



CITY OF ST. AUGUSTINE FLORIDA
AGENDA

- CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD -

Tuesday, October 8, 2019, 3:00 P.M.

Alcazar Room, City Hall

-
- 1. ROLL CALL**
 - 2. SWEARING IN OF STAFF**
 - 3. APPROVAL OF MINUTES (September 10, 2019)**
 - 4. DISCLOSURE OF EX-PARTE COMMUNICATIONS**
 - 5. GENERAL PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**
 - 6. BUILDING CODE VARIANCES / REMOVAL OF PROTECTED TREES**
(None)
 - 7. REVIEW OF PREVIOUSLY HEARD CASES**
 - a) 2019-0328 Neil Sexton
[36 Magnolia Avenue](#)
Property Maintenance
City Code, Chapter 8, Section 8-301
International Property Maintenance Code, Section(s) 304.2,
304.7 & 304.13
 - 8. REVIEW OF NEW CASES**
 - a) 2019-0314 George A. Allen
[47 Abbott Street](#)
Certain growth prohibited
City Code, Chapter 19, Section 19-4

- b) 2019-0381 Roman Catholic Church
 101 San Marco Avenue
 Use of and/or construction in city rights-of-way
 City Code, Chapter 22, Section 22-16 (b)(1)(i)

9. CITY ATTORNEY ITEMS

10. OTHER BUSINESS

11. REVIEW OF CONFLICT STATEMENTS FROM PREVIOUS MEETING

12. ADJOURNMENT

Notices: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision by the Code Enforcement, Adjustments and Appeals Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

APPROVAL OF MINUTES

(September 10, 2019)

CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
September 10, 2019

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, September 10, 2019, in the Alcazar Room at City Hall. The meeting was called to order by Martha Mickler, Chairman, and the following were present:

1. ROLL CALL

Martha Mickler, Chairman
Stephen Simmons, Vice Chairman
CeCe Reigle
Thomas Day
Larry Weeks
William Masson
Noel Mahr - Absent

Staff Present:

John Cary, Esq., Assistant City Attorney
David Birchim, Director, Planning & Building Department
Richard Schauland, Building Official & Code Enforcement Manager
Curtis Boles, Code Enforcement Inspector
Robert van Mierop, Code Enforcement Inspector
Sandra Partin, Administrative Coordinator, Recording

The City staff was sworn in.

2. APPROVAL OF MINUTES
(August 13, 2019)

MOTION

Mr. Day moved to approve the minutes as presented. The motion was seconded by Mr. Simmons and approved by unanimous voice vote.

3. DISCLOSURE OF EX-PARTE COMMUNICATIONS

None.

4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

None.

5. VARIANCES/TREE REMOVAL

Item 5 (a) **2019-0332**

Richard and Beverly Sorrentino
26 Miruela Avenue
Removal of a 20" Southern Red Cedar tree
City Code Chapter 25, Section 25-56

Mr. van Mierop reported the following:

- On July 5, 2019, an application for tree removal was submitted by Josh Shaw, of Tree Worx tree company, working out of Ormond Beach. The application was for the removal of a Cedar tree that according to Tree Worx, was measured at 20" in diameter. The application described the tree as "rotting, hollow, hole in the trunk". Included with the application were photographs that show the tree which appeared to be a healthy Southern Red Cedar. The application was submitted late in the afternoon on that date, which was a Friday.
 - On July 9, 2019, he visited the site to do an inspection of tree, only to find that it had already been removed. He spoke with one of the homeowners, Beverly Sorrentino, who advised that Tree Worx had removed the tree on Friday, July 5, 2019, and that the representative of Tree Worx told her that a permit for removal was in place.
 - There was no report from either a Certified Arborist or a Florida Licensed Landscape Architect.
 - The tree was a 20" diameter, Southern Red Cedar tree that would have not been approved for removal due to it's size. The remaining stump was measured and photographed, and it showed no signs of being hollow or rotten. There was no other tree debris present as it had all been removed.
 - On August 21, 2019, an "Official Notice of Violation" was sent to the respondent via Certified Mail.
 - On August 27, an "Official Notice of Hearing" was sent to the respondent via Certified Mail.
 - On August 28, 2019, a "Posting Affidavit" of that days Hearing, was posted at the property and with the City Clerk's Office.
 - He presented photos that had been submitted with the permit application, and of the stump after the tree had been removed.
 - The Respondent had stated to him that the tree company was going door to door in the neighborhood.
 - He had contacted the tree company to encourage them to attend the meeting, but there was no response.
 - He added that the Respondent wanted to attend that days meeting, however, was unable to attend due to personal issues. She contacted the City and provided an email with her testimony in the hope that it would be considered by the Board. He then read the email into the record.
- Mr. Simmons asked for clarification of the process regarding date application was received, and time frame in which the permit would be reviewed by staff. And he asked if the City had knowledge of this tree company.
- Mr. van Mierop explained that once an application is received, inspections are

done within 2-3 days after receipt. The City is not familiar with this tree company.

Mr. Day stated that the same tree company had visited his property the same day, soliciting for business before the Hurricane.

Ms. Reigle asked where on the property the tree was located.

Mr. van Mierop stated that the tree was on the north side yard.

Public comment was opened

Stephen Goretskie, 34 Miruela Avenue, commented to the following:

He concurred that as testimony had been received, the tree company was coming door to door soliciting business. The gentlemen with the tree company came, took pictures of the tree, said he would submit it for removal, he came back later that day and said they were clear to remove the tree on Monday.

Public comment was closed.

*A Motion was presented by Mr. Masson to approve an "Order Finding Violation" withholding any fine with stipulation that two replacement Southern Red Cedar trees be planted. The motion was seconded by Mr. Simmons, but did not carry with the following voice vote:
Ayes: Masson, Weeks, Day.
Nays: Simmons, Reigle, Day.*

Mr. Simmons commented that a similar case had come before this Board at the previous meeting, and until the City was able to make restrictions against companies coming and circumventing the removal process, cases such as this would appear.

Ms. Reigle commented that there had to be some culpability to regulate the tree cutters.

Mr. Cary advised the Board that the code did not currently allow for action to be taken against the tree companies. The violation is to the homeowner.

Mr. Simmons added that while not to sound contradictory, when an application is made and the process is explained and they contradict that, there must be some action taken.

Ms. Reigle suggested perhaps it was fraud.

Mr. Masson stated that while members of this Board had knowledge of the requirements of application before trees are removed. That they could at some time later put a recommendation for registering of tree companies that could remove trees in the city. However, this could be a criminal matter, where companies are going out and committing fraud.

Mr. Simmons commented that he did not see any difference between someone doing construction without a permit. That work is stopped, and fines are imposed. That if this Board is the

responsible party of enforcement, they cannot be sympathetic to the respondent, and that it would be up to the respondent to take legal action against the tree company.

Mr. Masson explained his reasoning, that with this Board being the steward of the trees, they make certain that replacement trees are planted for the trees lost. That the respondent is not punished, because they don't feel culpable, and how they can adjust this legally in the future.

Ms. Reigle raised the question of whether a cease and desist action could be taken to prevent certain companies from doing business in the city. She expressed concern that with city staff time involved, and lower fines being imposed, it could be viewed as a hand slap.

Mr. Cary commented that he would do some research and report back at the next meeting.

Mrs. Mickler raised concern that the tree company had made application to the city for tree removal and then removed the tree prior to inspection and approval.

Mr. Day commented that it was fraud on the tree companies' part. And he suggested that perhaps the newspaper could do a story on the permitting requirements, and the city could have information on the website.

Mr. Simmons added that this Board was facing several problems, not

withstanding, where they are taking advantage of the elderly.

A second motion was given to continue the case to the October meeting, with unanimous voice vote, but was later retracted as Mr. Simmons would be absent from the next meeting.

MOTION

Mr. Masson moved to continue the case to the November 19, 2019, meeting. The motion was seconded by Mr. Day and approved by unanimous voice vote.

Item 5 (b) 2019-0333

**Stephen M. Goretskie/Krystyna Borsewicz
34 Miruela Avenue
Removal of a 37" Live Oak tree
City Code Chapter 25, Section 25-56**

Mr. van Mierop reported the following:

- On July 5, 2019, an application for tree removal was submitted by Josh Shaw, of Tree Worx company, working out of Ormond Beach. The application was for removal of a Live Oak tree that according to Tree Worx, was measured at 36" in diameter, and was a "danger to the home". Included with this application were photographs to show the tree which appeared to be a healthy Live Oak. The

application was submitted late in the afternoon on that date, which was a Friday.

- On July 8, 2019, he went to assess the tree for the permit and observed that the tree had already been removed. He then telephoned the homeowner and was told that the tree had been removed on Friday, July 5, 2019, by Tree Worx, and that the representative from Tree Worx claimed to have had a permit to remove the tree. There was no record of a Certified Arborist's or a Florida Licensed Landscape Architect Report recommending the tree's removal.
- The tree was a 36" dbh Live Oak tree that would not have been approved by staff due to its size.
- On July 10, 2019, what was left of the tree stump was measured and photographed with a subcontractor present and in the process of grinding the stump at the request of Tree Worx, who had removed the tree.
- He noted that on January 8, 2018, the City had received a tree removal permit application from Jack Leake, of Affordable Tree Service, requesting removal of this same tree. The application was denied due to size, an Arborist Report was requested for a possible appeal of the denial of the application, which was never filed. Photos of the tree were submitted with the January 8, 2018, application, and

included in this day's packet material.

- On August 21, 2019, an "Official Notice of Violation" was sent to the respondent via Certified Mail.
- On August 27, 2019, an "Official Notice of Hearing" was sent to the respondent via Certified Mail
- On August 28, 2019, a "Posting Affidavit" of this days hearing was placed at the property and with the City Clerk's Office.
- Staff recommended that the Board find the property in violation and that a fine be considered with condition that two replacement shade trees be planted at the subject property.

Mr. Simmons asked for clarification of the tree measurement and reason for requesting removal.

Ms. Reigle asked for clarification of which photos were taken in January 2018.

Mr. Goretskie, 34 Miruela Avenue, testified to the following:

- The tree company had conducted business under false pretense that proper permits had been pulled and he was clear for removal of the tree.
- That he believed the enforcement should go the tree company.

Mr. Simmons asked the respondent if he seen the application for the permit or if he seen a copy of the permit.

Mrs. Mickler asked if he was home at the time.

Ms. Reigle asked the respondent if he could recall the process in January 2018. She was trying to verify that the respondent had knowledge of the requirement for a permit prior to tree removal.

Mr. Goretskie stated that he did have knowledge of the permitting requirement.

Ms. Reigle encouraged Mr. Goretskie to attend the next CEAAB meeting to speak on an item that will be on the agenda.

The respondent stated that he would like to participate in the discussion at next meeting.

Public comment was opened, however there was no response.

Ms. Reigle moved to continue the case to the November meeting, the motion was seconded by Mr. Day, but later rescinded.

MOTION

Mr. Simmons moved to approve an "Order Finding Violation" imposing a fine in the amount of \$800.00 with stipulation that one replacement shade tree be planted. The motion was seconded by Mr. Masson and approved by the following voice vote:

Ayes: Simmons, Masson, Weeks, Day, Mickler.

Nays: Reigle.

Mr. Simmons called the respondent back to the podium to make certain that he understood what decision had been made by this Board.

Mr. Day encouraged the respondent to take legal action against the tree company.

The respondent confirmed that he understood the ruling that day and would be seeking legal action against the tree company.

6. REVIEW OF PREVIOUSLY HEARD CASES

Item 6 (a) 2019-0251

Carol Corbitt

14 Myrtle Avenue

City Code, Chapter 19, Section 19-3

Unsheltered storage of junk and debris

Mr. van Mierop reported the following:

- On August 13, 2019, the CEAAB found this property to be in violation of the above-mentioned City Code, and allowed the respondent until August 19, 2019, to correct the violation or a fine in the amount of \$250 per day would be imposed.
- On August 20, 2019, staff conducted a follow-up inspection

of the property and found that most of the junk and debris had been removed from the front and side porches of the house. Photos taken at that inspection revealed that there was still debris that remained.

- On Monday, September 9, 2019, a re-inspection was conducted and found that the property was in compliance. The respondent stated that the violations had been cleaned up over the past weekend.
- Staff recommended that the case be closed for compliance and that the board impose a fine of \$4,500 for the 18 days of continued violation.

Carol Corbitt, 14 Myrtle Avenue, testified to the following:

- She stated that the Board had given her until Monday the 19th, the inspector had told her he would be back on Tuesday. And he told her on that Tuesday, that she was in compliance. Then he stopped by and told her she needed to be at the hearing but did not tell her she was not in compliance.
- That the only items on the porch was an exercise bicycle, a stuffed animal, and an inoperable television.
- That she had no knowledge prior to this meeting that she would be imposed a fine and that he had found her to be in violation, that she never had a television. That

she put the stuffed animal back out after the storm.

Mr. Simmons asked the respondent if she had an opportunity to view the photos that were date stamped and presented into evidence that day.

Ms. Corbitt stated that she had not.

Mrs. Mickler asked Ms. Corbitt when she corrected the violation.

Ms. Corbitt replied that she had finished the clean-up with exception of the exercise bicycle. That she never had a television and had placed the stuffed animal back out after the Hurricane.

Ms. Reigle asked the respondent if she had ever been before this Board and commented that the Board was looking at photos from June and asked if she had seen the photos.

Ms. Corbitt stated that she had been before this Board many years ago, and that she had only seen photos that were presented on the overhead monitor that day.

Public comment was opened, however there was no response.

MOTION

Mr. Simmons moved to close the case and impose a fine in the amount of \$3,500.00. The motion was seconded by Mr. Masson and approved by unanimous voice vote.

Mrs. Mickler asked if in the days of continued violation, had the days of lost time due to the Hurricane been considered.

Mr. Simmons confirmed it had and was reflected in the fined amount.

Mrs. Mickler asked the respondent whether she understood the Board's action that day. Ms. Corbitt stated that she understood.

7. REVIEW OF NEW CASES

Item 7 (a) 2019-0328

Neil Sexton

36 Magnolia Avenue

Property Maintenance.

City Code, Chapter 8, Section 8-301

International Property Maintenance Code, Section(s) 304.2, 304.7 & 304.13

Mr. van Mierop reported the following:

- On June 27, 2019, he noticed that the property was in a state of disrepair. A blue tarp on the roof was weather and torn, and it was falling off, exposing roof damage. A previously boarded up window on the north side of the house was open and the plywood had fallen off. A fence panel at the at the northeast corner of the house had fallen to the ground, leaving the property open to trespass.
- On June 28, 2019, during a telephone conversation with the respondent, he advised what

needed to be done in order to bring the property into compliance. The respondent advised that his family was trying to decide what to do with the property.

- On July 10, 2019, a Notice of Violation, allowing 14 days to bring the property into compliance, was sent to the respondent via Certified Mail. This notice was delivered on July 29, 2019.
- August 20, 2019, a follow-up inspection showed that the missing fence panel had been replaced, however the north facing window was still out and not boarded up, and the roof had not been repaired.
- On August 22, 2019, an "Official Notice of Violation" was sent to the respondent via Certified Mail to the property and the address of record. One had been returned and the other was still out for delivery.
- On August 28, 2019, an "Official Notice of Hearing" was sent via Certified Mail to the property and the address of record. One had been returned and the other was still out for delivery.
- On August 28, 2019, the property and the City Clerk's Office was posted with a "Posting Affidavit" of this hearing.
- Staff recommended that the Board find the case in violation, and allow respondent 10 days to start repairs, and that a daily fine be imposed.

- He then produced photos with a brief explanation of each.
- The respondent was present should the Board wish to speak with them.

Mrs. Mickler asked whether Mr. van Mierop had been by the property that week.

Mr. van Mierop confirmed that he had been by the property, and that nothing had changed with the property as of the previous day.

Neil Sexton, 10 Bulow Woods Circle, Flagler Beach, was present and testified to the following:

- He offered material to the Board and explained that he had only found out about the meeting four days prior. (The Board asked the respondent for his testimony first and they would decide if they needed anything further).
- He went through the order in which he received noticing from the City.
- The violations were tended to by himself and a friend. The fence section was repaired, the torn tarp had been replaced with a black tarp, and the opening on the north side had blown in and had been shored up, but unfortunately not to the inspector's satisfaction.
- That he had learned of the notice placed on the property by a text and photo message.

Mr. Simmons advised the respondent that he had received notice as he was present at the meeting. That this Board was here to review evidence and if he requested additional time to correct the violations, the Board would consider that. And he instructed Mr. Sexton to provide staff with the updated contact information prior to leaving that day.

Ms. Reigle asked whether staff had the current address, as it appeared to have changed a few times. And she asked what he planned to accomplish in the next two weeks should this Board allow additional time for the repairs.

Mrs. Mickler asked for confirmation that he would work with city staff.

