business without a receipt.**

BACKGROUND INFORMATION:

My name is Morganne Lanni, and I have been sworn in. I am a Code Enforcement Officer for the City of St Augustine, in this capacity for approximately two years. This case, number CE2024-0459, concerns the property located at 213 W King Street, in the City of Saint Augustine, located in Saint Johns County, FL. According to the official records of the Property Appraiser of St. Johns County, the property owner is Paper Root Industries LLC, and it is reflected as such on the agenda for today's meeting.

On May 17, 2024, I received a complaint about the property located at 213 W King Street, Muggsy's Bar, regarding a mobile food truck, "Real Peel Pizza", operating on this property without a valid business tax receipt and reflecting such address. Upon inspection, I observed the food truck was still present. I confirmed with the permit technician responsible for Business Tax Receipts for the City of Saint Augustine, Victoria Murphy, that there was no paperwork on file for the food truck. I attempted contact with the business on-site several times over the next coming weeks with no success, and therefore made the decision to issue a Notice of Violation on July 9, 2024. In the notice, I cited a violation of the City of Saint Augustine Code, Chapter 17, Section 17-72, for engaging in business without a receipt.

The Notice of Violation was delivered to the Respondent by certified mail. In the Notice of violation, the Respondent was given ten (10) days to correct the violation and was informed of

the need to contact the City of Saint Augustine's Code Enforcement office upon doing so.

I have not established contact with the Respondent. I feel the respondent does understand the violation. On August 22, 2024, I photographed the property. The photograph accurately shows what I saw on that date and has not been altered in any way. On August 7, 2024, I confirmed again no contact had been made with Victoria Murphy to obtain a business tax receipt for the business located on site, and an Official Notice of Hearing was issued on August 21, 2024, which was delivered to the Respondents via certified mail.

That concludes my presentation at this time pending any questions you may have.

Morganne E. Lanni

Morganne E Lanni
Code Enforcement Officer

Sec. 17-72. - Engaging in business without a receipt; failure to comply.

It shall be unlawful for any person to exercise any of the privileges or to carry on, engage in or conduct any of the businesses, occupations or professions, specifically enumerated in section 17-73, without paying a business tax at the time and in the manner herein provided or fail to make reports to the city comptroller as provided herein, or to violate any other provision of this article.

(Ord. No. 06-33, § 1, 12-11-06)

Aug 22, 2024 at 11:08:10 AM
CE INSP M.LANNI
DAVIS ST
ONE WAY
213

Aug 22, 2024 at 11:08:02 AM
CE INSP M.LANNI
Budweiser
Real Peel
PIZZA
850-888-2094

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

CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF SPECIAL MAGISTRATE HEARING

August 19, 2024

IN THE MATTER OF:	Name:	Paper Root Industries LLC
	Agent:	Gregory P Dettra
	Address:	110 F Street
		St Augustine, FL 32080
	Case #:	CE2024-0459

HEREBY KNOWN AS RESPONDENT(S)

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

Code Section: Chapter 17, Section 72, Engaging in business without a receipt.

SITE OF VIOLATION:	213 W KING ST, Saint Augustine, FL, 32084
LEGAL DESCRIPTION:	1-43 BRAVO PARK N41.24FT OF LOTS 1 & 2 OR4131/991
PARCEL NUMBER:	1198600010

The purpose of this letter is to notify you that the City of St. Augustine Special Magistrate will meet on **Wednesday, September 4th 2024,** at **9:00 a.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:

Mobile food truck, "Real Peel Pizza" operating without a Business Tax Receipt.

This is your "Official Notice" for you or your representative to appear before the Special Magistrate to respond to your violation. The Special Magistrate 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 Special Magistrate. If the violation is corrected and then reoccurs, or if the violation is corrected

In accordance with Florida Statutes 286.0105: "If any if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 Violation
CE2024-0459

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 E. Lanni

Morganne Lanni
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: **9489 0090 0027 6577 5166 36**

9489 0090 0027 6577 5166 43

cc: David Birchim, City Manager

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

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

CODE ENFORCEMENT DIVISION

July 9, 2024

IN THE MATTER OF:	Name:	Paper Root Industries LLC C/O Gregory P Dettra
	Address:	110 F Street Saint Augustine, FL 32080
	Case #:	CE2024-0459

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

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

Code Section: Chapter 17, Sec. 17-72- Engaging in business without a receipt.

