

CITY OF ST. AUGUSTINE

Special Magistrate Meeting
Wednesday, May 7, 2025

The Special Magistrate met Wednesday, May 7, 2025, at 9:00 A.M. in the Alcazar Room at City Hall. The meeting was called to order by Nancy Stuparich, Special Magistrate, and the following were present:

1. Swearing in of Staff:

Also Present: Nancy Stuparich, Special Magistrate
April Owen, Assistant City Attorney
Barry Fox, Code Enforcement Manager
Curtis Boles, Code Enforcement Inspector
James Tomaselli, Code Enforcement Inspector
Morganne Lanni, Code Enforcement Inspector
Jacob Fredriksson, Planning Manager, Planning and Building
Elyse Wiemann, Recording Secretary

Absent: Richard Schauland, City Building Official

2. Approval of Minutes

(None)

3. Modifications to the Agenda

(None)

4. General Public Comments for Items Not on the Agenda (3 minutes per individual)

Public comment was opened; however, there was no response.

5. NEW VIOLATION HEARING

**5. a) CE2024-0478 Sellars, Susanne M
91 Kings Ferry Way
Ch. 8 Sec. 8-608-Permits required.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 8 Sec. 608 permits required. He said the notice of violation, notice of hearing was served and affidavits were on file.

Nancy Stuparich asked if the respondents were present; however, they were not.

James Tomaselli, Code Enforcement Officer, reviewed the case, the violation, and provided background information.

Nancy Stuparich said there were two notices provided, one for fencing and one for renovations.

James Tomaselli said the initial complaint was for a fence and while at the property he noticed several things taking place on the property and a stop work order was given.

Barry Fox advised the fencing had been taken care of and this case was only for the renovations done without permits.

Nancy Stuparich asked for a recommendation from staff.

Barry Fox recommended the respondent to come into compliance within 10 days and if not, the respondent would incur up to \$250 fine per day.

ORDER

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 10 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5.b) CE2025-0225 Stinson, Shane Stinson, Crissy
454 Arricola Ave
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information.

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on evidence and testimony, a violation had occurred, and she requested a recommendation from staff.

Barry Fox suggested providing a 15-day period for the respondent to come into compliance and then up to \$250 a day.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. c) CE2025-0232 Beale, Jason
10 Sanchez Ave
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed

and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on evidence and testimony, a violation had occurred, and she requested a recommendation from staff.

Barry Fox suggested providing a 15-days for the respondent to come into compliance and then up to \$250 a day.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. d) CE2025-0287 Thomas, Jerme Dejernee Thomas, Allison Brooke
16 Ballard Ave
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information.

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said, based on the testimony and evidence there was a violation and asked for a recommendation.

Barry Fox suggested providing a 15-day period for the respondent to come into compliance and then up to \$250 a day.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. e) CE2025-0289 Diaz, Rebecca Et Al
Diaz, Lourdes Caridad
16 Myrtle Ave
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said based on the testimony and evidence provided there was a violation.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5.f) CE2025-0292 Cranford, Trevor John
Cranford, Taryn Lindsey
11 Nesmith Ave
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed

and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on the testimony and evidence provided there was a violation.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. g) CE2025-0293 Brown, Courtney
Brown, John
206 Cabeza St
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on the testimony and evidence provided there was a violation.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the

respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. h) CE2025-0296 Carta Fdl LLC
20 Riberia St
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on the testimony and evidence provided there was a violation.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. i) CE2025-0298 Graham, Harry Lee Jr.
101 Kings Ferry Way
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on the testimony and evidence provided there was a violation.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. j) CE2025-0303 Beale, Jason A
55 Abbott St
Ch. 28 Sec. 28-146- Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation as Ch. 28 Sec. 28-146-Registration. He said the notice of violation, notice of hearing was served and affidavits were on file.

Morganne Lanni, Code Enforcement Officer, reviewed the case, the violation, and provided background information.

Nancy Stuparich asked if the respondents were present; however, they were not.

Nancy Stuparich said that based on the testimony and evidence provided there was a violation.

ORDER

Nancy Stuparich issued an Order Finding Violation which allowed the respondent 15 days to come into compliance and then \$250 per day if not achieved and considered for fine assignment the following month.

**5. k) CE2025-0309 Woodward, William T
Woodward, Rebekah B Woodward,
William Terrance
59 A Weeden St**

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

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation Ch. 25 Sec. 25-56- Tree removal and replacement. He said the notice of violation, notice of hearing was served and affidavits were on file. He clarified the parcel number which was 20687100020 as the property had been split.

Curtis Boles, Code Enforcement Officer, reviewed the case, the violation, and provided background information.

Barry Fox said the property was under a land development act with Planning and Zoning and that Jacob Fredriksson was available to testify what was supposed to remain on the property.

Nancy Stuparich asked about an initial compliance period for the Notice of Violation, Barry Fox replied that a compliance period did not apply to the case because tree removal was irreversible and irreparable according to city code.

Jacob Fredriksson, Planning Manager, Planning and Building Department testified the trees that were required by Planning and Zoning Board to be planted on the property during development.