Mr. Sexton confirmed that he would be repairing the three violations that exist. The fence, the north window, the roof he would need to speak to the building inspector, as he believed the tarp to be enough. And that he would work with the City Staff.

Mr. Cary explained to the Board that the notification requirements had been met, and cited Florida Statutes, Section 162.12. And added that the fact that the respondent had appeared at this hearing showed notice had been received.

MOTION

Mr. Simmons moved to approve an Order Finding Violation allowing respondent until September 25, 2019, to bring the property into

compliance, or a fine in the amount of \$250 per day would be imposed on September 26, 2019, and each day thereafter until the property was brought into compliance. The motion was seconded by Mr. Masson and approved by unanimous voice vote.

8. CITY ATTORNEY ITEMS

Mr. Cary informed the Board that the City Commission had approved the Foreclosure on both 52 Spring Street and 41 Cincinnati Avenue, along with funds necessary for the filing.

9. OTHER BUSINESS

None.

10. REVIEW OF CONFLICT STATEMENTS FROM PREVIOUS MEETING

None.

11. ADJOURNMENT

Meeting was adjourned at 4:37 P.M.

Martha Mickler, Chairperson

Sandra Partin, Administrative
Coordinator

REVIEW OF PREVIOUSLY HEARD CASES

ITEM 7 (a)

36 Magnolia Avenue

Case# 2019-0328

**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments & Appeals Board (CEAAB)

DATE: October 8, 2019

SUBJECT: Case Number: 2019-0328

RESPONDENT: Neil Sexton

LOCATION: 36 Magnolia Avenue, Parcel Number 191870 0000

VIOLATION: City Code, Chapter 8, Section 8-301, International Property Maintenance Code,
Section 304.2 (Fence)

City Code, Chapter 8, Section 8-301, International Property Maintenance Code,
Section 304.13 (Window)

City Code, Chapter 8, Section 8-301, International Property Maintenance Code,
Section 304.7 (Roof)

BACKGROUND INFORMATION:

June 27, 2019: I noticed that the property is in a state of disrepair. A blue tarp on the roof was weathered and torn, and it was falling off, exposing roof damage. A previously boarded up window on the north side of the house was open and the plywood had fallen off. A fence panel at the northeast corner of the house had fallen to the ground, leaving the property open to trespass. While at the property several neighbors approached me and voiced their concerns for the state of the property.

June 28, 2019: During a telephone conversation with the Respondent, I advised what needed to be done in order to bring this property into compliance. The Respondent advised that his family was trying to decide what to do with the property.

July 10, 2019: A Notice of Violation was sent via Certified Mail to the Respondent. The Notice of Violation was delivered to the Respondent on July 29, 2019. The Notice of Violation provided 14 days within which to bring the property into compliance.

August 20, 2019: A follow up inspection showed that the missing fence panel had been replaced, however the north facing window was still out and not boarded up, and the roof had not been repaired.

August 22, 2019: An Official Notice of Hearing was sent to the Respondent via Certified Mail. The Notice was returned by the Postal Service and was not delivered

August 28, 2019: The property was posted with an Official Notice of Hearing.

September 10, 2019: The Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an "Order Finding Violation" which allowed the Respondent until September 25, 2019, to correct the violation. The Board further ordered that a fine of \$250.00 per day would be imposed on September 26, 2019, and for each day thereafter of continued violation.

October 1, 2019: Planning and Building Staff replied to a records search request from PropLogix, a municipal lien search company, for any code enforcement cases/violations and building permit history, for 36 Magnolia Avenue. In that response staff reported this open code enforcement case.

October 1, 2019: I received a telephone call from Sara Robert, who advised she recently purchased the above property and that the closing was Thursday, September 26, 2019. I advised of the pending Code Enforcement case and she said she has already contacted contractors to replace the roof and to begin the restoration of the house. Staff will follow up as to the progress of the repairs.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff recommends that the Board allow the fines to continue until the property has been brought into compliance.

**Robert van Mierop
Code Enforcement Officer**

Sec. 8-301. - Property maintenance code,

The 2018 International Property Maintenance Code, published by the International Code Council, and all subsequent amendments and revisions is adopted and incorporated by reference as the property maintenance code for the City of St. Augustine.

(Ord. No. 18-15, § 3, 12-10-18)

GENERAL REQUIREMENTS

302.9 Defacement of property. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load-effects or the required strength.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.

5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects.
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects.
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

304.2 Protective treatment. Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than

decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed sur-

faces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

304.18.1 Doors. Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a

This instrument was prepared by:

Jenny Brown

Action Title Services of St. Johns County, Inc.

3670 US 1 South, Suite 110, St. Augustine, Florida 32086

File Number: 19-17689

Consideration: \$224,000.00

Documentary Stamps Paid: \$1,568.00

This Warranty Deed

Made this September 26, 2019 A.D. By

Neil Sexton, conveying non-homestead property hereinafter called the grantor, to Sarah Robert, a single woman, whose post office address

is: 69 Magnolia Avenue, St. Augustine, Florida 32084

hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that Grantor, for the sum of **Ten Dollars and no cents (\$10.00)** and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described property:

Lot 11, Miramar on the Bay, according to the map or plat thereof, as recorded in Plat Book 3, Page(s) 41, of the Public Records of St. Johns County, Florida.

Parcel ID Number: 191870-0000

Grantor warrants that said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon as defined by Article X, Section 4 of the Florida Constitution, nor is it adjacent to or contiguous with any of his/their homestead(s) and that the property described herein is not now, nor has it ever been, the primary residence/homestead of the owner or the owner's spouse or dependent child, if any.

In addition, the property is not contiguous to such persons' homestead, which is located at: 1804 Almira St., Jacksonville, FL 32211.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO covenants, restrictions, easements, limitations and reservations of record, if any. However, this reference does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes and assessments accruing subsequent to **December 31, 2018**.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1] *Jennifer F. Brown*

Witness Print Name: Jennifer F. Brown

Neil Sexton (Seal)

Neil Sexton

Address: 1804 Almira St., Jacksonville, FL 32211

[2] *Gerald R. Leach*

Witness Print Name Gerald R. Leach

State of FLORIDA
County of ST. JOHNS

The foregoing instrument was acknowledged before me this September 24, 2019, by Neil Sexton, conveying non-homestead property, who ☐ is | are personally known to me or ☒ who has | have produced DRIVER'S LICENSE(S) as identification.

(NOTARY SEAL)



Jennifer F. Brown
Notary Public

Print Name: Jennifer F. Brown

My Commission Expires: 02/02/2021

Sandy Partin

From: Sandy Partin
Sent: Tuesday, October 01, 2019 3:29 PM
To: Robert Vanmierop
Subject: FW: Code and Permits Request // 36 Magnolia Avenue
Attachments: Bulletin G-03-19 Procedures for Expired Permits - Copy.pdf

From: Sandy Partin
Sent: Tuesday, September 24, 2019 10:00 AM
To: Elsa Lopez <Elsa.Lopez@proplogix.com>
Subject: RE: Code and Permits Request // 36 Magnolia Avenue

Ms. Lopez,

Your records search request for the subject property produced the following results:

One – Open Code Enforcement Case (#2019-0328)
Three - Expired Permits (#2005-0834, #2017-1083, and #2018-1169)

Instructions for closing out an "expired" permit has been attached for your convenience, and permit information for the three expired permits has been copied below. Please note that the information contained herein does not constitute a title search and should not be relied upon as such.

Thank you.

Sandra Partin
Administrative Coordinator
Planning & Building/Code Enforcement
904-825-1066

Hello,

Our firm has been requested to research the referenced property to search for any building permit and code enforcement issues that may exist in any city, town, village, or port authority.

We kindly request that you advise us of the complete permit history, including all open, expired, and closed permits that may exist, as well as all open or closed code enforcement cases found on record for the following property:

Property Address:

36 Magnolia Avenue
Saint Augustine, Florida 32084

Parcel ID #:

191870-0000

Owner:

Neil Sexton

Code Enforcement Cases/Violations:

Open _____ Expired _____ Closed _____ None _____

Building Permit History:

Open _____ Expired _____ Closed _____ None _____

To further assist our clients and facilitate this process, could you please provide general instructions to resolve any permits that are open, expired, or currently pose a concern to the property referenced above.

Also, please confirm if there are any pending or active liens recorded on the property, and please provide a payoff valid for 30 days from today's date. Please attach documentation of the recorded lien, and provide the book and page number.

Your assistance is greatly appreciated!

Thank you,

Elsa Lopez / Property Analyst

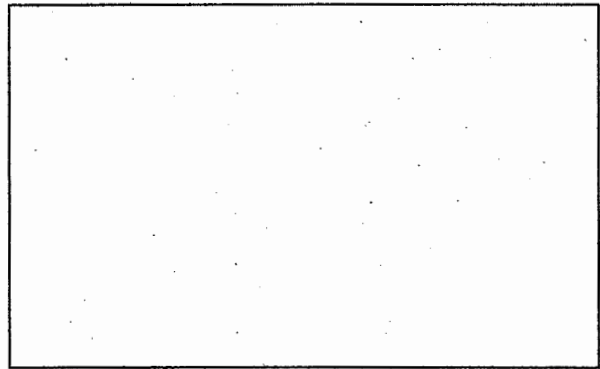
1991 Main St., Ste. 147, Sarasota, FL 34236

Email: Elsa.Lopez@proplogix.com

p: 941.444.7142 [x1211] / f: 941.214.1132

BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS AND APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION
CEAAB CASE NUMBER: CE2019-0328



IN THE MATTER OF:

NEIL SEXTON
36 MAGNOLIA AVENUE
ST. AUGUSTINE, FL 32084-0000

(Hereinafter referred to as Respondent)

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:

City Code, Chapter 8, Section 8-301
International Property Maintenance Code, Section(s) 304.2, 304.7, & 304.13

VIOLATION SITE: 36 MAGNOLIA AVENUE

LEGAL DESCRIPTION: 3/41 MIRAMAR ON THE BAY LOT 11 OR4362/1586

PARCEL NUMBER: 191870 0000

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD SEPTEMBER 10, 2019 AND, BASED ON THE EVIDENCE, HAS ADJUDGED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is the legal owner and/or occupant of the subject property and was duly notified of the hearing held on September 10, 2019) in accordance with Chapter 162, F.S.

The respondent and/or authorized representative was present at the September 10, 2019 Code Enforcement, Adjustments and Appeals Board meeting and testified under oath.

2. The City of St. Augustine conducted an inspections and/or review of City records regarding the subject property on June 27, 2019, which revealed the following violations:
 - A fence panel on the Northeast corner of the house has fallen.
 - A large North facing window has been completely broken out and has not been repaired.
 - The blue tarp covering roof damage is wearing thin and coming off, exposing damage.

3. The above described is a violation of the following Section(s) of the City Code of St. Augustine:

Chapter 8, Section 8-301

International Property Maintenance Code: Section(s) 304.2, 304.7, & 304.13

4. On July 10, 2019, the Planning and Building Department sent an **"Official Notice of Violation"** to formally advise the respondent of the violation, via certified mail. The notice gave the respondent Fourteen (14) days from the receipt of the letter to correct the violation, and advised the respondent that the Code Enforcement, Adjustment and Appeals Board may impose a maximum fine of \$250 for each day the violation continued.
5. On August 22, 2019, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of CEAAB Hearing"** for September 10, 2019. And on August 28, 2019, the property and the City Clerk's Office was posted with an affidavit of an **"Official Notice of CEAAB Hearing"** for September 10, 2019.
6. On September 10, 2019, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an **"Order Finding Violation"** which allowed the Respondent until September 25, 2019, to correct the violation. The Board further ordered that a fine of \$250.00 per day would be imposed on September 26, 2019, and for each day thereafter of continued violation.
7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, October 8, 2019**, at 3:00 P.M. in the Alcazar Room in City Hall. Your presence will not be necessary if this matter has been satisfactorily resolved and the code inspector has been duly notified and has acknowledged correction of the violation.
8. In the event of a future violation of this **"Order Finding Violation,"** Respondent shall again be notified of a new compliance hearing, at which time the Board will review the evidence and impose the fine provided herein, or a maximum fine of \$500 per day if said violation is determined to have again occurred.

THIS ORDER MAY BE RECORDED IN THE OFFICIAL RECORD BOOKS OF ST. JOHNS COUNTY FORTHWITH AND SHALL CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY, AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR, PURSUANT TO SECTIONS 162.08 AND 162.09, FLORIDA STATUTES. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE AND LOSS OF YOUR PROPERTY. THEREFORE, IF FOR ANY REASON YOU ARE UNABLE TO COMPLY WITHIN THE STATED TIME, PLEASE NOTIFY THE CODE ENFORCEMENT INSPECTOR IMMEDIATELY.

DONE AND ORDERED THIS **10TH DAY OF SEPTEMBER 2019**, in open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

Martha Mickler Chairman
Code Enforcement, Adjustments and Appeals Board

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Martha Mickler, who is personally known to me who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

Witness my hand and official seal, this _____ day of _____, A.D., 2019.

Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Code Enforcement, Adjustments and Appeals Board, upon notification by the Code Enforcement Inspector that a previous order of the Board has not been complied with by the set time, may order the violator to pay a maximum fine of \$250 for each day the violation continues past the date set for compliance. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists, or upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the Sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for the enforcement purposes. After three (3) months from filing of any such liens which remain unpaid, the Code Enforcement, Adjustments and Appeals Board may authorize the local governing body attorney to foreclose on the lien.

**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments & Appeals Board (CEAAB)

DATE: September 10, 2019

SUBJECT: Case Number: 2019-0328

RESPONDENT: Neil Sexton

LOCATION: 36 Magnolia Avenue, Parcel Number 191870 0000

VIOLATION: City Code, Chapter 8, Section 8-301, International Property Maintenance Code, Section 304.2 (Fence)

City Code, Chapter 8, Section 8-301, International Property Maintenance Code, Section 304.13 (Window)

City Code, Chapter 8, Section 8-301, International Property Maintenance Code, Section 304.7 (Roof)

BACKGROUND INFORMATION:

June 27, 2019: I noticed that the property was in a state of disrepair. A blue tarp on the roof was weathered and torn, and it was falling off, exposing roof damage. A previously boarded up window on the north side of the house was open and the plywood had fallen off. A fence panel at the northeast corner of the house had fallen to the ground, leaving the property open to trespass. While at the property several neighbors approached me and voiced their concerns for the state of the property.

June 28, 2019: During a telephone conversation with the Respondent, I advised what needed to be done in order to bring this property into compliance. The Respondent advised that his family was trying to decide what to do with the property.

July 10, 2019: A Notice of Violation was sent via Certified Mail to the Respondent. The Notice of Violation was delivered to the Respondent on July 29, 2019. The Notice of Violation provided 14 days within which to bring the property into compliance.

August 20, 2019: A follow up inspection showed that the missing fence panel had been replaced, however the north facing window was still out and not boarded up, and the roof had not been repaired.

August 22, 2019: An Official Notice of Hearing was sent to the Respondent via Certified Mail. The Notice sent to the property was returned by the Postal Service, and the Notice sent to the address of record was still out for delivery.

August 28, 2019: The property was posted with an Official Notice of Hearing, and the City Clerk's Office was posted as well.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff recommends the CEAAB find the Respondent to be in violation, that the Respondent be given 10 days to begin repairs on the structure, and that a fine be imposed for each day thereafter if no progress is made. It is further recommended that the fine remain in effect until the property is brought into compliance.

**Robert van Mierop
Code Enforcement Officer**



06/27/2019 11:11



06/27/2019 11:11



06/27/2019 11:13

POSTING AFFIDAVIT

OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE
ON SEPTEMBER 10, 2019
AT 3:00 P.M. IN THE ALCAZAR ROOM
AT CITY HALL, 75 KING STREET

REGARDING THE FOLLOWING:

CASE NUMBER: CE2019-0328

PROPERTY LOCATION: 36 MAGNOLIA AVENUE

PROPERTY OWNER: NEIL SEXTON

VIOLATION OF: CITY CODE, CHAPTER 8, SECTION 8-301
INTERNATIONAL PROPERTY MAINTENANCE CODE:
SECTION(S) 304.2, 304.7, & 304.13

POSTED AT PROPERTY:

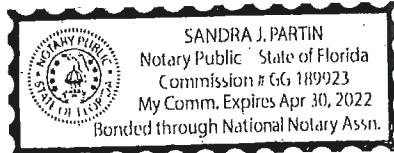
August 28, 2019

B. van Meer

Robert "Bobby" Vanmierop
Code Enforcement Officer

NOTARY PUBLIC,
STATE OF FLORIDA

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28th DAY OF
August, 2019.