SITE OF VIOLATION:	213 West King Street, St. Augustine, FL 32084
LEGAL DESCRIPTION:	1-43 BRAVO PARK N41.24FT OF LOTS 1 & 2 OR4131/991
PARCEL NUMBER:	1198600010

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on June 24, 2024 which revealed the following violations:

Mobile food truck, "Real Peel Pizza" operating without a Business Tax Receipt.

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 Special Magistrate. The violation may be corrected via:

Obtain a business tax receipt for mobile food truck -or- remove food truck from City of Saint Augustine limits.

Notice of Violation
CE2024-0459

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 E. Lanni

Morganne E Lanni
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: **9489 0090 0027 6577 5166 81**

9489 0090 0027 6577 5166 98

cc: David Birchim, City Manager

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
PAPER ROOT INDUSTRIES LLC
110 F STREET
ST. AUGUSTINE, FL 32080

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0459

I, Morganne E. Lanni, 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 August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated September 4, 2024.
3. That on August 21, 2024, I
   [✓] Mailed said Notice by certified U. S. Mail to the respondent, at the above listed address.
4. That on _____ __, 2024, I
   [ ] Hand delivered said Notice to _____ at _____.

FURTHER, Affiant saith not.

Morganne E. Lanni
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

AFFIDAVIT OF SECONDARY SERVICE

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

PAPER ROOT INDUSTRIES LLC
110 F STREET
ST. AUGUSTINE, FL 32080

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0459

I, Morganne E. Lanni, 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 August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated Sep. 4, 2024.
3. That on August 22, 2024, I
   ☑ Posted said Notice on the property located at
   213 W King St, St. Augustine, FL 32084.
4. That on August 22, 2024, I
   ☑ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St., St. Augustine, FL.

FURTHER, Affiant saith not.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Morganne E. Lanni
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

Skip to Main Content

Apply for Exemptions

Apply for Exemptions

St. Johns County, FL

2024 TRIM Notice

2024 TRIM Notice (PDF)

Summary

Parcel ID	1198600010
Location Address	213 W KING ST SAINT AUGUSTINE 32084-0000
Neighborhood	West St Aug Industrial - Good (COM) (487.03)
Tax Description*	1-43 BRAVO PARK N41.24FT OF LOTS 1 & 2 OR4131/991 *The Description above is not to be used on legal documents.
Property Use Code	Nightclubs, Lounges,Bars (Owner Occupied) (3305)
Subdivision	Bravo Park, Plat Of Property Known As
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	18.872
Acreage	0.090
Homestead	N

Click Here to Open Cyclomedia Viewer in a New Tab

Owner Information

Owner Name	Paper Root Industries LLC 100%
Mailing Address	110 F ST SAINT AUGUSTINE, FL 32080-0000

Map

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 19 Milton / CE 2024-0219:

- On December 28, 2023, a member of staff observed the property was littered with unregistered/ inoperable vehicles and debris.

- On March 12, 2024, the CEAAB heard this case and issued an "Order Finding Violation" which allowed the respondent 10 days from the date of the order to correct the violation by cleaning up the property according code 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.

- On July 3, 2024 the Special Magistrate heard this case and tabled the matter until the August 7, 2024 hearing.

- The property is still out of compliance.

AFFIDAVIT OF NON-COMPLIANCE

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

BICKNELL FAMILY TRUST U/A/D 12/20/99
C/O BICKNELL, LEE

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0227

I, JAMES TOMASELLI, have personally examined the property described in the Code Enforcement Order dated JANUARY 19, 2024, in reference to the above case, and find that said property is **NOT** in compliance with the City of St. Augustine Code of Ordinance(s), Sec. 19-3 UNLAWFUL CONDITIONS as of AUGUST 28, 2024.

FURTHER, Affiant saith not.

Code Enforcement Inspector
James Tomaselli

SWORN TO AND SUBSCRIBED BEFORE ME THIS 29 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Jul 1, 2024 at 10:58:05 AM
CE INSP M.LANNI

Aug 28, 2024 at 10:13:15 AM
CE INSP J.TOMASELLI

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

CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF SPECIAL MAGISTRATE
HEARING FOR A FINE ASSIGNMENT

August 19, 2024

IN THE MATTER OF: Name: Bicknell Family Trust
C/O Lee Bicknell

Address: 19 Milton St, St. Augustine, FL 32084

Case #: CE2024-0227

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida
Code Section: Chapter 19- Sec. 19-3- Unlawful conditions

SITE OF VIOLATION: 19 Milton St, St. Augustine, FL 32084

LEGAL DESCRIPTION: 2-1 NELMAR TERRACE LOT 75
R949/1272&1548/640(L/E)

PARCEL NUMBER: 1545100000

The purpose of this letter is to notify you that the City of St. Augustine Special Magistrate will meet for a **Fine Assignment Hearing** regarding your case on **Wednesday, September 4th, 2024, at 9:00 a.m.** in the Alcazar Room at City Hall, 75 King Street.