Nancy Stuparich asked if there was a staff directed deadline for the mitigation to take place.

Jacob Fredriksson replied there was no set date, but the action was required to take place before the permits were issued

Nancy Stuparich and Barry Fox discussed the process of the property returning to the Planning and Zoning Board and the requirement of tree replacement per city code due to the mitigation plan already imposed by the Planning and Zoning Board.

Nancy Stuparich asked if there were any respondents present, however there were not.

Nancy Stuparich determined the violation was irreparable or irreplaceable; however, there was a mitigation plan recommended by the planning board and a fine was best but at a per tree amount and asked city staff for recommendation.

Barry Fox stated staff would be satisfied with a fine as low as \$100 per tree as they would be required to replace the trees and would have to replace 10 trees in total.

Nancy Stuparich asked about the development of the property and a timeline of development in regard to replanting the trees.

Barry Fox stated the property would be developed but staff can't force them into starting the development and the inspection would come at the end of the permits and the tree replanting would be confirmed after the building of the lot.

Nancy Stuparich asked April Owen about requiring fine money to be put in escrow.

Barry Fox responded that Nancy Stuparich may require a fine for the 10 trees be placed in the tree mitigation fund and staff can determine the amount per city code for next month's hearing.

Nancy Stuparich decided to continue the case for next month's hearing to further discuss the tree mitigation fund.

Nancy Stuparich called for a break at 10:15 am to reconvene at 10:30 am.

6. FINE ASSIGNMENT HEARING

**6. a) CE2024-0616 Savital Corp Inc 1
20 DeSoto PI**

Ch. 8 Sec. 8-608- Permits required.

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed.

He noted the violation and provided background information regarding the case.

No respondents were present.

James Tomaselli advised that the property was out of compliance for 12 days and received the permit on April 21, 2025, for a total of 16 days out of compliance.

The prior order imposed a fine of up to \$250 per day.

Nancy Stuparich asked if there were any mitigating factors to why the property was out of compliance for the 16 days.

James Tomaselli spoke with the owner who was having problems finding a contractor and she was under the impression that permits were not needed if inside the home. Staff instructed the owner to hire a contractor for the electrical and plumbing.

ORDER

Nancy Stuparich issued an Order Imposing Fine for the 16 days out of compliance at \$100 per day for a total of \$1,600 fine.

**6. b) CE2025-0202 Hansson Trust Callen Lance C Cullen Kriston Robinson
66 Masters Dr
Ch. 8 Sec. 8-608- Permits required.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

James Tomaselli, Code Enforcement Officer, provided further information regarding the property.

The respondents, Chris Robinson Callum and Lance Callum, were present, said they had completed some work in the home and a window was installed. Chris Callum stated that Shane Jackson, a contractor had applied for the permit. Chris Callum stated

rent had not been collected from tenants and requested leniency in the fines.

Nancy Stuparich said she found the testimony had been creditable and understood the issues with finding a contractor- permit was for a window which was not life safety – did not feel this was determinantal to the community and asked staff how long it was in noncompliance.

Barry Fox stated the property had been out of compliance for around 20 odd days but felt due to the property being an apartment complex the owner could expose himself to a repeat offender if a fine was set, but thought the case could be closed without a fine.

Nancy Stuparich and Barry Fox spoke regarding possibly evaluation administrative fees in the future.

ORDER

Nancy Stuparich issued an Order Closing for Compliance and did not assign a fine.

**6. c) CE2025-0272 Williamson Laura Marie Williamson Michael Dale
145 Washington St
Ch. 28 Sec. 28-146-Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

Morganne Lanni, advised that the property owner had not contacted them.

No respondent was present.

Nancy Stuparich asked if there were mitigating factors.

Morganne Lanni stated there had been no contact from the owner and advised the life safety inspection had not been conducted and it was not in compliance.

Nancy Stuparich stated the property had 3 days to come into compliance.

Barry Fox confirmed the property had been out of compliance for 30 days.

ORDER

Nancy Stuparich issued an Order Imposing a Fine at \$250 per day for the past 30 days and would continuously run until compliance is reached.

7. Fine Reduction Hearing

(None)

8. LIEN HEARING

**8. a) CE2024-0219 Ray Rima
135 Menendez Rd
Ch. 8 Sec. 8-608- Permits required.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

Two representatives were present, but no owner's authorization form was on file.

Nancy Stuparich allowed the representatives to speak, by swearing in, Christine Sayers, legal counsel for the property owner.

Christine Sayers stated her client acquired the property already out of code but retained JA architecture.

John Altman, from JA architecture, said a permit had been submitted and comments were received and applied to and were waiting on the City to respond. He said drawings were submitted and waiting for permits at this time and the process of retroactive permitting for previous work takes time.

Nancy Stuparich asked for clarification that the violation was for the work done without

permits and the lack of documentation for permits to be issued.

John Altman stated that the drawing of documents could be tricky because they had to guess what work had been done before submitting the documents for the permits.

Nancy Stuparich asked how long the permit had already been expired.

Barry Fox stated it was given a compliance period of 10 days on March 12th but came back for an order imposing fine and at that time the Magistrate reset the compliance period for 10 days ending on July 13th.