Sandra J. Partin
SIGNATURE OF NOTARY

POSTING AFFIDAVIT

OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE
ON SEPTEMBER 10, 2019
AT 3:00 P.M. IN THE ALCAZAR ROOM
AT CITY HALL, 75 KING STREET

REGARDING THE FOLLOWING:

CASE
NUMBER: CE2019-0028

PROPERTY
LOCATION: 36 MAGNOLIA AVENUE

PROPERTY
OWNER: N/A

VIOLATION
OF: CITY CODE, CHAPTER 8, SECTION 8-301
INTERNATIONAL PROPERTY MAINTENANCE CODE
SECTIONS 304.2, 304.7, & 304.13

POSTED AT PROPERTY: 36 Magnolia Avenue, 2019

Robert "Bobby" A. Anderson
Code Enforcement Officer

NOTARY PUBLIC,
STATE OF FLORIDA

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28th DAY OF
August, 2019.



SIGNATURE OF NOTARY Robert A. Anderson 08/28/2019 08:20



08/28/2019 08:21



CODE ENFORCEMENT DIVISION



OFFICIAL NOTICE OF CEAAB HEARING

August 22, 2019

IN THE MATTER OF: Name: NEIL SEXTON
 Address: 36 MAGNOLIA AVENUE
 ST. AUGUSTINE, FL 32084
 Case #: CE2019-0328

HEREBY KNOWN AS RESPONDENT(S)

RE: VIOLATION OF SECTION(S):

Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 8, Section 8-301

International Property Maintenance Code: Section(s) 304.2, 304.7, and 304.13

SITE OF VIOLATION: 36 MAGNOLIA AVENUE

LEGAL DESCRIPTION: 3/41 MIRAMAR ON THE BAY LOT 11 OR4362/1586

PARCEL NUMBER: 191870 0000

The purpose of this letter is to notify you that the City of St. Augustine Code Enforcement, Adjustments & Appeals Board (CEAAB) will meet on **Tuesday, September 10, 2019, at 3:00 p.m.** in the Alcazar Room at City Hall, 75 King Street, and you have been placed on the agenda for the meeting in the matter of the following violations:

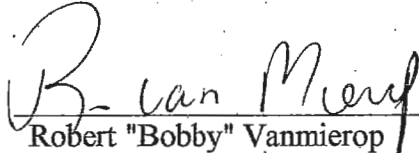
- A fence panel on the Northeast corner of the house has fallen.
- A large North facing window has been completely broken out and has not been repaired.
- The blue tarp covering roof damage is wearing thin and coming off, exposing damage.

This is your "Official Notice" for you or your representative to appear before the CEAAB to respond to your violation. The CEAAB will conduct a hearing, in accordance with F.S. 162.07, concerning your case and, subsequently, they will issue findings of fact and may order corrective action and compliance by a specific date. Again, we believe it is important that you be present at the meeting to address the CEAAB. If the violation is corrected and then reoccurs, or if the violation is corrected prior to the referenced hearing, this case may still be presented to the CEAAB.

In accordance with Florida Statutes 286.0105: "If any person decides to appeal any decision made by the Code Enforcement, Adjustments & Appeals Board with respect to any matter considered at this scheduled meeting, the person will need a record of the proceedings and, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

Notice of Hearing
CE2019-0328

If you have any questions concerning this correspondence, please contact the Code Enforcement Inspector indicated below.


Robert "Bobby" Vanmierop
Code Enforcement Officer

City of St. Augustine
Planning & Building Department
P.O. Box 210
St. Augustine, FL 32085-0210

Certified Mail Number: 7015 3430 0000 8755 4112
7015 3430 0000 8755 4129

cc: John P. Regan, City Manager
CRAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

7015 3430 0000 8755 4112

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Postage \$
Total Price \$

Sent To Neil Sexton
36 Magnolia Avenue
St. Augustine, FL 32084-0000
City, St

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

CERTIFIED MAIL®



7015 3430 0000 8755 4112

CITY OF ST. AUGUSTINE

PO BOX 210

ST. AUGUSTINE, FLORIDA 32085-0210

ADDRESS SERVICE REQUESTED

RECEIVED

AUG 27 2019

Planning/Building Dept.

Neil Sexton
36 Magnolia Avenue
St. Augustine,

MIXIE 322 DE 1 0008/25/19

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

VAC
3208433300 00210

BC: 32085021010 *9538-04533-23-45

Hasler

08/23/2019

US POSTAGE \$006.80



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☐ Adult Signature Restricted Delivery

\$

Postage

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Total Price

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Sent To

Neil Sexton

Street &

1804 Almira Street

City, St

Jacksonville, FL 32211-4621

Postmark Here

ST. AUGUSTINE

AUG 23 2019

MPO

PS Form 3800, April 2013 PSN 7530-02-000-9047

See Reverse for Instructions

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September 4, 2019
In Transit to Next Facility

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Product Information



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**CITY OF ST. AUGUSTINE
CODE ENFORCEMENT DIVISION
75 King Street
St. Augustine, FL 32084
904-825-1065**



CODE ENFORCEMENT DIVISION

July 10, 2019

IN THE MATTER OF: Name: NEIL SEXTON
 Address: 36 MAGNOLIA AVENUE
 ST. AUGUSTINE, FL 32084-0000
 Case #: CE2019-0328

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 8, Section 8-301

International Property Maintenance Code: Section(s) 304.2, 304.7, and 304.13

SITE OF VIOLATION: 36 MAGNOLIA AVENUE

LEGAL DESCRIPTION: 3/41 MIRAMAR ON THE BAY LOT 11 OR4362/1586

PARCEL NUMBER: 191870 0000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on June 27, 2019, which revealed the following violations:

- A fence panel on the Northeast corner of the house has fallen down.
- A large North facing window has been completely broken out and has not been repaired.
- The blue tarp covering roof damage is wearing thin and coming off, exposing damage.

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent(s) shall comply with the above cited sections of the City Code of St. Augustine, Florida, within fourteen (14) days, or a fine of **\$250.00 per day** may be imposed by the Code Enforcement, Adjustments and Appeals Board. The violation may be corrected via:

- Permanently repair the broken window, the fence, and the roof and maintain in accordance with City Code.

UPON COMPLIANCE, RESPONDENT SHALL PROVIDE NOTIFICATION TO THE CODE INSPECTOR AT THE CITY OF ST. AUGUSTINE, FLORIDA, PLANNING AND

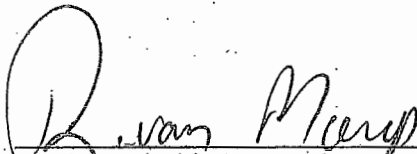
Notice of Violation
CE2019-0328

BUILDING DEPARTMENT WHO SHALL INSPECT THE PROPERTY TO DETERMINE THE ISSUE OF COMPLIANCE.

IF RESPONDENT HAS NOT ABATED or CORRECTED the violation(s) by taking the above steps on or before the compliance date, they will be placed on the agenda for the next meeting of the Code Enforcement, Adjustments and Appeals Board which shall convene in the Alcazar Room to hear evidence on the issue of compliance.

It is our goal to enforce the codes and ordinances of the City and to protect the health, safety and welfare of the citizens of St. Augustine and, accordingly, your cooperation regarding this matter is greatly appreciated. If you should have any questions concerning this matter, please contact the Code Enforcement Division at (904) 825-1066.

TAKE NOTICE THAT ANY FINE IMPOSED BY THE BOARD AGAINST YOU CONSTITUTES A LIEN AGAINST THE REAL PROPERTY UPON WHICH THE VIOLATION EXISTS, OR IF YOU DO NOT OWN THE PROPERTY, THEN AGAINST ANY REAL OR PERSONAL PROPERTY WHICH YOU DO OWN. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE, AND LOSS OF YOUR PROPERTY. THEREFORE, IF FOR ANY REASON YOU ARE UNABLE TO COMPLY WITHIN THE STATED TIME, PLEASE NOTIFY THE CODE ENFORCEMENT INSPECTOR IMMEDIATELY.



Robert "Bobby" Vanmierop
Code Enforcement Officer

CITY OF ST. AUGUSTINE
Planning and Building Department
P.O. Box 210
St. Augustine, FL 32085-0210
(904) 825-1066

**Certified Mail Number: 7015 3430 0000 8755 3955
7015 3430 0000 8755 3962**

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

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☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	Postmark Here
☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Post \$	
Sent To	Neil Sexton
Street an	1804 Almira Street
City, Stal	Jacksonville, FL 32211-4621
PS Form 3800, April 2013 PSN 7530-02-000-9047	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Neil Sexton
1804 Almira Street
Jacksonville, FL 32211-4621

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☒ Addressee

B. Received by (Printed Name)

NEIL SEXTON

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED

JUL 29 2019

Planning Building Dept.

- ☒ Certified Mail[®] ☐ Priority Mail Express[™]
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

7015 3430 0000 8755 3955

PS Form 3811, July 2013

Domestic Return Receipt

36 Magnolia

7015 3430 0000 8755 3962

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hard copy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage	\$

Sent To: Neil Sexton
1668 Shirl Lane
Jacksonville, FL 32207

City, State, ZIP+4®

PS Form 3800, April 2013 PSN 7530-02-000-9001

CERTIFIED MAIL®



7015 3430 0000 8755 3962

CITY OF ST. AUGUSTINE

PO BOX 210

ST. AUGUSTINE, FLORIDA 32085-0210

ADDRESS SERVICE REQUESTED

Neil Sexton
1668 Shirl Lane
Jacksonville, FL 32207

Hasler

FIRST-CLASS MAIL

07/11/2019

US POSTAGE \$006.80⁰⁰



ZIP 32084
011E11677258

RECEIVED
JUL 15 2019
Planning Building Dept

32207-371000
32085-0210

RETURN TO SENDER
UNDELIVERED
TO BE RETURNED TO SENDER
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID	1918700000
Location Address	36 MAGNOLIA AVE SAINT AUGUSTINE 32084-0000
Neighborhood	Miramar on the Bay (599)
Tax Description*	3/41 MIRAMAR ON THE BAY LOT 11 OR4362/1586 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Miramar On The Bay
Sec/Twp/Rng	52-7-30
District	City of St Augustine (District 452)
Millage Rate	20.2171
Acreage	0.110
Homestead	N

Owner Information

Owner Name	Sexton Neil 100%
Mailing Address	1804 ALMIRA ST JACKSONVILLE, FL 32211-4621

Map



Valuation Information

	2019
Building Value	\$87,560
Extra Features Value	\$0
Total Land Value	\$80,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$167,560
Total Deferred	\$0
Assessed Value	\$167,560
Total Exemptions	\$0
Taxable Value	\$167,560

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$108,574	\$0	\$78,000	\$0	\$0	\$186,574	\$186,574	\$0	\$186,574
2017	\$94,535	\$0	\$62,250	\$0	\$0	\$156,785	\$156,785	\$0	\$156,785
2016	\$86,751	\$0	\$186,450	\$0	\$0	\$273,201	\$113,153	\$260,048	\$13,153
2015	\$79,671	\$0	\$186,450	\$0	\$0	\$266,121	\$112,366	\$253,755	\$12,366
2014	\$73,080	\$0	\$169,125	\$0	\$0	\$242,205	\$111,474	\$230,731	\$11,474
2013	\$63,235	\$0	\$167,063	\$0	\$0	\$230,298	\$109,827	\$170,471	\$59,827
2012	\$64,553	\$0	\$167,063	\$0	\$0	\$231,616	\$107,991	\$173,625	\$57,991
2011	\$67,188	\$0	\$185,625	\$0	\$0	\$252,813	\$104,846	\$197,967	\$54,846
2010	\$69,822	\$0	\$206,250	\$0	\$0	\$276,072	\$103,297	\$222,775	\$53,297

Building Information

Building	1
Actual Area	1216
Conditioned Area	2432
Actual Year Built	1925
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Stucco

Roof Structure	Gable Hip
Roof Cover	Asbestos
Interior Flooring	Hardwood, Sheet Vinyl
Interior Wall	Drywall
Heating Type	Forced Air
Heating Fuel	
Air Conditioning	Window
Baths	1.5

Category	Type	Pct
Exterior Wall	Stucco	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Asbestos	100%
Interior Walls	Drywall	100%
Interior Flooring	Hardwood	80%
Interior Flooring	Sheet Vinyl	20%
Heating Type	Forced Air	100%
Air Conditioning	Window	100%
Frame	Wood Frame	100%
Plumbing	7 Fixtures	100%
Electrical	Minimum	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
2 STORY	2432	1216
Total SqFt	2432	1216

Land Information

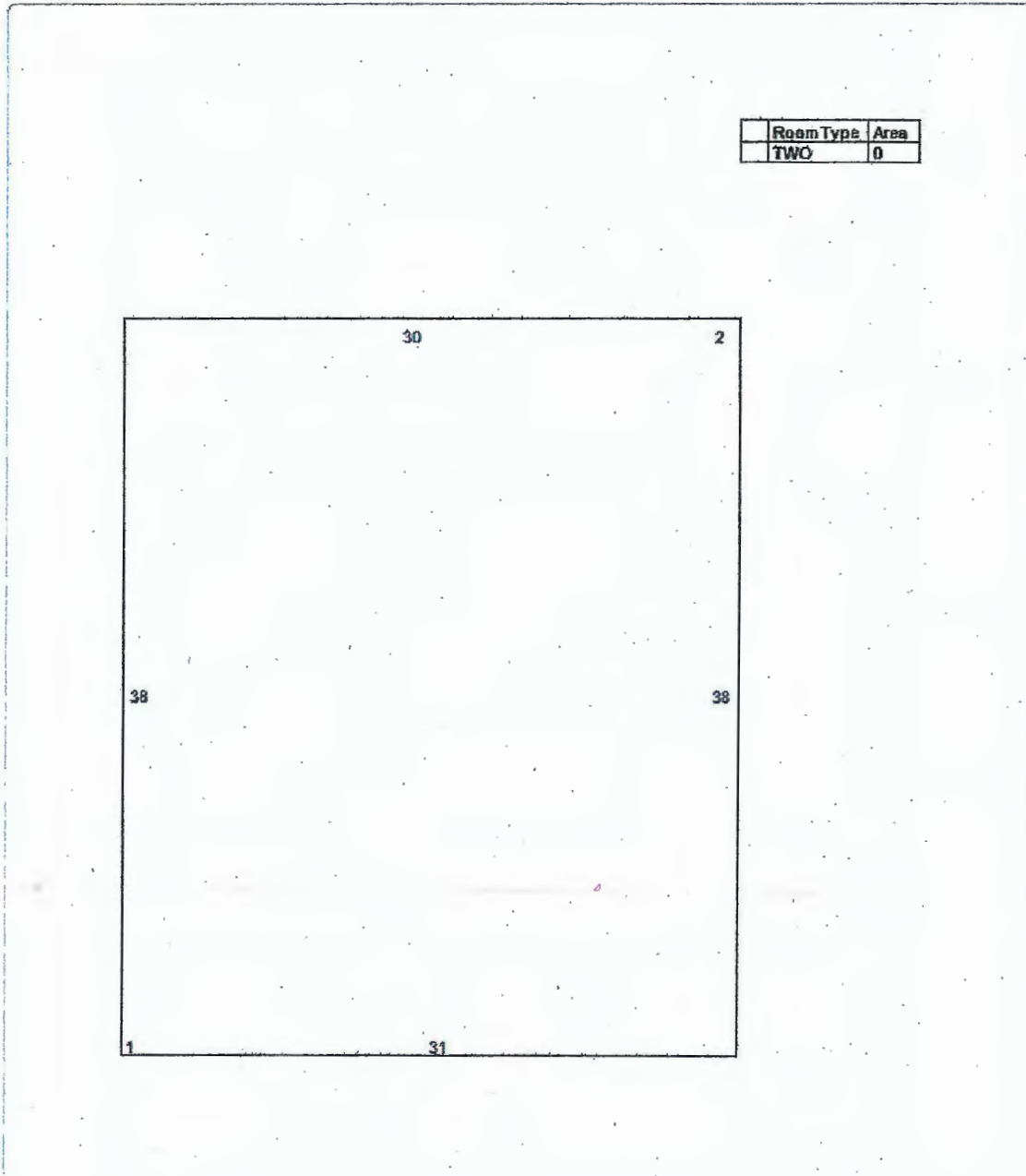
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	50	100	50	FF	\$80,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/24/2017	4/20/2017	\$220,000.00	WD	4362	1586	Q	I	LOCAL LAND LLC	SEXTON NEIL
3/17/2016	3/15/2016	\$350,000.00	WD	4163	1280	Q	I	BUELL CAROLINE M	LOCAL LAND LLC

Area Sales Report

Recent Sales in Area

Sketch Information

No data available for the following modules: Exemption Information, Extra Feature Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Last Data Upload: 7/9/2019, 11:40:09 PM

Version 2.2.29

Developed by
 **Schneider**
GEOSPATIAL

Dennis W. Hollingsworth Tax Collector

generated on 9/5/2019 11:11:00 AM EDT

Tax Record

Last Update: 9/5/2019 11:11:00 AM EDT

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account or Parcel Number		Tax Type		Tax Year	
191870-0000		REAL ESTATE		2018	
Mailing Address		Physical Address			
SEXTON NEIL		36 MAGNOLIA AVE			
1804 ALMIRA ST					
JACKSONVILLE FL 32211-4621					
Exempt Amount		Taxable Value			
\$0.00		\$186,574.00			
Exemption Detail		Millage Code		Escrow Code	
NO EXEMPTIONS		452			
Legal Description					
52-07-30 .11 Acres 3/41 MIRAMAR ON THE BAY LOT 11 OR4362/1586					
Ad Valorem Taxes					
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
COUNTY					
GENERAL	5.1000	186,574	0	\$186,574	\$951.53
ROAD	0.7500	186,574	0	\$186,574	\$139.93
HEALTH	0.0171	186,574	0	\$186,574	\$3.19
SCHOOL					
SCHOOL - STATE LAW	4.0300	186,574	0	\$186,574	\$751.89
SCHOOL - LOCAL BOARD	2.2480	186,574	0	\$186,574	\$419.42
SJRWMD	0.2562	186,574	0	\$186,574	\$47.80
MOSQUITO	0.2200	186,574	0	\$186,574	\$41.05
CITY OF ST AUGUSTINE	7.5000	186,574	0	\$186,574	\$1,399.31
FL INLAND NAV DISTRICT	0.0320	186,574	0	\$186,574	\$5.97
PORT AUTHORITY	0.0638	186,574	0	\$186,574	\$11.90
Total Millage		20.2171	Total Taxes		\$3,771.99
Non-Ad Valorem Assessments					
Code	Levying Authority				Amount
4105	C OF S A FIRE ASSESS FEE				\$71.62
Total Assessments					\$71.62
Taxes & Assessments					\$3,843.61
Prior Year Taxes Due					
Year	Folio	Status	Cert.	Year	Amount
2018	111503		3785	2019	\$4,372.80

9/5/2019

Dennis W. Hollingsworth Tax Collector

2017

107437

3505

2018

\$3,748.20

Prior Years Total

\$8,121.00

If Paid By

Prior Years Due

9/30/2019

\$8,121.00

PER Florida DOR , Rules and Regulations. Payment of delinquent taxes must be in the form of CASHIERS CHECK, MONEY ORDER, OR CERTIFIED FUNDS. Payment should be made payable to Dennis W. Hollingsworth, St. Johns County Tax Collector.