This is your "Official Notice" for you or your representative to appear before the Special Magistrate to respond to your violation. The Special Magistrate 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 Special Magistrate. 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 Special Magistrate.

In accordance with Florida Statutes 286.0105: "If any if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he

or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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

Barry Fox
Code Enforcement Manager

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

Certified Mail Number: **9489 0090 0027 6577 5159 98**
9489 0090 0027 6577 5160 01

cc: David Birchim, City Manager

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.

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

ORDER FINDING VIOLATION

CEAAB CASE NUMBER: CE2024-0227

IN THE MATTER OF:

Bicknell Family Trust
C/O Lee Bicknell
19 Milton 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 19, Section 19-3, Unlawful conditions.

VIOLATION SITE: **19 Milton Street, St. Augustine, FL 32084**

LEGAL DESCRIPTION: **2-1 NELMAR TERRACE LOT 75 R949/1272&1548/640(L/E)**

PARCEL NUMBER: **1545100000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **MARCH 12, 2024,** AND, BASED ON THE EVIDENCE, HAS ADJUDGED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is the legal owner and/or occupant of the subject property and was duly notified of the hearing held on March 12, 2024, 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 28, 2023:

   The property was littered with unregistered/inoperable vehicles and debris throughout in violation of Chapter 19-3.

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

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

4. On January 29, 2024, the Planning and Building Department sent an **"Official Notice of Violation"** to formally advise the respondent of the violation, via certified mail.

5. On February 29, 2024, 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 March 12, 2024.

6. **On March 12, 2024, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an "Order Finding Violation" which allowed the Respondent ten (10) days from the date of the "Order" to correct the violation by cleaning the property according to code 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, April 9, 2024** 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 STATUES. 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 **12TH DAY OF MARCH, 2024**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Jan Kelly

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 21 day of March, A.D., 2024

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

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.

AFFIDAVIT OF PRIMARY SERVICE

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

Bicknell Family Trust
C/O Lee Bicknell

19 Milton Street
Saint Augustine Fl. 32084

Respondents

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: **CE2024-0227**

I, James Tomaselli, being duly sworn and deposed say:

1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. Pursuant to Florida Statute 162.12, on August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated September 4, 2024.
3. That on August 21, 2024, I
   - [x] Mailed said Notice by Certified U.S. Mail to Respondents, at the above listed
   - [ ] That on, _____, I Hand delivered said Notice to _____ At_____.

FURTHER, Affiant saith not.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

Bicknell Family Trust
C/O Lee Bicknell

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: **CE2024-0227**

I, James Tomaselli, being duly sworn and deposed say:

1. That I am employed by the City of St. Augustine Code Enforcement Department.
2. Pursuant to Florida Statute 162.12, on August 21, 2024, I received a copy of the attached Notice of Hearing for the hearing dated September 4, 2024.
3. That on _____, I
   ☐ Posted said Notice on the property located at
   _____.
4. That on August 21, 2024, I
   ☑ Posted said Notice at the City of St. Augustine Clerks Office located at 75 King St., St. Augustine, FL.

FURTHER, Affiant saith not.

Code Enforcement Inspector

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF August, 2024.

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

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 30 St. George St / CE 2024-0374: Ch. 8-608

- On May 3, 2024, a member of staff observed ta fence was constructed without approved permits.

- On July 3, 2024, the Special Magistrate heard this case and issued an "Order Finding Violation" which allowed the respondent 10 days from the date of the order to correct the violation applying for permits according code after which if compliance is not met a fine of up to $150 per day will be issued for each day the property is out of compliance.

- An affidavit of compliance is on file.

AFFIDAVIT OF COMPLIANCE

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

Mis Ventures LLC
6851 West Sunrise Blvd, STE 100
Plantation, FL 33313-4567

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0374

I, Morganne E. Lanni, have personally examined the property described in the Code Enforcement Order dated July 3, 2024, 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) 8-608- Permits req'd as of Aug 6, 2024.

FURTHER, Affiant saith not.

