CITY OF ST. AUGUSTINE

Special Magistrate Meeting
Wednesday, February 5, 2025

The Special Magistrate met Wednesday, February 5, 2025, at 9:00 A.M. in the Alcazar Room at City Hall. The meeting was called to order by Becky Vose, Special Magistrate, and the following were present:

1. Swearing in of Staff:

Also Present: Becky Vose, Special Magistrate
April Owen, Assistant City Attorney
Richard Schauland, Building Official
Barry Fox, Code Enforcement Manager
Curtis Boles, Code Enforcement Inspector
Morganne Lanni, Code Enforcement Inspector
James Tomaselli, Code Enforcement Inspector
Elyse Wiemann, Recording Secretary

Becky Vose introduced herself and explained her role within the meeting and qualifications for doing so, as well as Code Enforcement procedures.

2. MODIFICATION TO THE AGENDA

Barry Fox, Code Enforcement Manager, said there were two modifications to the agenda. He said item 5 (B) had requested a continuance to August; however, he advised August was not acceptable and would most likely be denied. He said they said they would be available in the afternoon but not during the meeting time. He said the item had been properly noticed and all documents were on file.

Ms. Vose replied that it would not be continued until August. She suggested hearing the case and would decide whether to proceed or postpone the item.

Mr. Fox said item 5(H) had come into compliance and asked for it to be removed from the agenda.

Ms. Vose agreed.

3. APPROVAL OF MINUTES

MOTION

Becky Vose approved the minutes from December 4, 2024, Special Magistrate meeting.

4. General Public Comments (3 minutes per individual)

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

5. NEW VIOLATION HEARING

5.A. CE2024-0397
Bicknell, Lee Bicknell Family Trust
Bicknell, Constance Inez
19 Milton St
Ch. 8 Sec. 608- Permits required.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Bicknell Family Trust and reviewed the violation, chapter 8 section 608-Permits required. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Ms. Vose asked if the respondent was present.

The respondent was not present.

Ms. Vose asked how long it would take to get a permit.

Mr. Fox said the respondent when notified of the violation filed for a permit and nothing had been done since. He recommended ten days.

Ms. Vose found the respondent to be in violation.

ORDER

Ms. Vose ORDERED the respondent to come into compliance within ten days (10) and after that if not in compliance a fee of up to $250 a day fine would be assessed.

b) CE2024-0455
Irrevocable Van Family Trust, Van, Edwin H Trustee
56B Spring St.
Ch. 8 Sec. 608- Permits required.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Irrevocable Van Family Trust, and reviewed the violation, Ch. 8 Sec. 608- Permits required. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Ms. Vose asked if the respondent was present.

The respondent was not present.

Ms. Vose said they were aware of the meeting as they had been in contact with Code Enforcement.

Mr. Fox said on January 16, 2025, the respondent applied for a permit, and it was returned for insufficient information and has not since been addressed.

Ms. Vose asked how long it would take to provide the correct information to remedy the issue.

Richard Schauland, Building Official replied that the email sent to them was for the respondent to provide more information about what they were trying to do.

Ms. Vose found the respondent to be in violation.

ORDER

Ms. Vose ORDERED the respondent had ten days (10) from February 5, 2025, to obtain the permit or up to a $250 fine per day would be assessed.

Case reopened and Order withdrew as respondent had arrived for the hearing.

Mr. Blunt said in May or June the home was cleaned but the debris was not moved due to vehicle issues. He said he did not own the property, nor did he do the construction work.

Ms. Vose advised her ruling stated in effect.

ORDER

Ms. Vose ORDERED the respondent had ten days (10) from February 5, 2025, to obtain the permit or up to a $250 fine per day would be assessed.

c) CE2024-0464
Hutchinson, Michael W
204 Pelican Reef Dr
Ch. 25 Sec. 56- Tree removal and replacement

Barry Fox, Code Enforcement Manager, said the respondent was identified as Michael J. Hutchinson and reviewed the violation, Ch. 25 Sec. 56- Tree removal and replacement. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Ms. Vose asked if the respondent was present.