[Click Here To Pay Now](#)

REVIEW OF NEW CASES

ITEM 8 (a)

47 Abbott Street

Case# 2019-0314

**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments & Appeals Board (CEAAB)

DATE: October 8, 2019

SUBJECT: Case Number: 2019-0314

RESPONDENT: George A. Allen

LOCATION: 47 Abbott Street, Parcel Number 195290 0000

VIOLATIONS: City Code, Chapter 19, Section 19-4, Certain Growth Prohibited

BACKGROUND INFORMATION:

May 17, 2019: I received a complaint alleging that weeds and grass in the rear yard of the above property had grown to a height of almost three feet and that there seemed to be an increase in the presence of rats in the area.

May 30, 2019: I went to the property where I verified and photographed the violation. A letter was sent to the home address of the Respondent allowing 21 days to bring the property into compliance.

July 19, 2019: After observing that the property had not been brought into compliance, an Official Notice of Violation was sent to the Respondent. It was returned, unsigned, on July 26, 2019.

July 31, 2019: A reinspection of the property showed that some yard clearing had begun but the work had stopped with less than half of the back yard being mowed. A photograph was taken.

August 17, 2019: Another reinspection showed that apparently no work had been done since the July 31, 2019 inspection. A photograph was taken.

September 18, 2019: An Official Notice of Hearing was sent to the above property and it was returned, unsigned, on September 23, 2019. The Official Notice of Hearing was also posted with the Clerk's office and it was posted at the Respondent's residence.

STAFF COMMENTS AND RECOMMENDATIONS:

October 9, 2018: (Case number 2018-0416) This Board found this property to be in violation of City Code, Chapter 19, Section 19-4, Certain Growth Prohibited, and City Code, Chapter 8, Section 8-302 Standard Housing Code, Chapter 305.15. On that date, the Board ordered that a fine of \$750.00 be imposed and that the filing of the lien be withheld until July, 2019. Should the property remain in compliance the fine would then be suspended. However, the property has fallen out of compliance prior to July, 2019 and staff requests that the Board authorize the City to file the previously imposed lien in the amount of \$750.00 with the Clerk of Court.

Staff recommends the CEAAB find this property to be in violation of City Code, Chapter 19, Section 19-4, Certain Growth Prohibited, that the Board find this violation to be a repeat violation, and that a fine in the amount of \$500.00 per day be imposed, to remain in effect until the above property is brought into compliance.

Robert van Mierop
Code Enforcement Officer

Sec. 19-4. - Certain growth and conditions prohibited.

It shall be unlawful on any lot, parcel or tract of land within the city to allow weeds, grass, or underbrush to grow thereon to a height of twelve (12) inches or more from the ground; or to allow garbage, junk, refuse, dead trees, or other unsightly or unsanitary matter to remain thereon; or to allow conditions to remain thereon that create harborage for rodents, vermin, or mosquitos; or to allow the existence of depressions, excavations, containers, or any other condition on such premises wherein untreated water may accumulate and stand in such a manner as to make possible the propagation of mosquitoes thereon.

(Code 1964, § 14-14; Ord. No. 19-05, § 1, 4-22-19)



05/30/2019 09:30



05/30/2019 09:30

POSTING AFFIDAVIT

**OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE
ON OCTOBER 8, 2019
AT 3:00 P.M. IN THE ALCAZAR ROOM
AT CITY HALL, 75 KING STREET**

REGARDING THE FOLLOWING:

CASE NUMBER: CE2019-0314
PROPERTY LOCATION: 47 ABBOTT STREET
PROPERTY OWNER: GEORGE A. ALLEN
VIOLATION OF CITY CODE: CHAPTER 19, SECTION 19-4

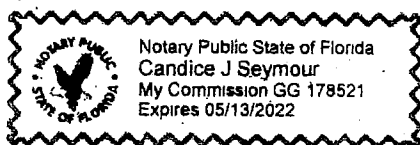
POSTED AT CITY HALL:

September 18, 2019


**DARLENE GALAMBOS
CITY CLERK**

**NOTARY PUBLIC,
STATE OF FLORIDA**

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18th **DAY OF**
September, 2019.




SIGNATURE OF NOTARY

POSTING AFFIDAVIT

**OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE
ON OCTOBER 8, 2019
AT 3:00 P.M. IN THE ALCAZAR ROOM
AT CITY HALL, 75 KING STREET**

REGARDING THE FOLLOWING:

CASE NUMBER: CE2019-0314

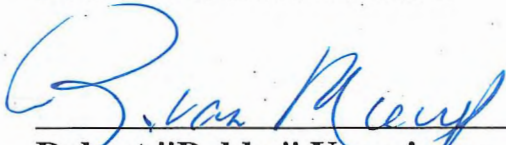
PROPERTY LOCATION: 47 ABBOTT ST, Building: 1, SAINT
AUGUSTINE, FL 32084-0000

PROPERTY OWNER: ALLEN GEORGE A

VIOLATION OF CITY CODE: CHAPTER 19, SECTION 19-4

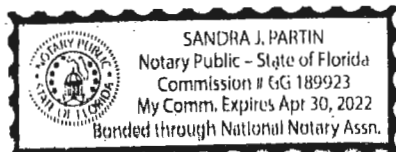
POSTED AT PROPERTY

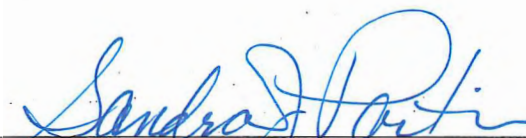
September 18, 2019


Robert "Bobby" Vanmierop
Code Enforcement Officer

**NOTARY PUBLIC,
STATE OF FLORIDA**

**SWORN TO AND SUBSCRIBED BEFORE ME THIS 18TH DAY OF
SEPTEMBER, 2019.**




SIGNATURE OF NOTARY



CODE ENFORCEMENT DIVISION



OFFICIAL NOTICE OF CEAAB HEARING

September 18, 2019

IN THE MATTER OF: Name: GEORGE A. ALLEN
 Address: 47 ABBOTT STREET
 ST. AUGUSTINE, FL 32084
 Case #: CE2019-0314

HEREBY KNOWN AS RESPONDENT(S)

RE: VIOLATION OF SECTION(S):

Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 19, Section 19-4

SITE OF VIOLATION: 47 ABBOTT STREET

LEGAL DESCRIPTION: ABBOTT TRACT CITY LOT 5 BLK G OR652/1670 & 653/1800
(ORDER OF FAMILY ADMIN)

PARCEL NUMBER: 195290 0000

The purpose of this letter is to notify you that the City of St. Augustine Code Enforcement, Adjustments & Appeals Board (CEAAB) will meet on **Tuesday, October 8, 2019**, at **3:00 p.m.** in the Alcazar Room at City Hall, 75 King Street, and you have been placed on the agenda for the meeting in the matter of the following violations:

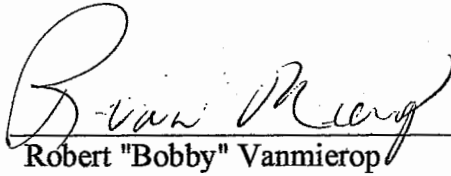
- Excessive growth of weeds and grass.

This is your "Official Notice" for you or your representative to appear before the CEAAB to respond to your violation. The CEAAB will conduct a hearing, in accordance with F.S. 162.07, concerning your case and, subsequently, they will issue findings of fact and may order corrective action and compliance by a specific date. Again, we believe it is important that you be present at the meeting to address the CEAAB. If the violation is corrected and then reoccurs, or if the violation is corrected prior to the referenced hearing, this case may still be presented to the CEAAB.

In accordance with Florida Statutes 286.0105: "If any person decides to appeal any decision made by the Code Enforcement, Adjustments & Appeals Board with respect to any matter considered at this scheduled meeting, the person will need a record of the proceedings and, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

Notice of Hearing
CE2019-0314

If you have any questions concerning this correspondence, please contact the Code Enforcement Inspector indicated below.


Robert "Bobby" Vanmierop
Code Enforcement Officer

City of St. Augustine
Planning & Building Department
P.O. Box 210
St. Augustine, FL 32085-0210

Certified Mail Number: 7015 3430 0000 8755 4204
7015 3430 0000 8755 4211

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

USPS Tracking®

Track Another P

Tracking Number: 70153430000087554204

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage

\$

Total Po: George A. Allen

7 Saragossa Street

St. Augustine, FL 32084-3623

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We attempted to deliver your item at 4:25 pm on September 21, 2019 in SAINT AUGUSTINE, FL 32084 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning September 23, 2019. If this item is unclaimed by October 6, 2019 then it will be returned to sender.

Delivery Attempt: Action Needed

September 21, 2019 at 4:25 pm
 Notice Left (No Authorized Recipient Available)
 SAINT AUGUSTINE, FL 32084

Schedule Redelivery ▼

Text & Email Updates ▼

Schedule Redelivery ▼

Tracking History ▼

Product Information ▼

See Less ^

Feedback

7015 3430 0000 8755 4211

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

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Sent To

Street a

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George A. Allen

47 Abbott Street

St. Augustine, FL 32084

Postmark
Here

PS Form 3800, April 2013 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFIED MAIL



7015 3430 0000 8755 4211

Hasler

FIRST-CLASS MAIL

09/19/2019

US POSTAGE \$006.80⁰⁰



ZIP 32084
011E11677258

RECEIVED

SEP 23 2019

Planning/Building Dept.

George A. Allen

47 Abbott Street

St. Augustine, FL 32084

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RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

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BC: 32085021010

*1000-000000-20-00

32084-285047



**CITY OF ST. AUGUSTINE
CODE ENFORCEMENT DIVISION
75 King Street
St. Augustine, FL 32084
904-825-1065**



CODE ENFORCEMENT DIVISION

July 19, 2019

IN THE MATTER OF: Name: GEORGE A. ALLEN
 Address: 47 ABBOTT STREET
 ST. AUGUSTINE, FL 32084
 Case #: CE2019-0314

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 19, Section 19-4

SITE OF VIOLATION: 47 ABBOTT STREET

LEGAL DESCRIPTION: ABBOTT TRACT CITY LOT 5 BLK G OR652/1670 &
 653/1800 (ORDER OF FAMILY ADMIN)

PARCEL NUMBER: 195290 0000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on May 17, 2019, which revealed the following violations:

- Excessive growth of weeds and grass.

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent(s) shall comply with the above cited sections of the City Code of St. Augustine, Florida, within twenty-one (21) days or a fine of **\$500.00 per day**, for a repeat violation, may be imposed by the Code Enforcement, Adjustments and Appeals Board. The violation may be corrected via:

- Mow property and maintain in accordance with city code.

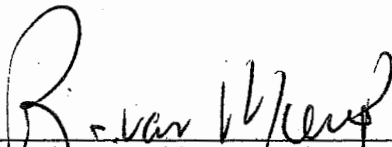
UPON COMPLIANCE, RESPONDENT SHALL PROVIDE NOTIFICATION TO THE CODE INSPECTOR AT THE CITY OF ST. AUGUSTINE, FLORIDA, PLANNING AND BUILDING DEPARTMENT WHO SHALL INSPECT THE PROPERTY TO DETERMINE THE ISSUE OF COMPLIANCE.

Notice of Violation
CE2019-0314

IF RESPONDENT HAS NOT ABATED or CORRECTED the violation(s) by taking the above steps on or before the compliance date, they will be placed on the agenda for the next meeting of the Code Enforcement, Adjustments and Appeals Board which shall convene in the Alcazar Room to hear evidence on the issue of compliance.

It is our goal to enforce the codes and ordinances of the City and to protect the health, safety and welfare of the citizens of St. Augustine and, accordingly, your cooperation regarding this matter is greatly appreciated. If you should have any questions concerning this matter, please contact the Code Enforcement Division at (904) 825-1066.

TAKE NOTICE THAT ANY FINE IMPOSED BY THE BOARD AGAINST YOU CONSTITUTES A LIEN AGAINST THE REAL PROPERTY UPON WHICH THE VIOLATION EXISTS, OR IF YOU DO NOT OWN THE PROPERTY, THEN AGAINST ANY REAL OR PERSONAL PROPERTY WHICH YOU DO OWN. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE, AND LOSS OF YOUR PROPERTY. THEREFORE, IF FOR ANY REASON YOU ARE UNABLE TO COMPLY WITHIN THE STATED TIME, PLEASE NOTIFY THE CODE ENFORCEMENT INSPECTOR IMMEDIATELY.


Robert "Bobby" Vanmierop
Code Enforcement Officer

CITY OF ST. AUGUSTINE
Planning and Building Department
P.O. Box 210
St. Augustine, FL 32085-0210
(904) 825-1066

Certified Mail Number: 7015 3430 0000 8755 4051

7015 3430 0000 8755 4044

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

7015 3430 0000 8755 4051

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☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postmark
Here

Postage \$

Total Postage \$

Sent To

Street and Apt.

City, State, ZIP

PS Form 380

George A. Allen
47 Abbott Street
St. Augustine, FL 32084

CITY OF ST. AUGUSTINE

PO BOX 210

ST. AUGUSTINE, FLORIDA 32085-0210

ADDRESS SERVICE REQUESTED

CERTIFIED MAIL[®]



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RECEIVED
JUL 26 2019
Planning/Bldg Dept.

George A. Allen
47 Abbott Street
St. Augustine, FL

Hasler

FIRST-CLASS MAIL

07/22/2019

US POSTAGE \$006.80⁰⁰



ZIP 32084
01E11677258

NIXIE 322 DE 1 0007/25/19

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

BC: 32085021010 *1538-04308-22-43

VAC
32084-32085 07/22/19

U.S. POSTAL SERVICE

USPS Tracking®

Track Another Package

Tracking Number: 70153430000087554044

Your item has been delivered to the original sender at 9:56 am on August 16, 2019 in SAINT AUGUSTINE, FL 32085.

 **Delivered**

August 16, 2019 at 9:56 am-
Delivered, To Original Sender
SAINT AUGUSTINE, FL 32085

Tracking History

Product Information

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

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☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Post	\$
Sent To	George A. Allen
Street and	7 Saragossa Street
City, State, ZIP	St. Augustine, FL 32084-3623
PS Form 3800	PSN 7530-01-000-9000

Feedback



1565 - 2015
450 years

City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Planning/Building

May 30, 2019

George A. Allen
7 Saragossa Street
St. Augustine, FL 32084

RE: Excessive weeds and Grass

Dear Mr. Allen:

Please be advised that your property, located at 47 Abbott Street, St. Augustine, has been observed to be in violation of the following city code:

Sec. 19-4. - Certain growth prohibited.