Morganne E. Lanni
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 6 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

BEFORE THE
SPECIAL MAGISTRATE
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION

CASE NUMBER: CE2024-0374

IN THE MATTER OF:

Mis Ventures LLC
30 St George St
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- Sec 8-608- Permit required

VIOLATION SITE: **30 St George St St. Augustine, FL 32084**

LEGAL DESCRIPTION: **CITY OF ST AUG Sl3FT LOT 5 ALL LOT 6 & 7 & 24 & LOT 25 (EX PT SOLD IN ORl 60/34) & 13 OF W9FT OF LOT 26 BLK 12 OR5729/968**

PARCEL NUMBER: 1973400000

THE SPECIAL MAGISTRATE HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **JULY 3, 2024,** 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 **July 3, 2024,** in accordance with Chapter 162 F.S.

The respondent and/or representative ____was / X was not present.

2. During a routine code enforcement inspection of the property, staff observed the following code violations on May 3, 2024:

Fence constructed without HARB approval or permits

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

City Code, Chapter 8-301 – Property maintenance code

4. On April 30, 2024, the Planning and Building Department sent an **"Official Notice of Violation"** to formally advise the respondent of the violation, via certified mail.

5. On May 8, 2024, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of Special Magistrate Hearing"** and posted a copy at the property and with the City Clerk's office for the Special Magistrate Hearing for July 3, 2024.

6. **On July 3, 2024, the Special Magistrate heard the testimony and examined the evidence of this case and issued the following order:**

"You are hereby informed that you / your property has been found to be:"

a. X In Violation.

b. _____ A Repeat Violation.

c. _____ An Irreparable / Irreversible Violation.

AND

a. _____ You are in Compliance, at the time of this hearing.

b. _____ No fine will be assigned and the case will be closed.

c. _____ Other:_____

_____

First Violation, Fine shall not exceed $250.00 a day…FSS 162.09(2)(a)

d. X You have 10 days to become compliant or a fine of up to $150 will be imposed for each day the violation continues.

Repeat Violation, Fine shall not exceed $500.00 a day…FSS 162.09(2)(a)

e. _____ A fine of up to $____ Will be imposed for each day the violation continues.

f. _____ You were in violation for _____ days, found to be compliant at this time, and the fine is set at $_____.

Irreparable / Irreversible Violation, Fine not to exceed $5,000.00 per violation…FSS 162.09(2)(a)

g. _____ and the Fine is set at $_____.

7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before the Special Magistrate for a compliance hearing on August, 7, **2024** at 9:00 A.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 hearing, at which time the Special Magistrate 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 STATUES. YOUR

30 St George St
Case No. CE2024-0374

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 **3RD DAY OF JULY, 2024**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Becky Vose

Becky Vose, Special Magistrate
City of St. Augustine

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, Becky Vose, 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 3 day of July, A.D., 2024.

Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Special Magistrate, 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 Special Magistrate may authorize the local governing body attorney to foreclose on the lien.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via U.S. Mail to MIS Ventures LLC,
30 St. George St, St Augustine FL 32084,
6851 W Sunrise Blvd, Plantation FL 33313 Ste 100
on this 3 day of July, 2024.

Signature

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

certified mail #s 9489 0090 0027 6577 5168 41
9489 0090 0027 6577 5168 58

CITY OF ST. AUGUSTINE

Code Enforcement Department

In the matter pertaining to 311 Anastasia Blvd / CE 2024-0384: Ch 3 Sec 23

- On May 14, 24, a member of staff observed the "Stampedes" sign remained more than 15 days after close of business.

- On July 3, 2024, the Special Magistrate heard this case and issued an "Order Finding Violation" which allowed the respondent 10 days from the date of the order to correct the violation by fully covering or removing the business sign 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.

- An affidavit of compliance is on file.

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA
COUNTY OF ST. JOHNS
CITY OF ST. AUGUSTINE
Stewart Luther C III, Jodi Lynn
Stewart Jodi Lynn

2185 A1A S

St. Augustine, FL 32080
Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0384

I, Morganne E. Lanni, have personally examined the property described in the Code Enforcement Order dated July 3, 2024, 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) Ch. 3, Section 3-23(i) as of Aug 1, 2024.

FURTHER, Affiant saith not.

Morganne E. Lanni
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

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

CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF SPECIAL MAGISTRATE
HEARING FOR A FINE ASSIGNMENT

August 19, 2024

IN THE MATTER OF: Name: Stewart Luther C III
Stewart Jodi Lynn

Address: 311 Anastasia Blvd, St. Augustine, FL 32084

Case #: CE2024-0384

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida
Code Section: Chapter 3- Sec. 3-23- Sign regulations generally. (i) obsolete signs.

