CITY OF ST. AUGUSTINE

Special Magistrate Meeting
Wednesday, December 4, 2024

The Special Magistrate met Wednesday, December 4, 2024, at 9:00 A.M. in the Alcazar Room at City Hall. The meeting was called to order by Becky Vose, 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
James Tomaselli, Code Enforcement Inspector
Recording Secretary, Elyse Wiemann

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

3. APPROVAL OF MINUTES

Ms. Vose APPROVED the meeting minutes for the November 6 meeting.

2. MODIFICATION TO THE AGENDA

(None)

4. General Public Comments (3 minutes per individual)

(None)

5. NEW VIOLATION HEARING

5.A. CE2024-0461
Huxford Kaley
Huxford James Micah
59 Menendez Rd
Ch. 8 Sec. 608- Permits required.

Mr. Fox noted that the respondent had been identified, and the violation was per Code Ch.8 Sec. 608- Permits required. He said a notice of violation and hearing had been served.

Ms. Vose asked if the respondents were present.

The respondents were not present.

Mr. Fox read the sworn statement from Morganne Lanni, Code Enforcement Officer into the record.

Ms. Vose asked if in the photos provided if that was the new fence.

Mr. Fox said he was with Ms. Lanni on the date in question and new fence was installed and remains on the property.

ORDER

Ms. Vose ORDERED that the respondent(s) had ten days to apply for the permit and after that a fine of $250.00 per day would be assessed.

5.B. CE2024-0548

Mc Lure Bruce Wray
113 Anastasia Lakes Dr
Ch. 25 Sec. 56- Tree removal and replacement

Mr. Fox noted that the respondent had been identified, and the violation was per Code Ch. 25 Sec. 56, subsection (a) Tree removal and replacement. He said a notice of violation and notice of hearing had been served.

Curtis Boles, Code Enforcement Inspector, provided a brief overview of the case and the violation. He said the respondent made a great effort to replace the trees. He said it required an extra couple of days to obtain the trees. He said the respondent was unaware that he had to obtain a permit to remove a tree.

Mr. McLure, respondent, advised that a thick evergreen tree was at the corner of the road and there were no sidewalks on the street. He said the tree blocked the vision for pedestrians and vehicles. He said he was unaware that a tree could not be taken down without a permit.

Mr. Fox said there had been confusion with the Homeowners Association on what could be done with trees.

ORDER

Ms. Vose dismissed the case.

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

Mr. Fox noted that the respondent had been identified, and the violation was per Code Ch.8 Sec. 608, permits required.

Ms. Vose asked if the respondents were present.

The respondents were not present.

Mr. Fox read the sworn statement from Morganne Lanni, Code Enforcement Officer into the record. He said a notice of violation and notice of hearing had been served.

ORDER

Ms. Vose ORDERED that the respondent(s) had ten days to apply for the permit and would apply a fine of $250.00 per day would be assessed.

5.D. CE2024-0576
Rer Pro Invest LLC
80 Anderson St.
Ch. 8 Sec. 457- Unlawful continuance.

Mr. Fox noted that the respondent had been identified, and the violation was per Code Ch.8 Sec. 457, Unlawful Continuance.

Ms. Vose asked if the respondents were present.

The respondents were not present.

Mr. Fox read the sworn statement from Morganne Lanni, Code Enforcement Officer into the record. He said a notice of violation and notice of hearing had been served.

Mr. Fox said he checked the home, and paper had been installed in the windows to prevent others from seeing inside.

Ms. Vose asked if the work at the home was completed.

Mr. Fox advised that a permit had been applied for.

Ms. Vose asked for a request. Mr. Fox replied that finding the property in violation and a one-time fine would be sufficient action.

ORDER

Ms. Vose ORDERED that a $500 fine would be assessed.

6. FINE ASSIGNMENT HEARING

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

Mr. Fox said in reference to the matter of CE2024-0441, noted that the respondent had been identified, and the violation was per Code Ch.8 Sec. 608, permits required.

James Tomaselli spoke to the contractor and noted that the wall with the electrical work was not included in the permit which had been applied for within the allotted time but there was no permit for the electrical work in the wall at this time, but the contractor was in the process.

Mr. Fox said what had been filed was not sufficient for a permit and staff did not feel the intent was to complete the permit.

Ms. Vose asked for clarification on what was being done at the property.

Mr. Fox said they had a renovation permit for inside the home but not outside the home. He said permission would be required for outside the home and in Lincolnville there were other requirements.

Mr. Fox stated after speaking with the Building Official the all the things for outside could be included in one permit. He said this would also have to be heard by other Boards within the City to had after the fact approvals.

Ms. Vose asked for recommendation on verdict from staff.

ORDER

Ms. Vose ORDERED 60 days to submit for a permit without further changes and would have to be complete. She said a fine of $250 per day would be assessed if not.

7. FINE REDUCTION

(None)

8. LIEN HEARING

(None)

9. COMPLIANCE HEARING

9.A. CE2024-0318
Stehli, Gary
8 Hedrick St
Ch. 19 Sec. 4- Unlawful conditions.

9 B CE2024-0319
Stehli, Gary
8 Hedrick St
Ch. 28 Sec. 33- Certificate of Occupancy

Mr. Fox reviewed case 9.A and 9.B. and noted that Mr. Stehli had come into compliance even though it took longer than expected.

Ms. Vose asked if anyone was present for the case.

The respondent was not present.

ORDER

Ms. Vose ORDERED to close the case as they had come into compliance. Ms. Vose ORDERED to Close both cases.

9.C CE2024-0443
Strange, Tory V
60 Carrera St
Ch. 8 Sec. 608- Permits required.

Mr. Fox reviewed the case and noted the respondent had been identified and the volition was as follows: Ch. 8 Sec. 608, permits required. He noted that the property was in compliance and requested a closure.

Tory Strange, respondent, apologized for not being present at the last meeting. He clarified that there had not been extensive remodeling, but a permit was obtained for the porch.

ORDER
Ms. Vose ORDERED to close the case as they had come into compliance.

9.D CE2024-CE2024-0523
Jensen, Annie Et Al
Holland, Brandy
78 Sanford St
Ch. 8 Sec. 8-457- Unlawful continuance

Mr. Fox reviewed the case. The property continued work without permits after a Stop Work Order was placed. The continuance ceased before the Special Magistrate hearing.

ORDER

Ms. Vose ORDERED to close the case as they had come into compliance.

10. PREVIOUSLY HEARD CASES UPDATE

11. ITEMS BY CITY ATTORNEY

January's meeting will be closed, and the February meeting will be a large agenda.

12. OTHER BUSINESS

(None)

13. ADJOURNMENT 10:07 am

Becky Vose

Becky Vose, Special Magistrate