It shall be unlawful for the owner or owners, tenant or tenants, of any lot, parcel or tract of land within the city to permit weeds, grass or undergrowth to grow thereon to a height of twelve (12) inches or more from the ground; or to permit rubbish, trash, debris, dead trees or other unsightly or unsanitary matter to remain thereon; or to permit conditions to remain thereon that create harborage for rodents or vermin; or to permit the existence of depressions or excavations or any other condition on such premises wherein water may accumulate and stand in such a manner or fashion as to make possible the propagation of mosquitoes thereon.

In this case, weeds and grass in excess of 12 inches, as high as 3 feet in some places.

This violation must be corrected no later than June 21, 2019, or the Code Enforcement Division may follow up with a formal violation notice.

Thank you for your time and if you have any questions or concerns feel free to contact me at your convenience.

Sincerely,

Robert van Mierop
Code Inspector



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID	1952900000
Location Address	47 ABBOTT ST SAINT AUGUSTINE 32084-0000
Neighborhood	Abbott Tract (606)
Tax Description*	ABBOTT TRACT CITY LOT 5 BLK G OR 652/1670 & 653/1800 (ORDER OF FAMILY ADMIN) <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Abbott Tract
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.2171
Acreage	0.150
Homestead	N

Owner Information

Owner Name	Allen George A 100%
Mailing Address	7 SARAGOSSA ST SAINT AUGUSTINE, FL 32084-3623

Map



Valuation Information

	2019
Building Value	\$81,323
Extra Features Value	\$951
Total Land Value	\$216,240
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$298,514
Total Deferred	\$47,084
Assessed Value	\$251,430
Total Exemptions	\$0
Taxable Value	\$251,430

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$84,177	\$951	\$216,240	\$0	\$0	\$301,368	\$228,573	\$72,795	\$228,573
2017	\$81,597	\$736	\$172,992	\$0	\$0	\$255,325	\$207,794	\$47,531	\$207,794
2016	\$53,022	\$1,185	\$157,728	\$0	\$0	\$211,935	\$188,904	\$23,031	\$188,904
2015	\$45,438	\$1,185	\$125,928	\$0	\$0	\$172,551	\$171,731	\$820	\$171,731
2014	\$40,454	\$1,185	\$114,480	\$0	\$0	\$156,119	\$156,119	\$0	\$156,119
2013	\$40,492	\$1,185	\$114,480	\$0	\$0	\$156,157	\$156,157	\$0	\$156,157
2012	\$39,511	\$1,185	\$103,032	\$0	\$0	\$143,728	\$143,728	\$0	\$143,728
2011	\$41,229	\$1,185	\$114,480	\$0	\$0	\$156,894	\$156,894	\$0	\$156,894
2010	\$40,085	\$1,185	\$114,480	\$0	\$0	\$155,750	\$155,750	\$0	\$155,750

Building Information

Building	1
Actual Area	1584
Conditioned Area	1356
Actual Year Built	1890
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Aluminum Vinyl

Roof Structure	Gable Hip
Roof Cover	Composite Shingle
Interior Flooring	Pine Wood
Interior Wall	Drywall
Heating Type	Forced Air
Heating Fuel	
Air Conditioning	None
Baths	

Category	Type	Pct
Exterior Wall	Aluminum Vinyl	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	100%
Heating Type	Forced Air	100%
Air Conditioning	None	100%
Frame	Wood Frame	100%
Plumbing	9 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%
Condition	Fair	100%

Description	Conditioned Area	Actual Area
FRAME ADDITION	144	144
BASE AREA	612	612
FINISHED OPEN PORCH	0	133
FINISHED OPEN PORCH	0	95
FINISHED UPPER STORY	600	600
Total SqFt	1356	1584

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Garage Unfinished (Average)	0	18	12	0	216
Garage Unfinished (Average)	0	16	12	0	192

Land Information

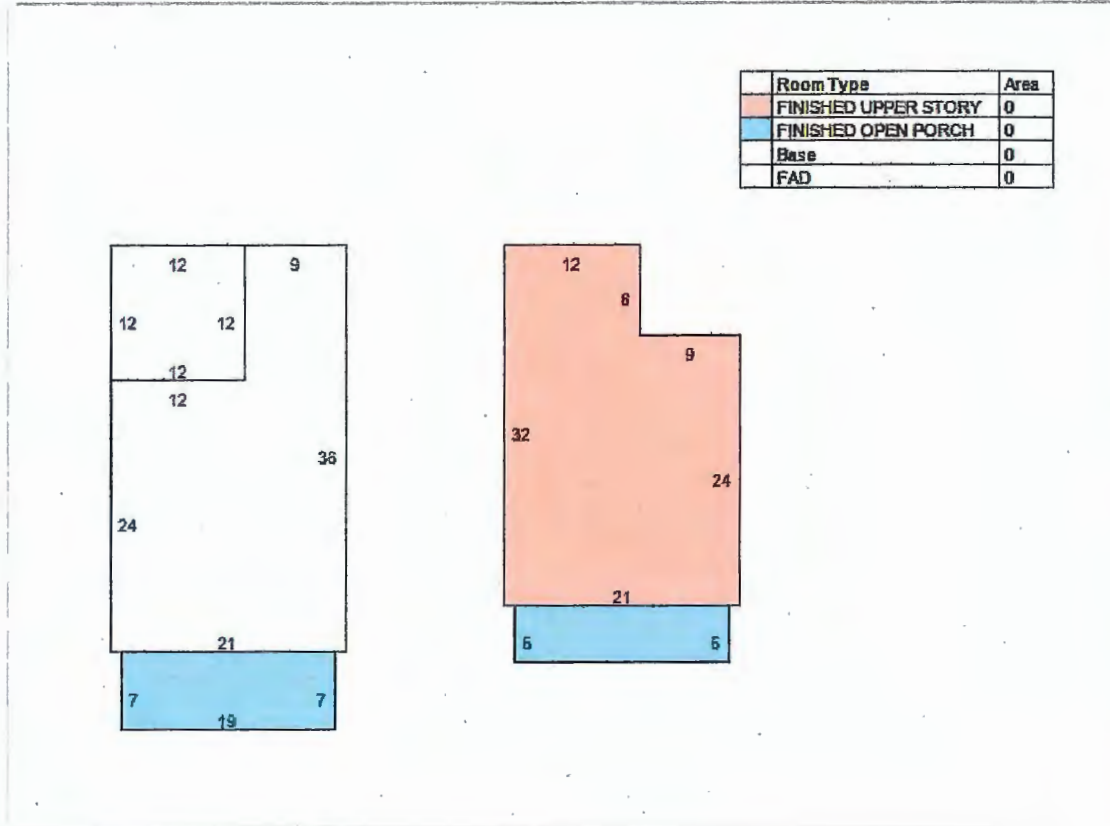
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	48	141	48	EF	\$216,240

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	8/1/1984	\$0.00		653	1800	U	I		ALLEN GEORGE A

Area Sales Report

Recent Sales in Area

Sketch Information

No data available for the following modules: Exemption Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Last Data Upload: 7/19/2019, 2:07:50 AM

Version 2.2.34

Developed by

Schneider
 GEOSPATIAL

Dennis W. Hollingsworth Tax Collector

generated on 9/28/2019 4:59:15 PM EDT

Tax Record

Last Update: 9/25/2019 10:00:16 PM EDT

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account or Parcel Number

195290-0000

Tax Type

REAL ESTATE

Tax Year

2018

Mailing Address

ALLEN GEORGE A
7 SARAGOSSA ST
SAINT AUGUSTINE FL 32084-3623

Physical Address

47 ABBOTT ST

Exemption Amount

\$0.00

Taxable Value

\$228,573.00

Exemption Detail

NO EXEMPTIONS

Millage Code

452

Escrow Code

Legal Description

18-07-30 .15 Acres ABBOTT TRACT CITY LOT 5 BLK G OR652/1670 & 653/1800 (ORDER OF FAMILY ADMIN)

Ad Valorem Taxes

Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
COUNTY					
GENERAL	5.1000	228,573	0	\$228,573	\$1,165.72
ROAD	0.7500	228,573	0	\$228,573	\$171.43
HEALTH	0.0171	228,573	0	\$228,573	\$3.91
SCHOOL					
SCHOOL - STATE LAW	4.0300	301,368	0	\$301,368	\$1,214.51
SCHOOL - LOCAL BOARD	2.2480	301,368	0	\$301,368	\$677.48
SJRWMD	0.2562	228,573	0	\$228,573	\$58.56
MOSQUITO	0.2200	228,573	0	\$228,573	\$50.29
CITY OF ST AUGUSTINE	7.5000	228,573	0	\$228,573	\$1,714.30
FL INLAND NAV DISTRICT	0.0320	228,573	0	\$228,573	\$7.31
PORT AUTHORITY	0.0638	228,573	0	\$228,573	\$14.58

Total Millage

20.2171

Total Taxes

\$5,078.09

Non-Ad Valorem Assessments

Code

4105

Levying Authority

C OF S A FIRE ASSESS FEE

Amount

\$79.87

Total Assessments

\$79.87

Taxes & Assessments

\$5,157.96

If Paid By

Amount Due

\$0.00

9/28/2019

Dennis W. Hollingsworth Tax Collector

Date Paid

Transaction

Receipt

Year

Amount Paid

11/21/2018

PAYMENT

1019889.0002

2018

\$4,951.64

Prior Year Taxes Due

NO DELINQUENT TAXES

PREVIOUSLY HEARD CASE

Case No. 2018-0416

47 Abbott Street



City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Planning/Building

OFFICIAL NOTICE OF CONFIRMATION OF ACTION

November 13, 2018

George A. Allen
7 Saragossa Street
St. Augustine, FL 32084-3623

RE: **47 Abbott Street
Excessive growth of weeds and grass; Dilapidated storage building.
City Code, Chapter 19, Section 19-4
City Code, Chapter 8, Section 8-302
Standard Housing Code, Chapter 305.15
CEAAB Case No. 2018-0416**

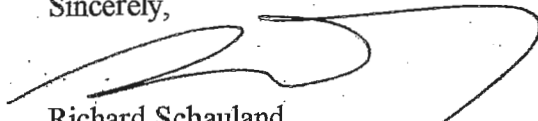
Dear Mr. Allen:

The purpose of this letter is to notify you of the action taken by the Code Enforcement, Adjustments and Appeals Board (CEAAB) on November 13, 2018 relative to your case.

The CEAAB found the case in compliance and issued an Order "**Closing the Case for Compliance and Imposing Penalties and Lien**", which is contingent on the property maintenance as set forth in the attached copy of said Order. The CEAAB hearing was conducted in accordance with F.S. 162.07, and as a part of the hearing this "Official Notice" is being sent to you as required by State Law.

Please contact me at 825-1066 if you have any questions concerning this correspondence.

Sincerely,



Richard Schauland
Code Enforcement Manager

Certified Mail: 7015 3430 0000 8755 3108

cc: John P. Regan, City Manager
John Cary, Assistant City Attorney
CEAAB File

7015 3430 0000 8755 3108

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OFFICIAL USE

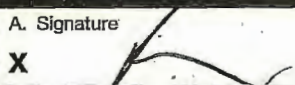
Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage \$

Sent To
 Street or
 City, Sta.
 PS Form

George A. Allen
 7 Saragossa Street
 St. Augustine, FL 32084-3623

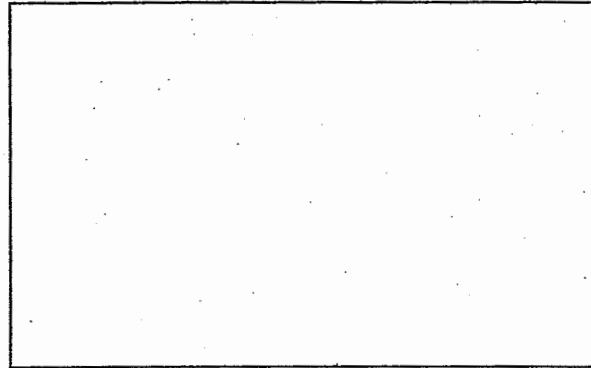
NOV 30 2018
 Postmark Here
 ST. AUGUSTINE MPO

actions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X  ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below RECEIVED DEC 06 2018
1. Article Addressed to: George A. Allen 7 Saragossa Street St. Augustine, FL 32084-3623	3. Service Type ☒ Certified Mail® ☒ Priority Mail Express™ ☐ Registered ☒ Return Receipt for Merchandise ☐ Insured Mail ☐ Collect on Delivery
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) ☐ Yes
7015 3430 0000 8755 3108	
PS Form 3811, July 2013 Domestic Return Receipt 47 Abbot	

BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS & APPEALS BOARD
OF THE
CITY OF ST. AUGUSTINE, FLORIDA

**ORDER CLOSING CASE
FOR COMPLIANCE
AND
IMPOSING PENALTIES
AND LIEN
CEAAB CASE NO. 2018-0416**



IN THE MATTER OF:

GEORGE A. ALLEN
47 ABBOTT STREET
ST. AUGUSTINE, FL 32084
(Hereinafter referred to as Respondent)

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:
City Code, Chapter 19, Section 19-4
City Code, Chapter 8, Section 8-302
Standard Housing Code, Chapter 305.15

ORDER

THIS MATTER originally came before the Board for public hearing on **October 9, 2018**, after due notice to the Respondent(s), at which time the Board heard testimony under oath and received evidence. The Board issued findings of fact, conclusions of laws, and an oral order reduced to writing and furnished to the Respondent(s) to take corrective action by time certain, as more specifically set forth in that order. On **November 13, 2018**, this Board conducted a compliance hearing and determined that the Board's order of **October 9, 2018**, had been complied with.

Based on the evidence and testimony presented at the **November 13, 2018** hearing, the Board finds that the required corrective action **has** been taken as ordered which constitutes compliance with the City Code, Chapter 19, Section 19-4, Chapter 8, Section 8-302, and Standard Housing Code, Chapter 305.15.

The Board's previous order set forth a compliance date of **October 9, 2018**, and a fine of \$250 to begin the first day and each day thereafter that the violation remained. The Board acknowledged that the fine had accrued to \$750, and on November 13, 2018, the Board ordered a fine in the amount of \$750, but withheld filing of such lien until July 2019, contingent on the property maintenance. The Board further ordered that should the property remain in compliance until July 2019, the fine would be suspended entirely by staff, but should the property fall back into violation before July 2019, staff would file the fine with the court in the form of a lien.

IT IS HEREBY ORDERED that the above described fine in the amount of \$750 is hereby pending against the Respondent(s) for the violation that existed upon the following described property, situated in St. Augustine, Florida, to wit:

Violation Site: 47 Abbott Street
Legal Description: Abbott Tract City Lot 5 Blk G
Parcel Number: 195290 0000

THIS ORDER SHALL BE RECORDED IN THE OFFICIAL RECORD BOOKS OF ST. JOHNS COUNTY FORTHWITH AND SHALL CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY, AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR, PURSUANT TO SECTIONS 162.08 AND 162.09, FLORIDA STATUTES. FURTHER INFORMATION ON THIS MATTER MAY BE OBTAINED BY CONTACTING THE BUILDING AND CODE ENFORCEMENT DIVISION, P.O. BOX 210, ST. AUGUSTINE, FL 32085-0210, (904) 825-1066.

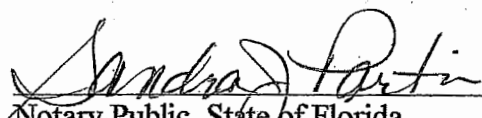
DONE AND ORDERED, at a public hearing on the 13th day of November, 2018, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

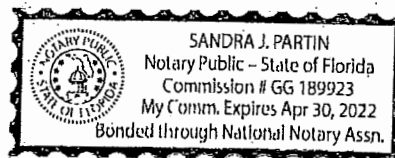

CLYDE M. TAYLOR, III, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Clyde M. Taylor, III, who is personally known to me who is the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same for the purposes therein expressed.

Witness my hand and official seal, this 13th day of November, A.D., 2018.


Notary Public, State of Florida



CITY OF ST. AUGUSTINE, FLORIDA

Code Enforcement, Adjustments and Appeals Board Meeting
November 13, 2018

The Code Enforcement, Adjustments and Appeals Board met in formal session at 3:00 P.M., Tuesday, November 13, 2018, in the Alcazar Room at City Hall. The meeting was called to order by Clyde M. Taylor, III, Chairman, and the following were present:

1. ROLL CALL

Clyde M. Taylor, III, Chairman
Martha Mickler, Vice Chairman
Noel Mahr
Dennis Wissel
CeCe Reigle
Larry Weeks
Stephen Simmons

Staff Present:

John Cary, Esq., Assistant City Attorney
David Birchim, Director, Planning & Building Department
Curtis Boles, Code Enforcement Inspector
Robert van Mierop, Code Enforcement Inspector
Sandra Partin, Administrative Coordinator, Recording

The City staff was sworn in.

2. APPROVAL OF MINUTES
(October 9, 2018)

MOTION

Ms. Reigle moved to approve the minutes with corrections. The motion was seconded by Mrs. Mickler and approved by unanimous voice vote.

