

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
March 12, 2024

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, March 12, 2024, in the Alcazar Room at City Hall. The meeting was called to order by Jan Kelly, Chairman, and the following were present:

1. ROLL CALL

Jan Kelly, Chairman,
Thomas Day, Vice Chairman

Marilyn Meade Garrett,
Karen Valachovic,

Staff Present:

Isabelle Lopez 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

2. SWEARING IN OF STAFF

3. APPROVAL OF MINUTES

Tom Day motioned to approve the minutes, Karen Valachovic seconded, minutes approved unanimously.

4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

BJ Kalaidi West City St Augustine stated the CEAAB meetings should be streamed to public and showed an item received in her mail, she stated people don't come forward with concerns due to being afraid of retaliation.

5. DISCLOSURE OF EX-PARTE COMMUNICATIONS

None

6. BUILDING CODE VARIANCES

None

7. REVIEW OF NEW CASES

a. CE2024-0212

Barbara W Teisan
Hillary Erin Teisan
Greory Walton Teisan
Jeremy Adam Teisan
47 Grove Ave

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

Barry Fox relayed case information and Morganne Lanni provided testimony. On January 10 2024, staff received complaint the property was using residential yard as paid to park lot. On January 14, parking continued, on February 4 ,2024 they were still parking cars on the lot. For 4 days the violation was witness by staff. Karen Valachovic asked Barry Fox about parking zoning

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requirements. Hillary Teisan of Ashby Landing Way, who is partial owner of the property talked about how other residents use there lots for parking and the money her family received is used to assist her mother. Karen Valachovic discussed how this is a continuing issue and the property already has had a violation for this issue. Jan Kelly asked for board discussion.

Public comment: None

MOTION

Tom Day motioned to find the property in violation and impose a fine of \$500 per day for the 4 days in violation for a total fine of \$2,000 Marylin Garret seconded and the motion passed unanimously

b. CE2024-0219

Ray Rima
135 Menedez Road
Ch. 8 Sec 608 Permit required.

Barry Fox relayed case information, James Tomaselli provided testimony. No permits had been applied for or issued for the work done inside. Notice of violation and hearing were sent. Karen Valachovic asked about window permit that had expired. Respondent was not present. The board discussed and Richard Schauland to give 10 days to apply for a permit. Jan Kelly asked about the Notice of Violation procedure.

Public comment: None

MOTION

Karen Valachovic motioned to find in violation require an after the fact permit issued in 30 days for the work that was done and imposing with a fine of up to \$250 per day for each day out of compliance. Marylin Garret seconded, and the motion passed unanimously.

c. CE2024-0227

Bicknell Family Trust
C/O Lee Bicknell
19 Milton Street
Ch. 19 Sec. 19-3 Unlawful conditions

Barry Fox relayed case information and James Tomaselli provided testimony. On December 28 2023 a review of property obtained by accessing the alley. On Sunday staff observed additional debris on trailer and concrete blocks. Jan Kelly asked about 10 days given, no changes in property. Jan Kelly asked about length of time property has been in this condition. Respondent was present. Lee Bicknell, stated he removed a van and stated in process of remedying the property and materials are for landscaping. Board discussion.

Public comment: None

MOTION

Jan Kelly motioned to find property in violation, give 10 days for compliance, and a fine of up to \$250 per day if compliance not met. Tom Day seconded, and the motion passed unanimously.

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d. CE2024-0240

Jason Sinclair, Kelley Sinclair
208 Alcazar Street
Ch. 8 Sec 608- Permit required.

Barry Fox relayed case information and James Tomaselli provided testimony on February 9, 2024, work was done outside the scope of the issued permits. The permits were for plumbing and roof, tasks outside permit. Jan Kelly asked how long permits are good for and when was the last inspection. Respondent was present. Jason Sinclair, 208 Alcazar St. stated he obtained his permit through contractor, primary and separate permits under his name for electrical, plumbing, HVAC, and roof. All inspections completed. On February 9, 2024, he submitted new drawings with concrete work included and stated he was willing to resubmit plans.

Public comment: None

MOTION

Karen Valachovic motioned to find in violation give 30 days for an approval of the revision to building permit with a fine of up to \$250 per day if compliance terms not met. Tom Day second and the motion passed unanimously.

e. CE2024-0262

Vladmir Tesler, Anna Tesler
212 Kenan Street
Ch. 30 Sec. 30-8 Placing containers for collection.

Barry Fox relayed case information and Morganne Lanni provided testimony. On January 3, 2024, regarding complaint received and violation confirmed. Complaint was recieved on February 7, and staff responded same day. On Feb 23 2024 the violation remained and on February 28. The trash was removed March 5, the day of collection. Jan Kelly asked about number of complaints and nature of complaints.

Public comment: None

MOTION

Jan Kelly motioned to find in violation and close for compliance. Karen Valachovic seconded and the motion passed unanimously.