The respondent was not present.

Ms. Vose asked if contact with the respondent had been made.

Mr. Fox replied that the respondent had been contacted through certified mail. He advised that was the only means of contact they had as he was not local.

Ms. Vose found the respondent to be in violation. She felt this was irreparable and irreversible. She asked for the types and number of trees removed.

Mr. Tomaselli replied that there were fifteen (15) Red Cedar trees, two (2) Oak trees, and two (2) Villous Palm trees.

Ms. Vose asked if the Palm trees were protected or invasive. She asked if they needed to be replaced.

Mr. Fox replied that the palm trees were not protected, and replacement was one for one except for the Red Cedar trees which were a two for one replacement. He said the removal of trees would usually take place with a site plan and some would have been removed; however, a site plan nor other information was provided.

ORDER

Ms. Vose assessed a $1,500 fine for each of the Red Cedar trees (15) total, $1,000 for each of the Oak trees (2) total and no fine for the palm trees. She ordered when they came in for the site plan the respondent had to have a minimum of thirty (30) Red Cedar trees or limited space could contribute to the mitigation fund and replace the (2) Oak trees and if not replaced a payment should be made into the mitigation fund.

d) CE2024-0539
Cottage Homestay LLC
26 Vedder St
Ch. 8 Sec. 608- Permits required.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Cottage Homestay, LLC, and reviewed the violation, Ch. 8 Sec. 608- Permits required. 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.

Ms. Vose asked if the respondent was present.

Dao Bing, respondent, said he received the letter from the City and attended the Friday Review as instructed. He said he filed an application for the Planning and Zoning Board (PZB) and was approved for the setback. He said he applied for the permits to convert the home back to a single-family and was working with a contractor to comply with City code.

Ms. Vose asked who made the improvements to the home or if he purchased it like that.

Mr. Bing said he purchased the home and remodeled it to make different rooms. He said he was unaware he could not make the changes.

Mr. Fox clarified that Mr. Bing had applied for the permits now and was working with a contractor to convert the home back to a single-family home.

Mr. Schauland noted that as of January 1, 2025, the process had changed for building permits. He said a land development application had been applied for which was required prior to a building permit. He said Mr. Bing was awaiting approval from a City Planner, then once approved he could apply for the permit.

Ms. Vose asked if he would be living in the home.

Mr. Bing said he lives in the home currently.

Ms. Vose asked how much time would be required to complete the process.

Mr. Schauland said the building permit should not take more than two weeks after it was applied for.

Mr. Fox suggested not concentrating on the conversion back to a single-family home but the building permit as the Building Official could follow up and make sure it was converted back.

Ms. Vose said he was in violation, and she understood it needed to be converted back to a single-family home. She asked would it take to convert the home.

Mr. Bing said once the walls were removed it would be a single-family home.

Ms. Vose found the respondent to be in violation.

ORDER

Ms. Vose ORDERED to pull the building permits for the after-the-fact permits on the back building and the building permit for converting it back to a single-family home. She said this should be accomplished within six (6) weeks from February 5, 2025, and after the issuance of the permit the respondent would have thirty (30) days to have the openings opened and convert it and in the same thirty (30) days to obtain the after-the-fact permit for the back building.

Ms. Vose asked Mr. Bing if this could be accomplished within thirty (30) days.

Mr. Bing said he did not know but would try to finish as soon as possible.

Ms. Vose said she was allowing six (6) weeks to obtain the permit and then thirty (30) days to convert the home. She said if that was not done in that time frame there would be up to a $250 fine per day assessed. She said if there was a problem contact Code Enforcement.

Public Comment was opened.

Charles Pappas said he was on the PZB and wanted to provide historical information regarding the consideration for the variances. He said the front house was a single-family home.

Ms. Vose said her ORDER stands.

e) CE2024-0541
Mkwan Tr
42 S Whitney St
Ch. 28 Sec. 33- Certificates of occupancy.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Mkwan Tr and reviewed the violation, Ch. 28 Sec. 33- Certificates of occupancy. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Ms. Vose asked if the respondent was present.