SITE OF VIOLATION: 311 Anastasia Blvd, St. Augustine, FL 32084

LEGAL DESCRIPTION: 3-99 DAVIS SHORES LOTS 10 11 12 & 13 BLK 37
OR4204/278 & 5778/283 & 5802/763 (C/D)

PARCEL NUMBER: 2189800000

The purpose of this letter is to notify you that the City of St. Augustine Special Magistrate will meet for a **Fine Assignment Hearing** regarding your case on **Wednesday, September 4th, 2024, at 9:00 a.m.** in the Alcazar Room at City Hall, 75 King Street.

This is your "Official Notice" for you or your representative to appear before the Special Magistrate to respond to your violation. The Special Magistrate 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 Special Magistrate. 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 Special Magistrate.

In accordance with Florida Statutes 286.0105: "If any if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he

or she 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.

Morganne E. Lanni

Morganne Lanni
Code Enforcement Inspector

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

Certified Mail Number: **9489 0090 0027 6577 5181 59**
9489 0090 0027 5181 66

cc: David Birchim, City Manager

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.

BEFORE THE
SPECIAL MAGISTRATE
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION

CASE NUMBER: CE2024-0384

IN THE MATTER OF:

Stewart Luther C III
Stewart Jodi Lynn
311 Anastasia Blvd
St. 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 3- Sec 3-23- Sign regulations generally. (i) obsolete signs.**

VIOLATION SITE: **311 Anastasia Blvd, St. Augustine, FL 32080**

LEGAL DESCRIPTION: **3-99 DAVIS SHORES LOTS 10 11 12 & 13 BLK 37 OR4204/278 & 5778/283 & 5802/763(C/D)**

PARCEL NUMBER: 2189800000

THE SPECIAL MAGISTRATE HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **JULY 3, 2024,** 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 **July 3, 2024**, in accordance with Chapter 162 F.S.

The respondent and/or representative ____was / X was not present.

2. During a routine code enforcement inspection of the property, staff observed the following code violations on May 14, 2024:

"Stampedes" sign remains more than 15 days after close of business.

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

City Code, Chapter 3- Sec 3-23- Sign regulations generally. (i) obsolete signs.

4. On May 25, 2024, 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 14, 2024, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of Special Magistrate Hearing"** and posted a copy at the property and with the City Clerk's office for the Special Magistrate Hearing for July 3, 2024.

6. **On July 3, 2024, the Special Magistrate heard the testimony and examined the evidence of this case and issued the following order:**

"You are hereby informed that you / your property has been found to be:"

a. X In Violation.

b. _____ A Repeat Violation.

c. _____ An Irreparable / Irreversible Violation.

AND

a. _____ You are in Compliance, at the time of this hearing.

b. _____ No fine will be assigned and the case will be closed.

c. _____ Other:_____

_____

First Violation, Fine shall not exceed $250.00 a day…FSS 162.09(2)(a)

d. X You have 10 days to become compliant or a fine of up to $250 will be imposed for each day the violation continues.

Repeat Violation, Fine shall not exceed $500.00 a day…FSS 162.09(2)(a)

e. _____ A fine of up to $____ Will be imposed for each day the violation continues.

f. _____ You were in violation for _____ days, found to be compliant at this time, and the fine is set at $_____.

Irreparable / Irreversible Violation, Fine not to exceed $5,000.00 per violation…FSS 162.09(2)(a)

g. _____ and the Fine is set at $_____.

7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before the Special Magistrate for a compliance hearing on August, 7, **2024** at 9:00 A.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 hearing, at which time the Special Magistrate 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 STATUES. 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 **3RD DAY OF JULY, 2024**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Becky Vose

Becky Vose, Special Magistrate
City of St. Augustine

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, Becky Vose, 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 3 day of July, A.D., 2024.

Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Special Magistrate, 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 Special Magistrate may authorize the local governing body attorney to foreclose on the lien.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via U.S. Mail to Steward Luther III, Steward Jodi Lynn
311 Anastasia Blvd, St. Augustine, Fl 32080,
2185 A1A S, St. Augustine, Fl 32080
on this 3 day of July, 2024.

Signature

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Certified Mail #
9489 0090 0027 6577 5167 80
9489 0090 0027 6577 5167 97

CITY OF ST. AUGUSTINE
Code Enforcement Department

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

- On June 6, 2022, a member of staff observed an external staircase and a second floor deck under construction without obtaining a proper permits.

- On September 13, 2022, the CEAAB heard this case and issued an "Order Finding Violation" which allowed the respondent 90 days from the date of the order to correct the violation by obtaining a building permit and completing all necessary tasks and inspections.