3. DISCLOSURE OF EX-PARTE
COMMUNICATIONS

None.

Public comment for items not on the agenda was opened, however there was no response.

4. VARIANCES/TREE REMOVAL

None.

5. REVIEW OF PREVIOUSLY HEARD
CASES

Item 5 (a) **2018-0416**

George A. Allen

47 Abbott Street

City Code, Chapter 19, Section 19-4

City Code, Chapter 8, Section 8-302

Standard Housing Code, Chapter 305.15

**Excessive weeds and grass;
dilapidated storage building.**

Mr. van Mierop reported the following:

- On October 9, 2018, the Board found this case in violation and issued an "Order Finding Violation" allowing zero days from the date of the order to correct the violation. The Board further ordered a fine in the amount of \$250 per day would be imposed for each day the violation continued, and the case would be brought back before this board for a compliance hearing.
- Three days later on October 12, 2018, he visited the site and met with Joel Alexa, the respondent's nephew, who reported that the property would be brought into compliance that day.
- He returned to the property later that day and found that the property had been brought into compliance.
- On November 5, 2018, he received an email communication from Mr. Alexa, requesting leniency with respect to any fines imposed, and a copy had been attached in the Boards packets.
- Staff recommended that the Board close the case for compliance as the property was compliant within three days. And he reported that maximum fines would be \$750 for the three days of continued violation.

Mr. Taylor asked staff about the comment made by Mr. Alexa in the November 5th email communication, of having arrived on the 3rd of October, and whether it was discussed why no one had made an appearance before this Board one week later at the October 9, 2018, meeting.

Mr. van Mierop replied that in speaking with the nephew, it was reported that Mr. Allen was in very poor health and the family was discussing placing him in Hospice care. Mr. Alexa had come into town from Virginia to handle the matter. But he had received no explanation as to why a representative had not attended the meeting.

Ms. Reigle asked staff if this was the first time the property had been in violation, and if there was a long-term maintenance plan in place for the property.

Mr. van Mierop responded that he had dealt with the property owner in the past and had success in regard to maintenance. But given the respondent's current health issues, he had been unable to obtain compliance until the nephew stepped in to assist, but that was after this Board last met. Mr. Alexa made his intention known that the property would be maintained and would likely be sold. And he added that staff would continue to monitor the property.

Mr. Simmons asked staff if there was any indication made to the fiduciary responsibility to the family or property.

Mr. van Mierop responded there was none.

Public comment was opened, however there was no response.

Mrs. Mickler commented that she was in favor of closing the case without imposing a fine for the three days of violation, and Ms. Reigle was in agreement.

Mr. Simmons commented that he heard testimony that no one was available to be responsible of the property. That there was one person who shows no fiduciary to either the brother or the father, and he questioned whether he would be able to speak on their behalf. That there was a property in irreparable that should have been brought before this Board previously, and he was concerned with the situation of making an owner aware of the responsibility. And he commented that property maintenance/lawn care companies are driving around town all the time and the property owner could hire a lawn service to maintain the lawn. And he asked council if the Board could impose a fine and withhold filing unless the property were found to fall back into violation. As he understood that a lien would last for 20 years.

Mr. Cary replied that should this Board wish to impose a fine and withhold filing of the lien, the lien does not become operative until it is filed on the public records. And should the property come back before this Board as a repeat violation, with an Order Finding Violation

already in place, then the initial lien and any subsequent lien could be filed. And he affirmed that the lien would last for 20 years.

Mr. van Mierop responded that a lot of the maintenance companies had headed to the panhandle of Florida to assist with cleanup after the recent storm, but the nephew was able to find a crew to help clean the property within three days.

Mr. Wissel asked staff about the comment made earlier of property being in violation last year.

Mr. van Mierop explained that last year the property was overgrown with weeds and grass, and that a large tree had fallen on the property. And that the respondent had the property cleaned up and staff closed the case.

Mr. Taylor added that the only communication was by email and not testimony. He wished that the information had been provided at the last hearing and perhaps the Board would not have imposed a fine. That the fines are a means to promote compliance. That the email stated he was in town prior to the last hearing and it would have been nice to hear from the respondent's nephew at the last meeting and to have received the email prior to the last meeting.

Mr. Simmons commented that it was helpful when a respondent or representative showed to meetings to speak to the case, and he believed it to

be disrespectful to the Board when there was no appearance.

Mr. Weeks asked if the property could be placed on a watch list, rather than waiting until a complaint was received.

Mr. van Mierop responded that was the routine practice.

Mr. Simmons stated that staff was under obligation to bring the property back before this Board should it fall back into violation.

Ms. Reigle asked if there was a way for the Board to require the respondent to enter a contract with a lawn service for maintenance of the property. And she asked for Mr. Mahr's recommendation and then asked Mr. Taylor if he were agreeable with that.

Mr. Mahr replied that the respondent owned three properties in the area, that he had declining health, and that the family had stepped in to handle the violations. That with the shed having been removed, the watch would be for the weeds and grass. That he would be in favor of imposing a fine for one day, adding that the fine would send a message to the family of the importance to maintain the property.

The Board had discussion of the possibility of the property selling.

Mr. Cary explained to the Board that should the lien not be filed, and the property be sold. Once the deed changed hands through a sale, and we

had not filed, the city could not collect on that lien as it would be invalid.

Mr. Taylor expressed that he viewed the fining as a means to encourage compliance.

Mr. Simmons read Florida Statute 162.06 into the record, commenting that he did not want to get too technical on this, but he did not have any reason to believe someone would now take care of the maintenance of the property given past history. But he was not in favor to penalize a potential new owner for the current violations.

MOTION

Mr. Simmons moved to impose a fine in the amount of \$750 and withhold filing of such lien until July 2019. Should the property remain in compliance the fine would then be suspended entirely by staff, but should the property fall back into violation before July 2019, staff would file the fine with the court in the form of a lien to the property. Or should the property be sold, the fine would be suspended in its entirety. The motion was seconded by Mr. Taylor and approved by the following voice vote:

**AYES: Simmons, Taylor, Mickler,
Mahr, Reigle, Weeks.**

NAYS: Wissel.



City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Planning/Building

**OFFICIAL NOTICE OF
CONFIRMATION OF ACTION
AND OFFICIAL NOTICE OF
CEAAB HEARING**

October 9, 2018

George A. Allen
7 Saragossa Street
St. Augustine, FL 32084-3623

RE: **47 Abbott Street
Excessive growth of weeds and grass; Dilapidated storage building.
City Code, Chapter 19, Section 19-4
City Code, Chapter 8, Section 8-302
Standard Housing Code, Chapter 305.15
CEAAB Case No. 2018-0416**

Dear Mr. Allen:

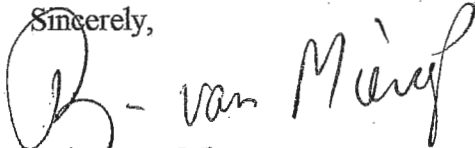
The purpose of this letter is to notify you of the action taken by the Code Enforcement, Adjustments and Appeals Board (CEAAB) on October 9, 2018, relative to your case.

The CEAAB found the case in "**Violation**". The "**Order Finding Violation**" allowed the Respondent zero (0) days from the date of the "**Order**" to correct the violation. And the Board further ordered that a fine of \$250 per day would be imposed for each day the violation continued. A copy of the "**Order Finding Violation**" is attached. The CEAAB hearing was conducted in accordance with F.S. 162.07 and as a part of the hearing this "Official Notice" is being sent to you as required by State Law.

This will also serve as your "**Official Notice**" that you or your Representative are advised to appear at the CEAAB Meeting on Tuesday, January 15, 2019, at 3:00 P.M. in the Alcazar Room at City Hall, as you have been placed on the agenda for this meeting.

Please contact me at 825-1066 if you have any questions concerning this correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "R. van Mierop". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Robert van Mierop
Code Enforcement Inspector

Certified Mail: 7015 3430 0000 8755 3009

cc: John P. Regan, City Manager
John Cary, Assistant City Attorney
Darlene Gafambos, City Clerk
CEAAB File

BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS AND APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

ORDER FINDING VIOLATION
CEAAB CASE NUMBER: CE2018-0416

IN THE MATTER OF:

ALLEN GEORGE A
47 ABBOTT STREET
SAINT AUGUSTINE, FL 32084
(Hereinafter referred to as Respondent)

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:

City Code, Chapter 19, Section 19-4
City Code, Chapter 8, Section 8-302
Standard Housing Code, Chapter 305.15

VIOLATION SITE: 47 ABBOTT ST, Building: 1, SAINT AUGUSTINE, FL 32084-0000

LEGAL DESCRIPTION: ABBOTT TRACT CITY LOT 5 BLK G

PARCEL NUMBER: 195290 0000

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING HELD ON OCTOBER 9, 2018, AND, BASED ON THE EVIDENCE, HAS ADJUDGED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is the legal owner and/or occupant of the subject property and was duly notified of the hearing held on October 09, 2018, in accordance with Chapter 162, F.S.

The respondent and/or authorized representative was not present.

2. In response to a public complaint, the staff observed the following code violations on June 25, 2018:

- Excessive growth of weeds and grass.
- Dilapidated storage building.

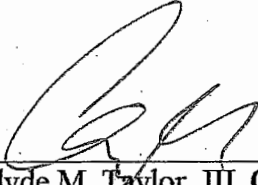
3. The above described is a violation of the following Section(s) of the City Code of St. Augustine:

Chapter 19, Section 19-4
Chapter 8, Section 8-302
Standard Housing Code, Chapter 305.15

4. On July 25, 2018, the Planning and Building Department sent an **"Official Notice of Violation"** to the respondent, via certified mail, which was returned unclaimed.
5. On September 21, 2018, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of CEAAB Hearing"** for October 9, 2018. And on September 28, 2018, the property was posted with an affidavit of an **"Official Notice of CEAAB Hearing"** for October 9, 2018.
6. On October 9, 2018, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an **"Order Finding Violation"** which allowed the Respondent zero (0) days from the date of the **"Order"** to correct the violation. The Board further ordered that a fine of \$250 per day would be imposed for each day the violation continued, and that the case be brought back before this board in ninety (90) days for a compliance hearing.
7. RESPONDENT IS HEREBY FURTHER NOTIFIED TO REAPPEAR before this Board for a compliance hearing on **Tuesday, January 15, 2019**, at 3:00 P.M. in the Alcazar Room in City Hall. Your presence will not be necessary if this matter has been satisfactorily resolved and the code inspector has been duly notified and has acknowledged correction of the violation.
8. In the event of a future violation of this **"Order Finding Violation,"** Respondent shall again be notified of a new compliance hearing, at which time the Board will review the evidence and impose the fine provided herein, or a maximum fine of \$500 per day if said violation is determined to have again occurred.

THIS ORDER MAY BE RECORDED IN THE OFFICIAL RECORD BOOKS OF ST. JOHNS COUNTY FORTHWITH AND SHALL CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY, AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR, PURSUANT TO SECTIONS 162.08 AND 162.09, FLORIDA STATUTES. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE AND LOSS OF YOUR PROPERTY. THEREFORE, IF FOR ANY REASON YOU ARE UNABLE TO COMPLY WITHIN THE STATED TIME, PLEASE NOTIFY THE CODE ENFORCEMENT INSPECTOR IMMEDIATELY.

DONE AND ORDERED THIS 9TH DAY OF OCTOBER, 2018, in open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

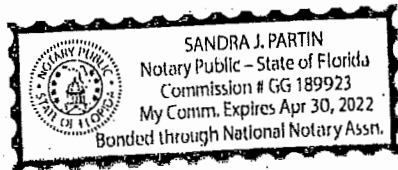


Clyde M. Taylor, III, Chairman
Code Enforcement, Adjustments and Appeals Board

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Clyde M. Taylor, III, who is personally known to me who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

Witness my hand and official seal, this 9th day of October, A.D., 2018.



Sandra J. Partin
Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Code Enforcement, Adjustments and Appeals Board, upon notification by the Code Enforcement Inspector that a previous order of the Board has not been complied with by the set time, may order the violator to pay a maximum fine of \$250 for each day the violation continues past the date set for compliance. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists, or upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the Sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for the enforcement purposes. After three (3) months from filing of any such liens which remain unpaid, the Code Enforcement, Adjustments and Appeals Board may authorize the local governing body attorney to foreclose on the lien.

6. REVIEW OF NEW CASES

Item 6 (a) 2018-0416

George A. Allen
47 Abbott Street

**City Code, Chapter 19, Section 19-4,
City Code, Chapter 8, Section 8-302;
and Standard Housing Code, Chapter
305.15.**

**Excessive growth of weeds and
grass; dilapidated storage building
on property.**

Mr. van Mierop advised the board that the respondent in this case was hearing impaired, that staff had made arrangements for an interpreter, who was present, however the respondent was not.

Mr. Birchim suggested that the case be moved to the end of the agenda.

The board approved moving the case to the end of the agenda to allow the respondent time to arrive. (The meeting continued, and this case was brought back after all other items on the agenda had been heard. The interpreter was excused as the respondent had yet to appear.)

Mr. van Mierop read from the staff report and commented to the following:

- On June 25, 2018, the property was observed to be overgrown with weeds and grass, and a

shed to the back of the property was in disrepair.

- On July 3, 2018, a letter was sent to the owner advising of the violation and allowing 21 days from receipt to bring the property into compliance.
- Only July 25, 2018, the property remained in violation, and an Official Notice of Violation was sent via certified mail, however it was returned as undeliverable.
- On September 21, 2018, an Official Notice of Hearing was sent via certified mail, and signed receipt was received on September 25, 2018.
- To date the property had not been brought into compliance.
- Staff recommended the board allow 14 days for the respondent to bring the property into compliance, and that a fine be considered in this case.

Mr. Taylor asked for clarification of the certified mailing to 7 Lemon Street.

Mr. van Mierop responded that he had knowledge that the respondent lived at 7 Lemon Street.

Mr. Taylor confirmed that the respondent was noticed for the shed and the property.

Mr. van Mierop replied affirmative.

Public hearing was opened, however there was no response.

Mr. Taylor commented that with the respondent not showing, he did not believe the 14 days would be necessary.

Ms. Reigle asked if this was a repeat violation.

Mr. Simmons clarified that it was not a repeat violation only because it had not appeared.

MOTION

Ms. Reigle moved to approve finding violation and impose a fine in the amount of \$250 per day beginning October 9, 2018 and each day thereafter until the property had been brought into compliance for the two violations cited, based upon evidence presented that day and heard on the record. The motion was seconded by Mr. Mahr and approved by unanimous voice vote.

Item 6 (b) 2018-0386

Patricia C. Poshva Trust
Joseph Boles, Trustee
274 S. Matanzas Boulevard
City Code, Chapter 19, Section 19-4
Excessive growth of weeds and grass; downed/dead tree on property.

Mr. van Mierop read from the staff report and commented to the following:

- On June 5, 2018, the property was observed to be in violation of

overgrown weeds and grass.

There was also a dead Southern Red Cedar tree, which was partially down from the storm.

- On June 20, 2018, a letter advising the owner of the violations and allowing 30 days from the receipt to correct the violations was given.
- On June 25, 2018, the property was posted with a notice to bring the property into compliance.
- On August 22, 2018, the property remained in violation and an Official Notice of Violation was sent to both the respondent and her attorney, Joseph Boles, via certified mail.
- He explained that the respondent was in an assisted living facility, and Mr. Boles was her attorney.
- On September 24, 2018, an Official Notice of Hearing was sent via certified mail to the respondent's attorney.
- As of September 28, 2018, the property was still in violation, and Mr. Boles reported that Mrs. Poshva was not financially able to bring the property into compliance.
- Staff recommended that the board approve authorization to the City of St. Augustine for abatement of the property.

The board asked if there were any outstanding liens on the property. And if there was an estimated value of the property, as testimony was heard that there was a reverse mortgage on the property.

Google Maps 47 Abbott St

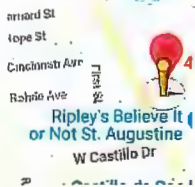


Image capture: May 2013 © 2018 Google

St Augustine, Florida

Google, Inc.