The respondents, Marget Sikes and Carl Parker Holden, were present.

Mr. Holden said the property was over fifty (50) years old and he lad little information on it; however, he wanted to make the better for the neighborhood. He said one was

used as residential, and the other was used by the Thigpen family.

Ms. Sikes said this home was occupied for many years by the Thigpin family. She provided a bit of history of the two buildings on the property and noted that one was used more for storage.

Mr. Holden said, based on history and records, the floor was rotten and needed to be replaced. He said after speaking with Shelley Claton, City's Building Permits Coordinator, he was informed that he did not need a permit. He said he thought the units were grandfathered due to the age of the property and was not trying to break the rules.

Ms. Vose asked about the building labeled 'Unit B'.

Mr. Holden replied that it was the one that was a partial carport. He said he spoke with Jacob Fredriksson, Planning Manager, and told him he had to wait for this hearing but to obtain a permit to convert it into a conforming standard. He said there were a few permits for the building on record; however, they were hand drawn and were from the Historical Society.

Ms. Vose asked how long he had owned the properties and how the buildings were being used.

Mr. Holden said that the property had been in a trust belonging to him since 2018. He said that 'Unit C' was rented out and 'Unit B' was unoccupied.

Mr. Fox said in 2007 the property was being used as a residence according to testimony from Ms. Sikes; however, photographs made it look like a warehouse. He said it was purchased in 2014 by a Mish Trust, and Mr. Holden was listed as a trustee.

Mr. Holden stated he was not denying that he was a trustee, but he was not in Florida and when he arrived, he filed for permits.

Mr. Fox said Mr. Holden was going through the correct process thus far and understood that he had inherited the property; however, the work that was being done triggered several other issues.

Mr. Schauland said Mr. Holden had applied for a permit for 'Unit C' but it was denied as a permit was not needed to change flooring.

Ms. Vose said it sounded like Mr. Holden wanted to make things right with the City. She asked for a recommendation from staff.

Mr. Schauland stated that 'Unit C' was in compliance; however, Unit B' as stated he had spoken to the Planning Manager and should continue in that direction. He said he was unsure of the amount of time needed.

Mr. Fox said the violation was 'Certificates of Occupancy' and they were asking him to get the buildings approved to be habitable space and then have the inspections completed for both units.

ORDER

Ms. Vose ORDERED that the property was non-compliant because they did not have occupancy permits, required him to work with the City for what was necessary to obtain occupancy permits and reschedule this case for three (3) months from now.

f) CE2024-0586
Les Bans Temps Rouler LLC
102 Fred Waters Way
Ch. 8 Sec. 608- Permits required.
Barry Fox, Code Enforcement Manager, said the respondent was identified as Les Bans Temps Rouler LLC and reviewed the violation, Ch. 8 Sec. 608- Permits required. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Ms. Vose asked if the respondent was present.

Mr. Fox said these properties were in stewardship with Rusty Collins, an attorney in town and the City had reached out before with no response.

Ms. Vose found the respondent to be in violation.

ORDER

Ms. Vose ORDERED that the respondent should come into compliance within ten (10 days or up to a $250 a day fine would be assessed.

g) CE2024-0596
Teisan Family Revocable Living Trust
Teisan Gregory W
47 Grove Ave
Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Teisan Family Revocable Living Trust, or Gregory W Teisan and reviewed the violation, Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply. He said the notice of violation, notice of hearing was served, and affidavits were on file.

James Tomaselli, Code Enforcement Officer, reviewed the case, the violation, and provided background information.
Ms. Vose asked if this property was located where people had issues finding parking.

Mr. Tomaselli replied that the property was on the north side of Castillo Drive where the municipal parking garage was located. He said when the parking garage was full, they would wave people over to park on their property.

Ms. Vose asked if this was a repeat offense.

Mr. Fox replied that it was being reviewed. He said they had another violation, but it was for a different ordinance. He said that was why it was not listed as a repeat offender on the agenda, even though it was the same issue.

Mr. Schauland commented that in 2017 they were cited in violation of Chapter 17 Section 17-72 but had a different owner and it was outside the five year window. He said on December 31, 2020, there was a notice of violation for this same ordinance and on February 9, 2021, they were found in violation.