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f. CE2024-0265

Vladmir Tesler, Anna Tesler
212 Kenan Street
Ch. 30 Sec. 30-7 Garbage and trash to be deposited in containers.

Barry Fox relayed case information and Morganne Lanni provided testimony. The owner purchased additional trash can so the service request was closed. The bags were torn open February 28. Owner emailed to state additional cans purchased. Respondent not present.

Public comment: None

MOTION

Jan Kelly motioned to find in violation and close for compliance. Marilyn Garret seconded, and the motion passed unanimously.

g. CE2024-0226

Columbia Restaurant of St. Aug
98 St. George Street
Ch. 26 Sec. 26-82 Interceptors.

Barry Fox relayed case information Morganne Lanni provided testimony with additional testimony by environmental inspector Laura Arnot. Failing 3 grease trap inspections. On February 7 routine inspection failed, and 7 days to be compliant. On February 14, reinspection still out of compliance. Respondent stated the grease trap dumping was scheduled for week of February 19. On February 22 still out of compliance. On February 28, still out of compliance and code enforcement was contacted. On March 5 out of compliance, on March 7 and were in compliance and currently in compliance. Grease traps of this size are inspected 1 per yr. unless failed. Owner authorization form not on file but Jan Kelly allowed the chef of the restaurant to speak. Chef stated they signed a contract with new company, with a more frequent pump out schedule.

MOTION

Karen Valachovic motioned to find in violation and close for compliance. Marilyn Garret seconded and the motion passed unanimously.

2. REVIEW OF PREVIOUSLY HEARD CASES

a. CE2022-0217

Roots Construction Group LLC
C/O Joseph Largay
6 Blanche Lane
Ch. 19 Sec. 19-3 Unlawful conditions

Barry Fox relayed case information Morganne Lanni provided testimony and case updates. The property owner has made significant progress in cleaning the property. No respondent present.

Public comment: None

MOTION

Jan Kelly motioned to table until CEAAB meeting April 9, 2024. Karen Valachovic seconded and the motion passed unanimously.

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b. CE2022-0337

Barbara Teisan

47 Grove Ave

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

Barry Fox relayed case information and provided case updates. Marilyn Garret asked about the other lien on the property, board discussed. Respondent no longer present.

Public comment: None

MOTION

Karen Valachovic motioned to file the fine of \$1000 as a lien, Jan Kelly seconded, motion passed unanimously.

c. CE2023-0296

Rosa Jane Prevatt, R.L. Peterson, David Peterson, Gloria Jean Rohrer, Dee Ann Peterson, Lori Harvey, Lee Peterson, Todd Peterson, Amy Peterson-Golde, Shawna Enos

30 S. Leonardi St

Ch. 19 Sec. 19-3 Unlawful conditions

Barry fox relayed case information and provided updates, as February 2024, the \$50,000 threshold reached. Respondent not present.

Public comment: None

MOTION

Karen motioned to file a lien for \$50,000 Jan Kelly seconded and the motion passed unanimously.

d. CE2023-0305

Bcs Acquisition Group LLC

56 Carrera St

Ch. 8 Sec. 8-608 Permit required.

Barry fox relayed case information and provided updates. Respondent not present.

Public comment: None

MOTION

Marilyn motioned to file a lien in the mount of \$4,100, Jan Kelly seconded and the motion unanimously.

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Compliance

- e. **CE2022-0375**
Amanda Battell
12 Newcomb St
Ch. 19 Sec. 19-3

Barry Fox relayed case information and provided updates. Respondent not present.

Public comment: None

MOTION

Jan motioned to close for compliance tom day 2. Motion unanimous.

- f. **CE2023-0207**
Joseph Largay Jr
7 Blanche Lane
Ch. 19 Sec. 3

Barry fox relayed case information and Morganne Lanni provided testimony and case updates. Respondent not present.

Public comment: None

MOTION

Karen motioned to close for compliance, tom 2nd motion unanimous.

- g. **CE2023-0259**
Direct Home Buyer 1 Inc
118 Lincoln St
Ch. 8 Sec. 8-608

Barry Fox relayed case information and provided updates. Respondent not present.

Public comment: None

MOTION

Marylin Garret motioned to close for compliance, Jan Kelly seconded, motion passed unanimously.

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h. **CE2023-0409**

Courtyard 50 LLC Et Al and
Nuview Trust Co Custodian Fbo
Ruby Joann Thompson Ira 217645
158 Blanco Street
Ch. 28 Sec. 25-56 Tree removal and replacement.

Barry Fox relayed case information and provided updates. Respondent not present.

Public comment: None

MOTION

Karen Valachovic motioned to close for compliance, Tom Day seconded, the motion unanimously.

CITY ATTORNEY ITEMS

Discussion of the implementation of the special magistrate.

OTHER BUSINESS

(None)

ADJOURNMENT

5:00pm



Jan Kelly, Chairperson



Emily Howington, Administrative Coordinator, Recording Secretary