Street View - May 2013





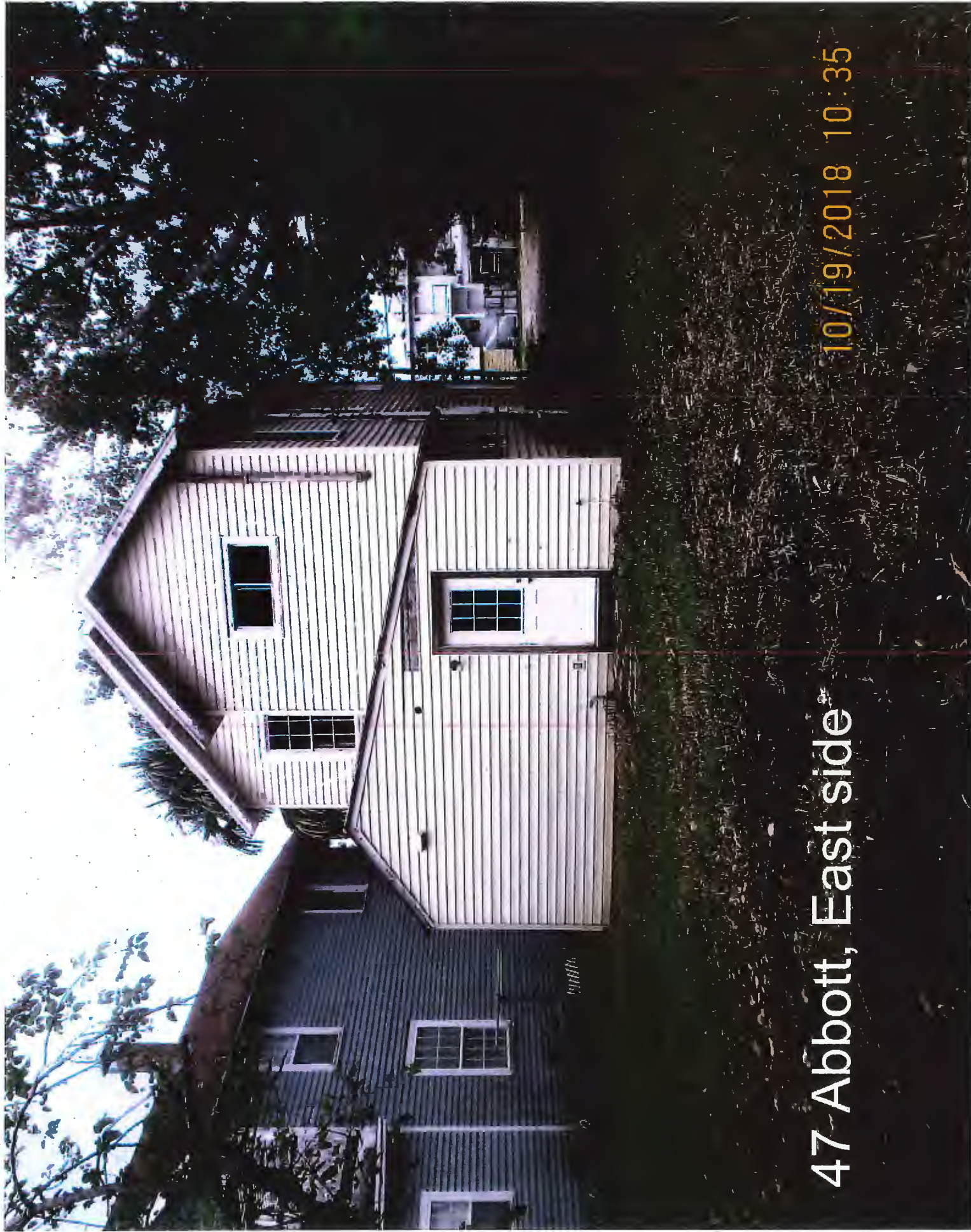
07/24/2018 14:08



07/24/2018 14:08

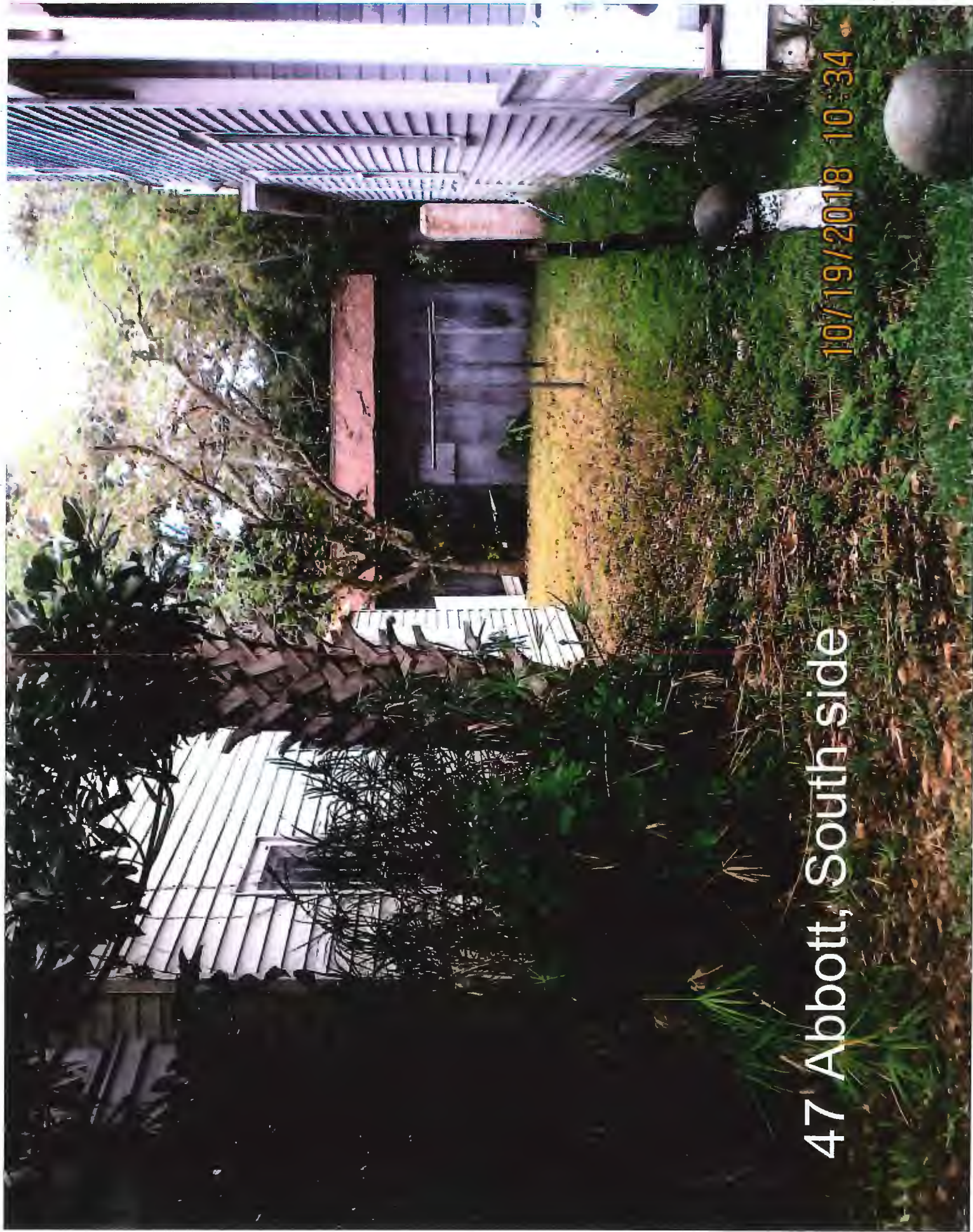


07/24/2018 14:07



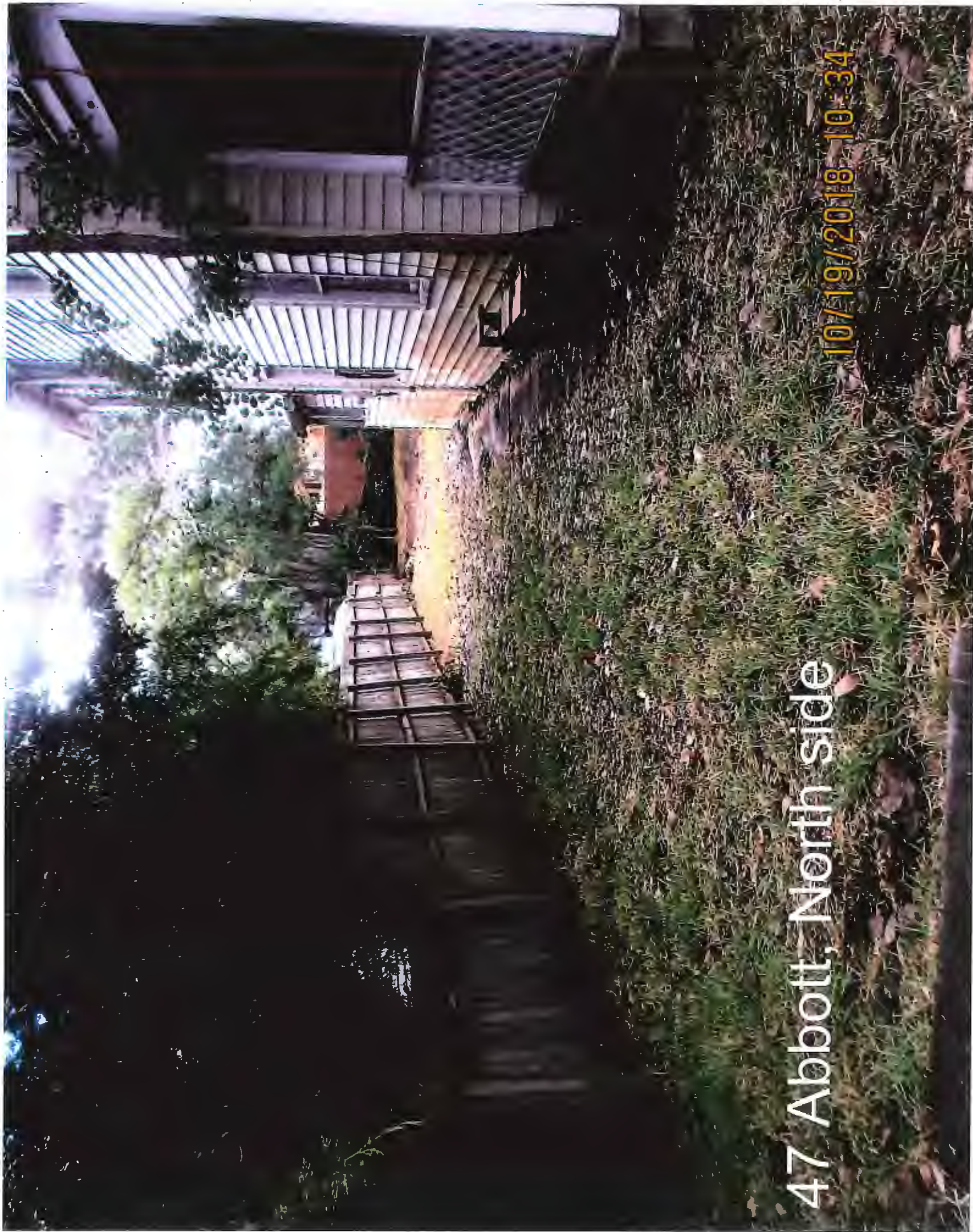
47 Abbott, East side

10/19/2018 10:35



47 Abbott, South side

10/19/2018 10:34



47 Abbott, North side

10/19/2018 10:34

REVIEW OF NEW CASES

ITEM 8 (b)

101 San Marco Avenue

Case# 2019-0381

**CITY OF ST. AUGUSTINE
MEMORANDUM**

TO: Code Enforcement, Adjustments & Appeals Board (CEAAB)

DATE: October 8, 2019

SUBJECT: Case Number: 2019-0381

RESPONDENT: Roman Catholic Church
Mission of Nombre de Dios

LOCATION: 101 San Marco Avenue, Parcel Number 192070 0000

VIOLATIONS: City Code, Chapter 22, Section 22-16, (b) (1) (i)
Use of and/or construction in city rights-of-way

BACKGROUND INFORMATION:

On April 20, 2018, the above property was issued a Building Permit for a new fence and gates to be installed around the perimeter of the grounds, on the Mission property.

May 2, 2019: I received a verbal complaint from a resident stating that a section of the new fence, constructed on the south property line of the above address, along Pine Street, had been installed in the City right-of-way. The complainant stated that there is currently not sufficient room to walk along Pine Street, as the fence keeps pedestrians too close to vehicular traffic.

According to a survey prepared by Clarson and Associates, Inc., dated July 25, 2008, the distance from the curb on Pine Street to the property line of the Mission is eight feet. This was confirmed by Blue Beam software. Measurements along Pine Street indicate that the fence is less than five feet from the curb along the property's south boundary.

May 13, 2019: I contacted John Carres, Operations Manager for the Mission of Nombre de Dios and we discussed the issue of the location of the fence. I advised Mr. Carres that there were three remedies which would bring this property into compliance. The fence could be removed, it could be moved back to a point where it is on Mission property, or the Mission could apply for a License Agreement with the City which if approved, would allow the fence to remain where it was as of the date of our conversation.

May 28, 2019: A second inspection showed the fence had not been relocated or removed. I contacted City of St. Augustine Public Works to find out if the Application for the License Agreement had been submitted and I was advised that it had not been submitted.

June 12, 2019: The Mission, through counsel, advised City of St. Augustine Public Works that they were obtaining an as built survey of the fence along Pine Street, and once that was in hand, they would be filing the application package.

July 31, 2019: A reinspection of the property showed that the fence had not been moved, and there was no paperwork filed to apply for a license agreement to leave the fence where it was. Several specific measurements and photographs were taken in order to move forward with this case.

August 21, 2019: An Official Notice of Violation was sent to the Respondent via Certified Mail and it was received and signed for on September 6, 2019.

September 18, 2019: An Official Notice of Hearing was sent to the Respondent via Certified Mail and it was received and signed for on September 26, 2019. The Notice of Hearing was also filed with the Clerk's Office and posted at the property.

September 30, 2019: I verified with the City of St. Augustine Public Works Department that the Respondent has submitted the fees and the Application for the License Agreement. As of this date the decision as to the License Agreement is pending.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff recommends the CEAAB continue this case until the City Commission has had an opportunity to review the License Agreement application.

Robert van Mierop
Code Enforcement Officer

Sec. 22-16. - Use of and/or construction in city rights-of-way.

(a) *Definitions.* In this section:

(1) *Construction* means any activity or installation, other than the placement of utilities governed by [section 22-8](#) of this Code, performed within the boundaries of any city right-of-way, including, but not limited to, curb cuts; driveways; excavation activities; installation of pavers, poles, fencing, signage and sidewalks; structures or other improvements; and landscaping activities.

(2) *Rights-of-way* means any opened or unopened city street, roadway or alleyway or any easement or any real property owned by the city.

(b) Activities in city rights-of-way without permits.

(1) The following construction and/or use activities are prohibited within the boundaries of all city rights-of-way unless permitted in accord with the provisions of this article:

- a. Installation of mailboxes other than units prescribed by U.S. Postal Service Standards and Florida Department of Transportation Parking and Traffic Design Standards.
- b. Decorative walls.
- c. Retaining walls.
- d. Buildings or structures of any kind.
- e. Barriers or obstructions of any kind.
- f. Basketball goals.
- g. Skateboard ramps.
- h. Recreational structures of any kind, whether temporary or permanent.
- i. Fences.**
- j. Parking lots.
- k. Landscaping of any kind.
- l. Any other facility, object or item requiring a permanent foundation or which cannot be removed readily.
- m. Any facility, object or item designed and intended for personal or private use and not for public use.
- n. Security lights and street lights.
- o. Driveways, new, modified or replaced.
- p. Any work, construction activity or item which creates an obstruction, whether permanent
- q. temporary, to the free and complete use of the right-of-way.
- r. Trenchless construction activities.



Fence

CITY OF ST. AUGUSTINE

Planning & Building Department 75 King Street, St. Augustine, Florida 32084

PERMIT #: 2017-0896

Contractor: J. C. HARWARD & ASSOCI. INC, (904) 838-9400

Owner: ROMAN CATHOLIC CHURCH

Parcel: 192070 0000

Legal: 1 HEADE TR CITY LECHE SHRINE & CEMETERY DBY/207

Zoning: OL

Project Address: 101 SAN MARCO

Proposed Work: Construct Fence & Gates Around Perimeter of Grounds

Job Cost: \$500,000.00

Permit Fees: \$2,552.25

**ALL INSPECTIONS MUST BE SCHEDULED BY CALLING THE INSPECTION REQUEST
LINE AT 904-209-4329 AT LEAST 24 HOURS IN ADVANCE.**

*WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING
TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND
POSTED ON THE JOB SITE. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY
BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.*

STAFF USE ONLY

AUTHORIZED SIGNATURE _____

DATE ISSUED _____

April 20, 2018



CITY OF
ST. AUGUSTINE
EST. 1565

RIGHT-OF-WAY USE PERMIT

Submit

Public Works Department ▪ City Hall, 75 King Street, Lobby B - 4th Floor ▪ PO Box 210 ▪ St. Augustine, FL 32085-0210

Phone: (904) 825-1040 option#6 ▪ Fax: (904) 209-4286 ▪ Email: PWPermits@citystaug.com

Right-of-Way Use Permit Application Requirements:

Applicant must fill in all of Section 1 and submit application together with a sketch of work area and the permit fee. If work is for driveway, applicant must provide a sketch indicating dimensions and materials to be used.