Ms. Vose asked if they had a business tax receipt and did not renew it.

Mr. Schauland replied they were unable to have a business tax receipt for this property. He said it was zoned residential and could not have a business tax receipt for a parking lot.

Ms. Vose asked if this case would come back for a violation of zoning or illegal parking.

Mr. Fox said at a DRC meeting the respondent would be informed that this type of business would not be allowed; however, they continued. He said based on the 2021 case it would be a repeat offender for the business tax receipt for parking vehicles on the property.

Ms. Vose asked if the respondent was present.

Jeremy Tison, the respondent, said he had parked vehicles on his property, but felt a variance should be made to the ordinance. He said he was in the process of leaving the property.

Ms. Vose asked if he was selling the property.

Mr. Tison replied the home was staying within the family, but another family member would be more responsible for it.

Ms. Vose said they were within the five-year time frame of the last violation of the business tax receipt and would not be able to obtain one.

ORDER

Ms. Vose ORDERED the respondent to pay a $500 fine and if this happened again in the future, applying to anyone in control of the property, there would be a $500 fine assessed for each time it occurred in the future for the next five (5) years.

h) CE2024-0597
Landry, Paul A Etal
Venancio, Amye L
Landry, Nicholas J II
37 Grove Ave
Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply.

The item was removed from the agenda, as it had come into compliance.

i) CE2024-0598
Bishop Of the Diocese St Aug
101 San Marco Ave
Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Bishop of the Diocese St. Augustine, and David Percil as the agent and reviewed the violation, Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Mr. Fox said this was a reoccurring offense at this property; however, it had not come before because they had come into compliance and agreed to attend a DRC meeting. He said at the DRC meeting they were told how to be in compliance because this property was able to be used for this purpose; however, they did not complete the improvements.

Ms. Vose asked if the parking of vehicles on this lot related to church activities.

Mr. Fox replied it was related to Nights of Lights! (NOL) and not a church function.

Ms. Vose asked if the respondent was present.

Jon Carres, Executive Director, National Shrine of Our Lady of La Leche Mission Nombre de Dios and Jonthan Velarde, owner of Parking Pros, were present.

Mr. Carres said December 21st, as shown in the photo, was a church event and there was no charge for parking; however, the other days were related to NOL activities. He said for that purpose the Shrine did not have a business tax receipt, but Parking Pros had a sales receipt for tax purposes. He said Parking Pros were contracted by the Shrine when they charged for parking in the field, and they had the correct certificates. He said if he needed to obtain a business tax receipt he could; however, it had not been done in the past.

Ms. Vose asked for clarification on the tax receipt that Parking Pros had.

Mr. Velarde said they were a service-based business and thought it encompassed anything they conducted business within the City. He said they currently had one but could obtain others if required.

Mr. Fox said this had been explained and each location had to have one specific to the site. He said the violation was a violation of the Shrine as they needed a business tax receipt to allow parking on the site because they were required to meet the DRC requirements and complete the improvements. He said the Shrine had not made any improvements to the grass lot therefore, unable to get a business tax receipt. He said Parking Pros had a

business tax receipt, but it had to be specific to where they were doing their function. He said in front of the Shrine there was a paved parking lot where parking could take place; however, the vehicles were in the grass field.

Mr. Carres said the City wanted them to make improvements by laying asphalt or rock in the grass field. He said he did not feel the neighbors would be in support of that for the few times that the field was used for parking; however, this year there were several church events as it was a Jubilee year for the Catholic Church and a lot of activity would take place. He said if it was a church event then it would be used for church parking.

Mr. Fox said the code allowed for overflow parking for one-time events on this site but not the constant parking.

Mr. Velarde said the parking that had occurred only on Saturdays during NOL. He felt this was a service to the City during NOL as there were thousands of vehicles on the streets looking for parking.

Mr. Carres pointed out there were other grass lots being used in the City for parking.

Ms. Vose asked if the paved parking lot was used first.