Nancy Stuparich asked John Altman when he was brought on to the project.

John Altman replied he might have been hired in November.

Barry Fox clarified that in January 2024 the notice of violation to obtain permits was sent, on March 12, 2024, the case was first heard by a Magistrate, then July 3, 2024, the compliance period was reset to July 13, 2024.

Nancy Stuparich asked what caused the delay.

Christine Sayers said the delay was trying to find someone to take on the project and the owner was out of the country.

John Altman stated the project had many issues and not many companies would take this type of work in his experience, and as early on there was urgency to provide drawings to the City but it was in the process of receiving permits

Barry Fox stated the documents submitted had been reviewed by staff and comments had been made.

Nancy Stuparich asked the respondent's speakers what they requested of her.

Christine Sayers asked for grace as drawings had been submitted to the city and

if the drawings were approved then the permit could immediately be issued and the \$50k lien would be a hardship for the owner who had claimed no prior knowledge of the case.

Nancy Stuparich asked city staff if they felt there had been adequate mitigating factors.

Barry Fox stated that it had been documented by James Tomaselli that extensive work had been done to the house to the point that they understood an architect was required, but that it seemed the homeowner had ignored the city until late November after multiple attempts to bring notice on the case. Barry Fox stated that looking at the time frame from July 13th to when the architect was hired and consider that the timeframe of out of compliance if the Special Magistrate wishes to reconsider the parameters of the order requiring a permit be obtained and issued to instead applied for due to the efforts the owner has put in.

Nancy Stuparich asked Christine Sayers if the owner resided overseas, Christine Sayers replied yes and delayed while trying to find an architect.

John Altman described the detail that was involved in taking on the project.

Barry Fox relayed to Nancy Stuparich that the city threshold for fine was \$50k, but if calculating the time of noncompliance beginning July 13 to November 15, which is 125 days at \$250 days the total is \$31,250.

John Altman asked if it would be possible to reduce the \$31,250 based on not being able to find an architect.

Nancy Stuparich stated her decision had to have a basis on the fine and that city staff and the testimony given was enough to reduce from the \$50k to the \$31,250.

ORDER

Nancy Stuparich issued an Order Imposing Lien in the reduced amount of \$31,250.

**8.b) CE2024-0337 Shanks Mary Joe Living Trust Etal, Kingwood Essie Estelle Fryar Charlie Mae Jones James Arthur Jones Wayne Alexander Jones Wayne Arthur Reese Jimmy Lee Paul Blount Rhonda Lavone
100 Fred Waters Way
Ch. 8 Sec. 8-301-Property maintenance code.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

Nancy Stuparich asked if any respondents were present, there were none.

Barry Fox stated that notice given was proper for the matter and correct the property owner was provided the notice.

Nancy Stuparich asked if more information could be provided about the nature of the junk and debris.

James Tomaselli stated the was vacant for a long time and not boarded entirely so homeless people had been in and out and garbage was on the porch area.

Nancy Stuparich asked if there was no contact between property owners and the city.

Barry Fox stated there had been no contact with the family members but Curtis Boles had tried to contact them but with no avail.

Nancy Stuparich asked the number of days the property was out of compliance.

Barry Fox stated the property had been out of compliance since Aug 17, 2024 for a total of 263 days at 250\$ per day, the city automatically stopped fine accrual at 50K.

Nancy Stuparich stated that since the fines had exceeded the 50K threshold and numerous individuals had interest in the property concerned that no one was present she wanted to continue the case and thought that publication of the notice should be done to allow the property owners more time to address the case and was concerned with the due process and stated the fine would be a lien on the property and if a foreclosure proceeding were done this would help eliminate any issues.

Barry Fox stated staff could search each name related to this property to see if anyone would be responsive.

ORDER

Nancy Stuparich issued an Order of Continuance for the case to reappear at the June hearing.

**8.c) CE2024-0441 Jensen, Annie Et AL
Holland, Brandy
78 Sanford St
Ch. 8 Sec. 8-608- Permits required.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

Barry Fox asked for the case to be removed for clerical issues and would be brought back at a later date. Nancy Stuparich agreed to remove the case from the hearing.

9. COMPLIANCE HEARING

**9. a) CE2024-0393 Indigo Partners LLC
125 Spoonbill Point
Ch. 25 Sec. 25-56- Tree removal and replacement.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

Nancy Stuparich asked if respondents were present, there were none.

ORDER

Nancy Stuparich issued an Order Closing For Compliance.

**9. b) CE2025-0271 Van Dyke Jared Et AL
Van Dyke Joshua
26 Rohde Ave
Ch. 28 Sec.28-146- Registration.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed. He noted the violation and provided background information regarding the case.

There were no respondents present.

ORDER

Nancy Stuparich issued an Order Closing Case for Compliance.

**10. PREVIOUSLY HEARD CASES
UPDATE**

(None)


11. CITY ATTORNEY ITEMS

Next meeting would be June 4, 2025

12. OTHER BUSINESS

13. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:28 AM.


for _____
Nancy Stuparich, Special Magistrate