- On February 13, 2024 The CEAAB heard this case and issued an "Order Imposing a Fine" of $250 per day beginning January 19, 2024 to remain ongoing until compliance or reaching the threshold amount according to city code.

- As of August 6, 2024 the $50,000 threshold has been reached and the fine remains unpaid.

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

CODE ENFORCEMENT DIVISION
OFFICIAL NOTICE OF SPECIAL MAGISTRATE
HEARING FOR IMPOSING A LIEN

August 19, 2024

IN THE MATTER OF: Name: Valerie Lee Properties LLC
C/O Valerie Lee

Address: 38 White Street E, St. Augustine, FL 32084

Case #: CE2022-0217

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida
Code Section: Chapter 8- Sec. 8-608- Permit required.

SITE OF VIOLATION: 38 White Street E, St. Augustine, FL 32084

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

PARCEL NUMBER: 1582300000

The purpose of this letter is to notify you that the City of St. Augustine Special Magistrate will meet for a **Lien Hearing** regarding your case on **Wednesday, September 4th, 2024, at 9:00 a.m.** in the Alcazar Room at City Hall, 75 King Street.

This is your "Official Notice" for you or your representative to appear before the Special Magistrate to respond to your violation. The Special Magistrate 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 Special Magistrate. 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 Special Magistrate.

In accordance with Florida Statutes 286.0105: "If any if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he

or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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

Barry Fox
Code Enforcement Manager

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

Certified Mail Number: **9489 0090 0027 6577 5174 80**
9489 0090 0027 5174 97

cc: David Birchim, City Manager

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.

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

ORDER IMPOSING A FINE
CEAAB CASE NUMBER: CE2022-0217

IN THE MATTER OF:

Valerie Lee Properties LLC
C/O Valerie Lee
38 White Street East
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 without a permit.**

VIOLATION SITE: **38 White Street East, St. Augustine, FL 32084**

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 HEARINGS HELD ON, **FEBRUARY 13, 2024** 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 13, 2024, in accordance with Chapter 162, F.S.

   The respondent and/or authorized representative was not present.

2. In response to a public complaint, the staff observed the following code violations on June 6, 2022:

   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:
   Chapter 8, Section 8-608 Building without a permit.

4. On July 26, 2022, the Planning and Building Department sent an **"Official Notice of Violation"**, via certified mail, to formally advise the respondent of the violation.

5. On August 29, 2022, the Planning and Building Department sent the respondent, via certified mail, AND a Posting Affidavit was placed with the City Clerk's office of an **"Official Notice of Hearing"** for September 13, 2022.

6. On September 13, 2022 the Code Enforcement, Adjustment, 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 by obtaining a building permit and completing all necessary tasks and inspections.

7. **On February 13, 2024, the Code Enforcement, Adjustments and Appeals Board found the property had not complied with the previous order by allowing the building permit to expire on January 19, 2024, with no approval of the unpermitted work and issued an "Order Imposing a Fine" of $250 per day beginning January 19, 2024, to remain ongoing until compliance or reaching the threshold amount according to city code. The Respondent has thirty (30) days from the date of this order to pay the fine in full.**

8. In the event of a repeat violation of this **"Order Imposing a Fine,"** Respondent shall again be notified of a compliance hearing, at which time the Board will review the evidence and impose 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 STATUES. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE, AND LOSS OF YOUR PROPERTY.

DONE AND ORDERED THIS **13TH DAY OF FEBRUARY, 2024** in open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Jan Kelly

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 she executed the same for the purposes therein expressed.

Witness my hand and official seal, this 21 day of February, A.D., 2024.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

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 72 Anderson/ CE 2024-0308: Ch 25 Sec 56

- On March 25, 2024, a member of staff observed a southern red cedar tree cut without approved permits.

- On July 3, 2024, the Special Magistrate heard this case and issued an "Order Finding Violation" and assigned a fine of $500 which allowed the respondent 30 days from the date of the order to correct the violation by replacing the cedar tree according to city code and paying the $500 fine.

- On July 26, 2024 the respondent paid the $500 fine and staff confirmed the respondent obtained replacement trees.

- An affidavit of compliance is on file.

AFFIDAVIT OF COMPLIANCE

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

Santiago Antonio
Riberio Gilza Barreto

72 Anderson Street, St. Augustine, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0308

I, Curtis Boles, have personally examined the property described in the Code Enforcement Order dated July 3, 20 24 , 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) Ch.25 Sec. 25-56 as of July 26, 2024.