Mr. Carres said they used both; however, the paved parking lot could not be used until after 3:00p.m.

Ms. Vose said as church functions did not require a business tax receipt; however, using the property for various purposes not church related was not allowed on the grass lot without the improvements and the receipt.

Mr. Carrera asked if there was a special use permit that he could request during NOL time period.

Mr. Fox noted this property could be utilized for this parking, but they would have to attend a DCR meeting and meet all the requirements.

Ms. Vose found the respondent in violation, and said since they thought that the business tax receipt from Parking Pros applied, she would not assess a fine.

ORDER

Ms. Vose ORDERED that if the respondents were to use Parking Pros in the future, they would have to comply with the ordinances required.

Mr. Carrera replied he would apply to a DRC meeting as there may be other events besides NOL that the parking on the grass lot may be needed.

Ms. Vose said the matter was closed.

j) CE2024-0599
Tricat Lllp
Shenandoah St
Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Tricat Lllp and reviewed the violation, Ch. 17 Sec. 72- Engaging in business without a receipt; failure to comply. He said the notice of violation, notice of hearing was served, and affidavits were on file.

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

Ms. Vose asked if the respondent was present.

Michelle Thrower and Patricia Merritt were present.

Ms. Merritt said the property in question adjoined her home at 28 Water Street, the north adjoined her daughter's home, the west side adjoined a permitted parking lot, and the north side was directly across from Ripley's Believe It or Not's. She said the lot

had been used for various needs; however, over the past 22 years it was never used for public parking.

Ms. Thrower said the City was in the top ten in the country for holiday lights and there were millions of people in town. She said she had a parking lot that was permitted for about twelve vehicles, and this lot was beside hers. She agreed they were in violation, but felt they were helping the City. She requested a special permit so the space could be used for public service. She said the City used a similar to theirs without improvements for parking and they wanted to do the same.

Ms. Merritt said she did not want to have a permanent parking lot as it was used for many things.

Ms. Vose said that the special permit request would be a topic of concern for the City Manager and elected officials. She found the respondents in violation. She asked if this was a repeat violation.

Mr. Fox said what they said could not be disputed. He said in the past two years they had worked with them to get this property processed but this particular lot was in a RS-1 zoning.

Ms. Thrower said they could not obtain the permit because it was a residential lot.

ORDER

Ms. Vose ORDERED a $250 fine and in future it should not continue, and if caught, it would be a repeat violation and a $500 a day fine be assessed. [1]

k) CE2024-0600
Prevatt, Rosa Jane Et Al
Peterson, R. L.
Peterson, David
Rohrer, Gloria Jean
Peterson, Dee Ann
Harvey, Lori
Peterson, Lee
Peterson, Todd
Peterson-Golde, Amy
Enos, Shawna
30 S Leonardi St
Ch. 19 Sec. 3- Unlawful conditions.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Rosa Jane Prevatt, et al, and reviewed the violation, Ch. 19 Sec. 3- Unlawful conditions. 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.

Ms. Vose asked if this was a residential property with a home.

Ms. Lanni replied in the affirmative.

Public Comment was opened:

Joe Shaughnessy said the tenant on the property was a tree trimmer and when he was not trimming trees, he would process them onsite. He said the St. Augustine Police came and did a decibel reading since he runs the log splitter all day and the reading was between 80-90 decibels. He said working night shift was difficult and this was affecting him greatly. He said there was a trailer on the property that the tenant rented out.

Trevor Smith said this had been going on for years, and the person who lived on site what was on the deed, but he was elderly. He said his concern was what would happen after he passed as the family did not care about the property. He said this was hurting the neighborhood.

Doneen Boyd said she was concerned with the large pieces of equipment on the street which made it impossible to travel. She said it was very dangerous and a nuisance.

[1] Break 11:08a.m.- 11:15a.m.

Jerry Butterbaugh said this was a huge issue and right next to the property was a church. He said the tenant would cut the logs in the street and would dump the limbs and the noise this caused was loud.

Ms. Vose said this was a repeat violation and asked if a $500 fine would begin December 23, 2024, which was ten (10) days after the notice.

