

CITY OF ST. AUGUSTINE

Special Magistrate Meeting  
Wednesday, December 3, 2025

The Special Magistrate met Wednesday, December 3, 2025, at 9:00 A.M. in the Alcazar Room at City Hall. The meeting was called to order by Garret Olsen, and the following were present:

**1. Swearing in of Staff:**

Also Present: Garret Olsen, Special Magistrate  
Isabelle Lopez, City Attorney  
Richard Schauland, Building Official  
Barry Fox, Code Enforcement Manager  
Curtis Boles, Code Enforcement Inspector  
James Tomaselli, Code Enforcement Inspector  
Morganne Lanni, Code Enforcement Inspector  
Emily Howington, Recording Secretary

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**2. MODIFICATION TO THE AGENDA**

City staff requested to add 9b CE2025-0456 , respondent Barry Pits Living Trust, 17 Salt Run Ct, Ch. 25-56 because they were in compliance early. The item was added.

**3. APPROVAL OF MINUTES**

**Previous meeting minutes are approved.**

**4. General Public Comments (3 minutes per individual)**

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

**5. NEW VIOLATION HEARING**

**5.A. CE2025-0365**  
**Rte Smart & Construction LLC**  
**28 Rollins Ave**  
**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. 8-608-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. On June 9th permits were applied for but payment was not received. Mr. Olsen asked if permit was still open, Mr. Tomaselli confirmed it was, and because an LLC owned the property cannot get an owner builder permit, so a contractor has to complete the work and pay for the permit.

Mr. Olsen asked if a respondent was present, however, there was none.

**ORDER**

**Mr. Olsen issued an Order Finding in Violation, and allowing a compliance deadline of December 15, the fine was set to \$250 per day if still in violation.**

**5.B. CE2025-0443**  
**Richardson, Keith**  
**22 DeSoto PI**  
**Ch. 8 Sec. 8-608-**  
**Permits required.**

Barry Fox, Code Enforcement Manager, said the respondent was identified as listed and he reviewed the violation Ch. 8 Sec. 8-608- 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. Mr. Tomaselli stated he spoke to respondent but no further action to compliance was taken.

Respondent Keith Richardsons, 22 DeSoto Place, was present and stated the trellis was on property for 25 years, when shed taken down the trellis was rotted and raised by 10 inches. Mr. Richardsons stated he did not think city should required a permit for the repair of an existing trellis.

Mr. Garret asked city staff's position, Mr. Fox stated that it is a fence, and it violates the height. While the previous one did not receive a violation for the height, the new fence needs to meet the requirement.

Mr. Olsen stated he agreed with the city that this was a fence part of a larger structure. Barry fox stated that the ordinance may not address trellis specifically, but it does apply to hedges as well as fences. Discussion continued regarding what is required by the planning and zoning dept. Mr. Fox stated it would still be applicable to the height requirement. Mr. Fox stated he wanted to give compliance time until February.

**ORDER**  
**Mr. Olsen issued an Order Finding in Violation, given until February 2, 2026, to come into compliance or a fine of up to \$250 per day would be issued.**

**6. FINE ASSIGNMENT HEARING**

**6.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 Ch. 8 Sec. 8-608- Permits required. He said relayed the history of the case and the previous orders.

On August 6 the Special Magistrate issued fine beginning May 17, 2025, and on September 12, 2025, came into compliance the fine accrued to \$29,500 for the days out of compliance. Mr. Olsen asked if in compliance now, Mr. Fox confirmed the case came into compliance on September 12, 2025.

Mr. Olsen asked if any respondents were present, Susanne Sellars, and Jeffery Sellers 91 Kings Ferry Way were present.

Mr. Olsen asked if she understood the nature of the fine. Jeffery Olsen spoke about meetings with historic preservation staff.

Further discussion continued about the construction process and the application process for the building permits. Mr. Olsen and Mr. Fox spoke to the respondent about the possibility of a fine reduction hearing in the future.

**ORDER**  
**Mr. Olsen issued Order Imposing a Fine in the amount of \$29,500 for the 118 days out of compliance, the respondents have 30 days to pay the fine or request a reduction.**

## 7. FINE REDUCTION HEARING

(NONE)

## 8. LIEN HEARING

### 8.A. CE2024-0394

**Wolkoff William J Trust, Wolkoff William, J T  
186 Pelican Reef  
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 as Ch. 25 Sec. 25-56- Tree removal and replacement. He said relayed the history of the case and the previous orders.

City staff requested to have the conditions of order changed to a flat fine, due to the nature of replanting trees in particular season. City staff requested a lien in the amount of \$4,500.

Mr. Olsen asked if any respondents were present, however there were none.

### ORDER

**Mr. Olsen issued Order Imposing a Lien in the amount of \$4,500.**

### 8.b) CE2025-0396

**Gunther, Jeffery  
18 Locust 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 relayed the history of the case and the previous orders.

City staff requested a lien in the amount of \$7,500.

Mr. Olsen asked if any respondents were present, Attorney Mr. Shear spoke on behalf of the respondent. Mr. Shear stated

the respondent had a stated issue was on receiving the certified mail because the secondary address in Virginia is shared with other businesses. Stated the respondent was requesting reduction of the fine or wave of the fine based on circumstances.

Mr. Olsen asked for clarification that it was not that city had incorrect address but there was an issue on the receiving end. Mr. Fox confirmed that the city had the correct addresses.

Mr. Olsen asked about the reduction process in regards to a lien. Isabelle Lopez stated it is a two-step process, the respondent is required to request the recommendation of reduction of lien by the Special Magistrate which would be brought before City Commission.

Mr. Fox suggested the case be tabled to allow the change for a fine reduction request.

### ORDER

**Mr. Olsen tabled the item for the February 4, 2026, meeting.**

### 8.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 relayed the history of the case and the previous orders.

City staff requested a lien in the amount of 5,250. Mr. Olsen asked if any respondents were present, however there were none.

### ORDER

**Mr. Olsen issued Order Imposing a Lien in the amount of \$5,250.**

**9. COMPLIANCE HEARING**

**9.A. CE2025-0483**  
**Kalil Land LLC**  
**95 Chapin 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 as Ch. 25 Sec. 25-56- Tree removal and replacement. He said relayed the history of the case and the previous orders.

The order stated for the removal of 2 dahoon holly and 3 oak trees the fine was set to \$300 per tree for 5 trees for a total fine of \$1,500.

The fine was paid in full; the property is in compliance.

**ORDER**

**Mr. Olsen issued Order Closing Case for Compliance.**

**9.B. CE2025-0456**  
**Pitts Barry Living Trust**  
**Pitts, John Paul**  
**17 Salt Run 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 as Ch. 25 Sec. 25-56- Tree removal and replacement. He said relayed the history of the case and the previous orders.

The fines have been paid in full. The respondent verbally consented to bringing the case to court without notice so the matter could be closed. The respondent sent city staff an email acknowledging waiving the official notification requirement.

**ORDER**

**Mr. Olsen issued Order Closing Case for Compliance.**

**10. PREVIOUSLY HEARD CASES UPDATE**

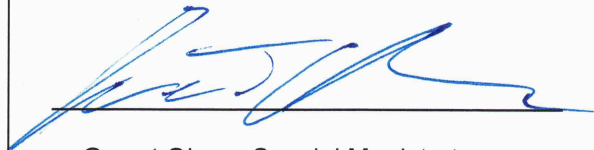
**11. ITEMS BY CITY ATTORNEY**

**12. OTHER BUSINESS**

(None)

**13. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:01 A.M.



Garret Olsen, Special Magistrate