FURTHER, Affiant saith not.

Curtis Boles
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

CE2024-0308

72 Anderson

Code fines

PAYMENT SUMMARY RECEIPT

CITY OF ST. AUGUSTINE - LIVE
75 King Street

DATE: 07/26/24 CUSTOMER#:
TIME: 11:23:44
CLERK: 1596pcou

RECPT#:	2934575	PREV BAL:	500.00
TP/YR:	P/2024	AMT PAID:	500.00
BILL:	2934575	ADJSTMNT:	.00
EFF DT:	07/26/24	BAL DUE:	.00

Misc Cash Receipts

----------TOTALS----------

PRINCIPAL PAID:	500.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00
AMT TENDERED:	500.00
AMT APPLIED:	500.00
CHANGE:	.00

PAID BY: NilzaBarretoRibeiro
PAYMENT METH: CHECK
PAYMENT REF: 123

TOT PREV BAL DUE:	500.00
TOT BAL DUE NOW :	.00

VA

BEFORE THE
SPECIAL MAGISTRATE
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION

CASE NUMBER: CE2024-0308

IN THE MATTER OF:

Santiago Antonio
Riberio Gilza Barreto
72 Anderson 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 25, Section 25-56, - Tree removal and replacement**

VIOLATION SITE: **72 Anderson Street, St. Augustine, FL 32084**

LEGAL DESCRIPTION: **E1/2 HUERTAS GRANT SUB BLK 12 ALL LOT3 OR 5825/289**

PARCEL NUMBER: **124890 0000**

THE SPECIAL MAGISTRATE HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **JULY 3, 2024,** 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 **July 3, 2024**, in accordance with Chapter 162 F.S.

   The respondent and/or representative _X_ was / ____ was not present.

2. During a routine code enforcement inspection of the property, staff observed the following code violations on March 25, 2024:

   A person directly or indirectly cut down a Southern Red Cedar within the city without first obtaining a permit.

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

   City Code, Chapter 25, Section 25-56, - Tree removal and replacement

4. On May 14, 2024, 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 13, 2024, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of Special Magistrate Hearing"** and posted a copy at the property and with the City Clerk's office for the Special Magistrate Hearing for July 3, 2024.

6. **On July 3, 2024, the Special Magistrate heard the testimony and examined the evidence of this case and issued the following order:**

"You are hereby informed that you / your property has been found to be:"

a. X In Violation.

b. _____ A Repeat Violation.

c. _____ An Irreparable / Irreversible Violation.

AND

a. _____ You are in Compliance, at the time of this hearing.

b. _____ No fine will be assigned and the case will be closed.

c. X Other: ~~$500 fine (see below)~~

First Violation, Fine shall not exceed $250.00 a day…FSS 162.09(2)(a)

d. _____ You have _____ days to become compliant or a fine of up to $_____ will be imposed for each day the violation continues.

Repeat Violation, Fine shall not exceed $500.00 a day…FSS 162.09(2)(a)

e. _____ A fine of up to $____ Will be imposed for each day the violation continues.

f. _____ You were in violation for _____ days, found to be compliant at this time, and the fine is set at $_____.

Irreparable / Irreversible Violation, Fine not to exceed $5,000.00 per violation…FSS 162.09(2)(a)

g. X and the Fine is set at $500.

7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before the Special Magistrate for a compliance hearing on August, 7, **2024** at 9:00 A.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 hearing, at which time the Special Magistrate 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 STATUES. 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 **3RD DAY OF JULY, 2024**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Becky Vose

Becky Vose, Special Magistrate
City of St. Augustine

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, Becky Vose, 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 3 day of July, A.D., 2024.

Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Special Magistrate, 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 Special Magistrate may authorize the local governing body attorney to foreclose on the lien.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via U.S. Mail to Santiago Antonio, Kiberio Gilza Barreto,
72 Anderson St, St. Augustine, Fl 32084
,
14823 87th St N, Loxahatchee, Fl 33470
on this 3 day of July, 2024.

Signature

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Certified Mail #
9489 0090 0027 6577 5167 66
9489 0090 0027 6577 5167 73

CITY OF ST. AUGUSTINE
Code Enforcement Department

In the matter pertaining to 37 S Whitney / CE 2024-0342:

- On April 16, 2024, a member of staff observed a large laurel oak was removed without an approved permit or arborist report.

- On June 5, 2024, the Special Magistrate heard this case and issued an "Order Finding Violation" for the irreparable/ irreversible violation of removing a tree without a permit and set a fine of $2,500 and requiring a replacement tree planted according to city code or for an additional $2,500 to be paid into the tree mitigation fund.