Mr. Fox replied that Shane Peterson knew he was being a nuisance to the neighborhood with very little concern. He said the contact with him had been unpleasant when trying to get him to comply with the noise. He said they were requesting a $500 a day fine from the day it was discovered.

ORDER

Ms. Vose ORDERED a $500 a day fine from the date the respondent was found in violation because it was a repeat violation, and it should continue until he came into complete compliance, or it reached $50,000 and then brought back for a separate case.

Mr. Fox said they would continue to monitor the situation as much as possible. He said he had been working with the police department to consolidate their efforts.

6. Fine Assignment Hearing

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

Barry Fox, Code Enforcement Manager, said the respondent was identified as Valerie Lee Properties, LLC and reviewed the violation, Ch. 8 Sec. 608- Permits required. He reviewed the case and provided background information.

Valerie Lee respondent said she hired a new builder and thought he applied for the permit. She said she did not know the fine was $50,000 until she came to the meeting. She said the work had been done properly and the permits were approved.

Ms. Vose said according to the record Ms. Lee was out of compliance for forty-one (41) days.

Mr. Fox replied that she had been out of compliance because the permit had expired. He said the violation period had been defined to be forty-one (41) days.

Ms. Lee said she was not informed by her builder that the permit had expired.

Ms. Vose said she assumed the permit was posted on the property.

Ms. Lee said the construction had been completed.

Mr. Fox said this was not in relation to when the permit was approved or reissued but was pertaining to when the permit had expired.

Ms. Vose found there were some extenuating circumstances.

ORDER

Ms. Vose ORDERED a $50 per day fine resulting in a total fine of $2,050.

b) CE2024-0227 Bicknell, Lee
Bicknell Family Trust Bicknell, Constance Inez 1
9 Milton St
Ch. 19 Sec. 3- Unlawful conditions.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Bicknell Family Trust or Lee Bicknell, and reviewed the violation, Ch. 19 Sec. 3- Unlawful conditions. He reviewed the case and provided background information.

Ms. Vose asked if the respondent was present.

The respondent was not present.

ORDER

Ms. Vose ORDERED that the full $250 per day fine until the property comes into compliance beginning January 7, 2025.

c) CE2024-0550 Rer Pro Invest LLC
80 Anderson St
Ch. 8 Sec. 608- Permits required

Barry Fox, Code Enforcement Manager, said the respondent was identified as Rer Pro Invest LLC, and reviewed the violation, Ch. 8 Sec. 608- Permits required. He reviewed the case and provided background information.

Ms. Vose asked if the respondent was present.

The respondent was not present.

ORDER

Ms. Vose ORDERED a fine of $250 per day beginning December 15, 2024.

7. Fine Reduction Hearing

(None)

8. Lien Hearing

a) CE2023-0208 Roots Construction Group LLC Largay, Joseph Jr 6 Blanche Street
Ch. 19 Sec. 3- Unlawful conditions.

Barry Fox, Code Enforcement Manager, said the respondent was identified as Roots Construction Group LLC, and reviewed the violation, Ch. 19 Sec. 3- Unlawful conditions. He reviewed the case and provided background information.

Ms. Vose asked if the respondent was present.

Joseph Largay said he thought this issue had been resolved.
Mr. Fox asked if he could speak for the respondent.

Mr. Largay replied in the affirmative.

Mr. Fox said Mr. Largay was in violation; however, he misunderstood the order in reference to some vehicles on the property. He said there had been significant improvements made to the property but there were two unregistered vehicles left with one being on a trailer, leaving him out of compliance.

Ms. Vose asked if the property would have been compliant within ten (10) days.

Mr. Fox said there was significant clean-up made to the property, but the two vehicles kept him out of compliance.

Mr. Largay advised he was unable to get the vehicles taken care of due to a license issue. He noted at the end of February that he should have his license back and be able to take care of the problem.

ORDER

Ms. Vose ORDERED to revisit the case in thirty (30) days and move the two vehicles within thirty (30) days.

b) CE2024-0209 Teisan, Barbara W Teisan, Hilary Erin Teisan, Gregory Walton Teisan, Jeremy Adam
47 Grove St
Ch. 28 Sec. 33- Certificates of occupancy.

Barry Fox, Code Enforcement Manager, said the respondents were identified as, Barbara W Teisan, Hilary Erin Teisan, Gregory Walton Teisan, and Jeremy Adam Teisan, and reviewed the violation, Ch. 28 Sec. 33- Certificates of occupancy. He reviewed the case and provided background information.

Morgan Lanni, Code Enforcement Officer, provided a brief overview of the software used to track Airbnb's for the City. She noted that this was an active Airbnb which was last posted July 22, 2024, and was being advertised.

Mr. Fox advised there had been no stays since July even though it was being advertised. He said the Airbnb did not have a certificate of occupancy (CO). He questioned the violation period was as they would have been out of compliance ten (10) days after April 9, 2024. He said there were two ways to come into compliance, it could be turned back into a shed or a CO could be obtained. He advised that neither of these had been done.

Ms. Vose said a fine of $250 per day was assessed until compliance was met.

Mr. Fox said the lien total for the 290 days was $72,500.

Jeremy Tison, respondent, said the Fire Inspector came and viewed the property and he thought everything had been settled. He said this building had been rental for thirty (30) years.

Mr. Fox advised the Fire Marshal performed a life safety check for a certificate of registration not the CO, as the CO was to allow people in the building.

Ms. Vose asked for a recommendation on how to proceed.

Mr. Schauland suggested allowing Mr. Tison to hire a contractor and remedy the issue and return to assess the fine at a later date.

ORDER

Ms. Vose ORDERED the process should be started within ten (10) days and the case should be brought back if it was taking an unreasonable amount of time. She said a fine would be assessed in the future.

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

Barry Fox, Code Enforcement Manager, said the respondents were identified as Luther C Stewart III and Jodi Lynn Stewart, and reviewed the violation, Ch. 3 Sec. 23- Sign regulations generally. (i) obsolete signs. He reviewed the case and provided background information. He noted the fine remained unpaid.

ORDER

Ms. Vose ORDERED the fine to be reverted back to $4,750 and a lien authorization would be signed.

d) CE2024-0576
Rer Pro Invest LLC
80 Anderson Street
Ch. 8 Sec. 457- Unlawful continuance

Barry Fox, Code Enforcement Manager, said the respondents were identified as Rer Pro Invest LLC and he reviewed the violation, Ch. 8 Sec. 457- Unlawful continuance. He reviewed the case and provided background information. He noted the fine remained unpaid.

ORDER

Ms. Vose ORDERED the authorization of a lien in the amount of $500

The respondent was not present.

9. Compliance Hearing

a) CE2023-0474 Dettra Living Trust Uad Dettra, Richard Dettra, Diane
31 Lewis Blvd
Ch. 22 Sec. 16- Use of and/or construction in City rights-of-way.

Barry Fox, Code Enforcement Manager, said the respondents were identified as Dettra Living Trust, and reviewed the violation, Ch. 22 Sec. 16- Use of and/or construction in City rights-of-way. He reviewed the case and provided background information. He said prior to the lien being issued the respondent had become compliant; however, the documentation had not been provided to

Code Enforcement. He asked if this finding could be dismissed as the documents were not available prior to the hearing.

ORDER

Ms. Vose ORDERED that the case be dismissed.

b) CE2024-0461 Huxford, Kaley, Huxford, James Micah
59 Menendez Rd
Ch. 8 Sec. 608- Permits required.

Barry Fox, Code Enforcement Manager, said the respondents were identified James and Micha Huxford, and reviewed the violation, Ch. 8 Sec. 608- Permits required. He reviewed the case and provided background information. He said the respondents came into compliance within the compliance period. He requested closure of the case.

ORDER

Ms. Vose granted an order of compliance and closure.

10. Previously Heard Cases Update

(None)

11. City Attorney Items

(None)

12. Other Business

(None)

13. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:33 P.M.[2]

Becky Vose, Special Magistrate

[2] Transcribed by Elyse Wiemann