- On June 26, 2024 the fine of $2,500 was paid in full.

- An affidavit of compliance is on file.

AFFIDAVIT OF COMPLIANCE

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

Rimel Aaron J
Ramkisson-Rimel Asha

37 S Whitney St, St. Augustine, FL 32084

Respondent

CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE CASE NUMBER: CE2024-0342

I, Curtis Boles, have personally examined the property described in the Code Enforcement Order dated June 5, 20 24 , 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) Ch.25 Sec. 25-56 as of August 20, 2024.

FURTHER, Affiant saith not.

Curtis Boles
Code Enforcement Inspector

SWORN TO AND SUBSCRIBED BEFORE ME THIS 26 DAY OF August, 2024.

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

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

PAYMENT SUMMARY RECEIPT

CITY OF ST. AUGUSTINE - LIVE
75 King Street

DATE: 06/26/24 CUSTOMER#:
TIME: 15:58:20
CLERK: 1596pcou

RECPT#:	2914823	PREV BAL:	2500.00
TP/YR:	P/2024	AMT PAID:	2500.00
BILL:	2914823	ADJSTMNT:	.00
EFF DT:	06/26/24	BAL DUE:	.00

Misc Cash Receipts

----------TOTALS----------

PRINCIPAL PAID:	2500.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00
AMT TENDERED:	2500.00
AMT APPLIED:	2500.00
CHANGE:	.00

PAID BY: Aaron Rimel
PAYMENT METH: CHECK
PAYMENT REF: 119

TOT PREV BAL DUE:	2500.00
TOT BAL DUE NOW :	.00

VA

BEFORE THE
SPECIAL MAGISTRATE
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION

CASE NUMBER: CE2024-0342

IN THE MATTER OF:

Rimel Aaron J
Ramkisson-Rimel Asha
37 S. Whitney 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 25, Section 25-56, - Tree removal and replacement.

VIOLATION SITE: **37 S. Whitney Street, St. Augustine, FL 32084**

LEGAL DESCRIPTION: **49/100-101 DAVIS ACRES LOT 2 OR2433/871**

PARCEL NUMBER: **1235800020**

THE SPECIAL MAGISTRATE HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON **June 5, 2024,** 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 **June 5, 2024**, in accordance with Chapter 162 F.S.

   The respondent and/or representative __✓__was / ____was not present.

2. During a routine code enforcement inspection of the property, staff observed the following code violations on April 16, 2024:

   A large Laurel Oak was removed without an approved City of St. Augustine permit or arborist report.

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

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

4. On May 17 2024, the Planning and Building Department sent an **"Official Notice of Violation"** to formally advise the respondent of the violation, via certified mail.

5. On May 17 2024, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of Special Magistrate Hearing"** and posted a copy at the property and with the City Clerk's office for the Special Magistrate Hearing for June 5, 2024.

6. **On June 5, 2024, the Special Magistrate heard the testimony and examined the evidence of this case and issued the following order:**

"You are hereby informed that you / your property has been found to be:"

a. _____ In Violation.

b. _____ A Repeat Violation.

c. _____ An Irreparable / Irreversible Violation.

AND

a. _____ You are in Compliance, at the time of this hearing.

b. _____ No fine will be assigned and the case will be closed.

c. ✓ Other: letter from Jason Shaw to Asha was not accepted as competent and substantial evidence of the tree's condition.

Irreparable / Irreversible Violation, Fine not to exceed $5,000.00 per violation...FSS 162.09(2)(a)

d. ✓ and the Fine is set at $ 2,500 per violation totaling to $ 2,500.00 (g) and replacement as provided in Section 25-26 OR additional fine of $2,500 to be paid into the Tree Mitigation Fund as provided in Section 25-26 (j)

7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before the Special Magistrate for a compliance hearing on _____, **2024** at 9:00 A.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 Irreparable/Irreversible Violation,"** Respondent shall again be notified of a new hearing, at which time the Special Magistrate 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 STATUES. 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.

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 STATUES. 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 **5TH DAY OF JUNE, 2024**. In open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Nancy Stuparich, Special Magistrate
City of St. Augustine

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, Nancy Stuparich, 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 5 day of June, A.D., 2024.

EMILY HOWINGTON
Notary Public-State of Florida
Commission # HH 305930
My Commission Expires
August 28, 2026

Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Special Magistrate, 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 Special Magistrate may authorize the local governing body attorney to foreclose on the lien.