NOTE: This Right-of-Way Use Permit is in accordance with the attached Permit Requirements. Any deviation from the Permit Requirements will result in work stoppage and forfeiture of current and/or future permits. Please read and adhere to all applicable specifications in attached Right-of-Way Use Permit Requirements.

Officer Use Only

Permit No.:

Signature of Officer

Section 1 (To be filled in by Applicant)

Applicant's Information:

Applicant Name: Felipe J. Estevez, Bishop

Phone #: 904-824-6625

Company: Diocese of St. Augustine, Inc.

Email: chris@mdginc.com

Mailing Address: 11625 Old St. Augustine Rd

City, State, Zip Code: Jacksonville, FL 32258

Applicant Signature:

F. J. Estevez

Date:

Sept. 21, 2019

Location of Proposed Work/Event:

Street Address: Pine Street, St. Augustine

Parcel # (if available) or Closest Intersection: 194590 0002 (Pine Street Right-of-way)

Describe Road or Sidewalk Closure Request (3 business day notification required): Check One

☐ Lane Closure

☐ Sidewalk Closure

☐ Road Closure

No closures requested

Proposed Scope of Work:

Brief Description: Agreement requested for fence encroachment into Pine Street right-of-way

Start Date: N/A

Start Time: N/A

☐ AM

☐ PM

End Date: N/A

End Time: N/A

☐ AM

☐ PM



CITY OF
ST. AUGUSTINE
EST. 1565

RIGHT-OF-WAY USE PERMIT

Public Works Department ▪ City Hall, 75 King Street, Lobby B - 4th Floor ▪ PO Box 210 ▪ St. Augustine, FL 32085-0210
Phone: (904) 209-4375 ▪ Fax: (904) 209-4286 ▪ Email: PWPermits@citystaug.com

Section 2 (To be filled in by City Staff)

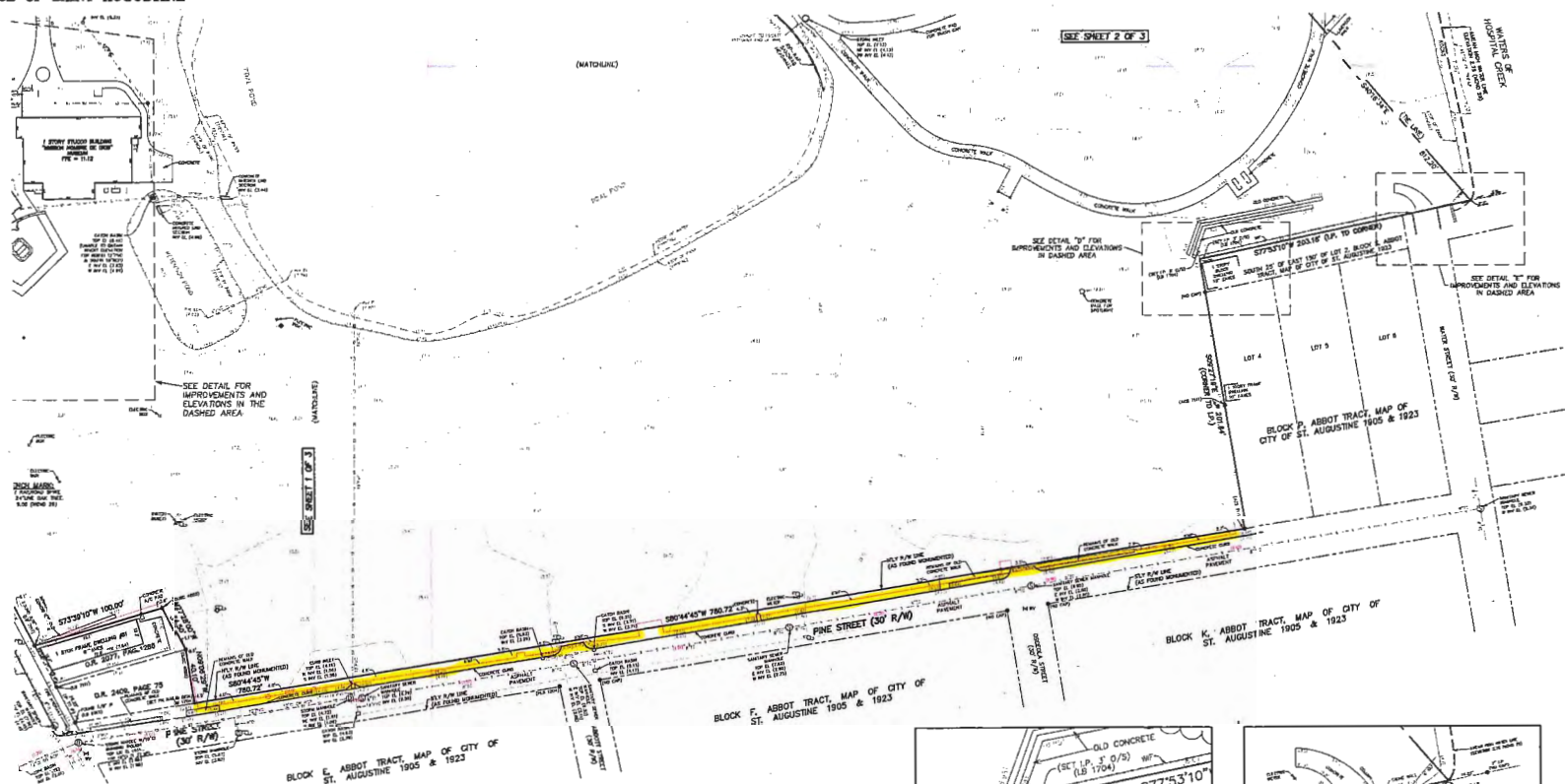
ROW Use Permit Fee Schedule:		
<i>In accordance with Exhibit "A" Permit Fee Schedule (Effective: January 1, 2016)</i>		
Construction Equipment ROW Use/Parking Permit (Unmetered)	\$10 / day	<i>Date Paid Stamp</i>
Construction Equipment ROW Use/Parking Permit (Metered)	\$25 / day	
Full Road Closure (Time limitations & restrictions determined by Staff)	\$60	
Lane/Sidewalk Closure (Time limitations & restrictions determined by Staff)	\$30	
Moving Van/Moving Truck/Moving Trailer/Storage Pod (Within City ROW) (First 48-hour period Free) Thereafter, charged by per day for a maximum limit of 10 days per use/location. (Does not exempt or include parking meter costs)	\$25 / day	
After-the-fact Permitting (Commencing work without permit or violation of permit conditions)	Double the Fees	

Additional Comments by City Staff:

Authorized By (for City Staff):
COSA Staff Signature:
Name:
Title:

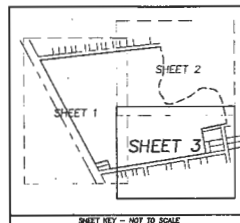
ROW Permit Start Date:
ROW Permit End Date:

FOR: DIOCESE OF SAINT AUGUSTINE

[illegible]

NOTES

1. BEARING REFERENCE: N072°00'00"W FOR THE EASTLY R/W LINE OF SAN MARCO AVENUE PER C.R. 2406, PAGE 75.
2. THIS IS AN ABOVE SURFACE SURVEY ONLY. UNDERGROUND INFORMATION, EXCEPT STORM DRAINAGE AND SANITARY SEWER, NOT LOCATED OR SHOWN.
3. ELEVATIONS SHOWN THIS: (10.00) REFER TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NOV0 29).
4. TO CONVERT ELEVATIONS FROM (NOV0 29) TO (NOV0 88), SUBTRACT 1.063 FEET.
5. REFERENCE BENCH MARK: COAST AND GEODETIC SURVEY MARKER (F 141 1054) CL 10.28 (NOV0 29).



REVISD ON 09/17/2010: SHOW ADDITIONAL PORTION OF NEW FENCE & TOPG
 SURVEY ON 08/03/2010: SHOW ADDITIONAL PORTION OF NEW FENCE



I HEREBY CERTIFY I HEREBY CERTIFY THAT THIS SURVEY
UNDER MY RESPONSIBLE SUPERVISION MEETS THE MINIMUM STANDARDS OF
THE PROFESSIONAL SURVEYING AND MAPPING ACT, CHAPTER 472, FLORIDA STATUTES
ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.02, FLORIDA STATUTES)
FURTHER CERTIFY THAT THERE ARE NO MARRIAGE ENCUMBRANCES
SUBJECT PROPERTY EXCEPT AS SHOWN.

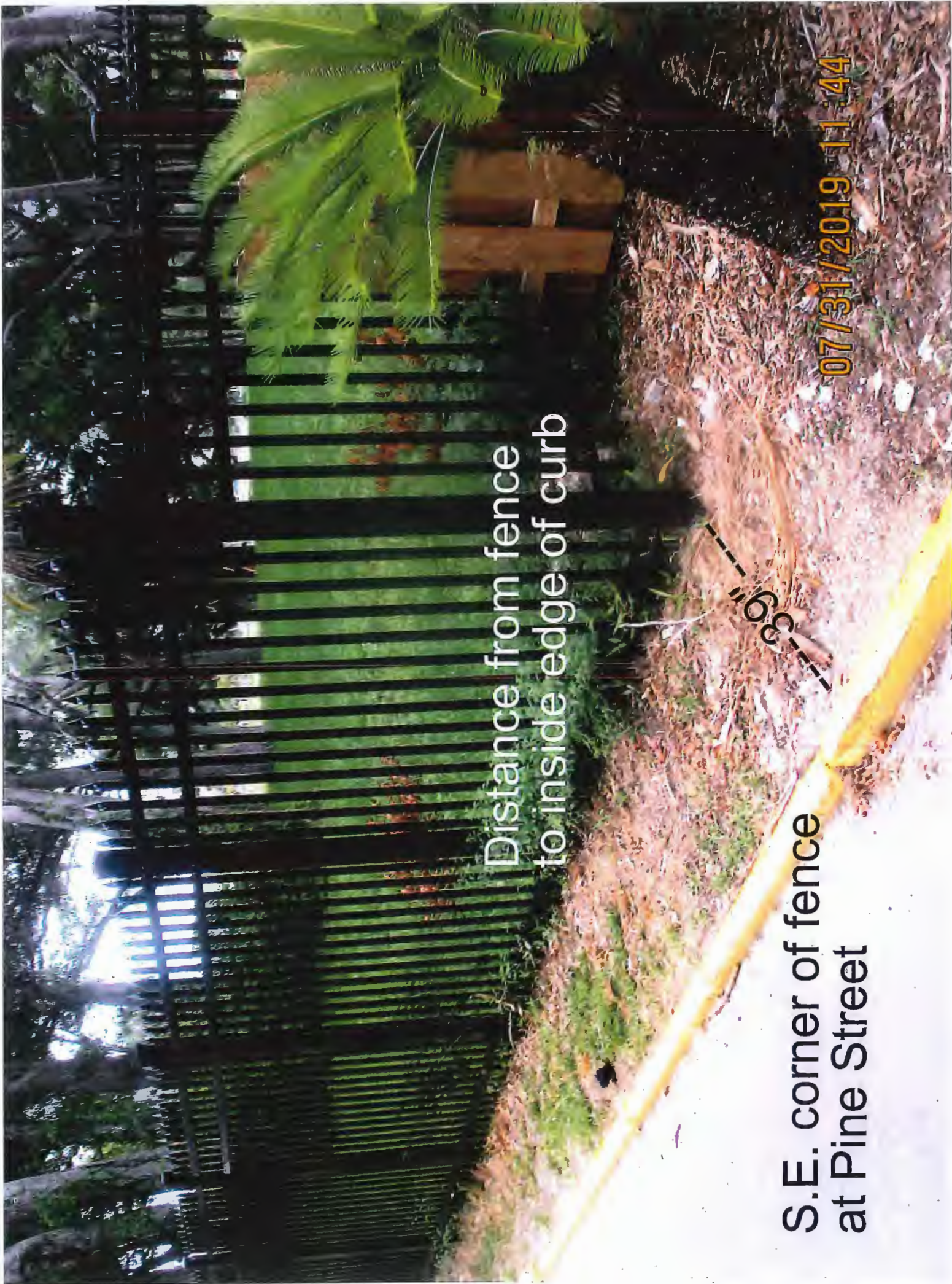
DATE SURVEYED: JULY 25, 2008
SCALE: 1"=40'
FIELD BK/PG: 805/16-44, 879/32-34, 922
FILE NO: 8-2413

CLARSON AND ASSOCIATES, INC.
PROFESSIONAL SURVEYORS & MAPPERS
 LB NO. 1704
 1643 HALDO AVENUE
 JACKSONVILLE, FLORIDA 32207
 PHONE: 904-396-2623

William D. Clarkson 9/17

WILLIAM D. CLARKSON, REGISTERED SURVEYOR NO. 6793, FL.

William D. Pinkston 9/19/
WILLIAM D. PINKSTON, REGISTERED SURVEYOR NO. 6793, FL.



Distance from fence
to inside edge of curb

S.E. corner of fence
at Pine Street

07/31/2019 11:44



S.W. corner of fence
on Pine Street
looking east

07/31/2019 11:28

----- 56" -----

Distance from fence
to inside edge of curb

50"

40"

Distances from fence to inside edge of curb

Gate on Pine Street

07/31/2019 11:33





26"

48"

Distances from fence to inside edge of curb

Pine Street at Abbot Street

07/31/2019 11:36



POSTING AFFIDAVIT

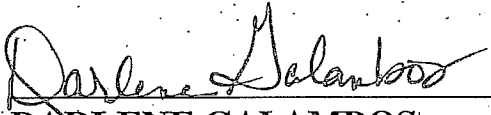
OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE
ON OCTOBER 8, 2019
AT 3:00 P.M. IN THE ALCAZAR ROOM
AT CITY HALL, 75 KING STREET

REGARDING THE FOLLOWING:

CASE NUMBER: CE2019-0381
PROPERTY LOCATION: 101 SAN MARCO AVENUE
PROPERTY OWNER: ROMAN CATHOLIC CHURCH
VIOLATION OF CITY CODE: CHAPTER 22, SECTION 22-16 (b)(1)(i)

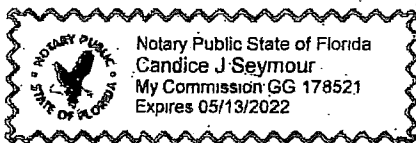
POSTED AT CITY HALL:

September 18, 2019


DARLENE GALAMBOS
CITY CLERK

NOTARY PUBLIC,
STATE OF FLORIDA

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18th DAY OF
September, 2019




SIGNATURE OF NOTARY

POSTING AFFIDAVIT

**OFFICIAL NOTICE TO APPEAR FOR A
HEARING TO BE HELD BY THE
CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE
ON OCTOBER 8, 2019
AT 3:00 P.M. IN THE ALCAZAR ROOM
AT CITY HALL, 75 KING STREET**

REGARDING THE FOLLOWING:

CASE NUMBER: CE2019-0381

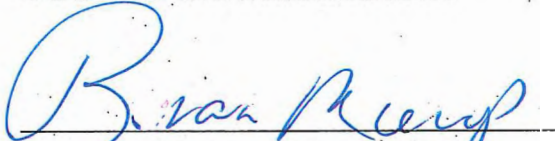
PROPERTY LOCATION: 101 SAN MARCO AVE, Building: 1,
SAINT AUGUSTINE, FL 32084-0000

PROPERTY OWNER: ROMAN CATHOLIC CHURCH

VIOLATION OF CITY CODE: CHAPTER 22, SECTION 22-16 (B)(1)(I)

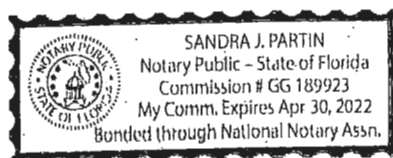
POSTED AT PROPERTY:

September 18, 2019


Robert "Bobby" Vanmierop
Code Enforcement Officer

**NOTARY PUBLIC,
STATE OF FLORIDA**

**SWORN TO AND SUBSCRIBED BEFORE ME THIS 18TH DAY OF
SEPTEMBER, 2019.**




SIGNATURE OF NOTARY



CODE ENFORCEMENT DIVISION



OFFICIAL NOTICE OF CEAAB HEARING

September 18, 2019

IN THE MATTER OF: Name: ROMAN CATHOLIC CHURCH
Address: CATHOLIC CENTER
11625 OLD ST AUGUSTINE RD
JACKSONVILLE, FL 32258-0000
Case #: CE2019-0381

HEREBY KNOWN AS RESPONDENT(S)

RE: VIOLATION OF SECTION(S):

Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 22, Section 22-16 (b)(1)(i)

SITE OF VIOLATION: 101 SAN MARCO AVENUE

LEGAL DESCRIPTION: 1 HEADE TR CITY LECHE SHRINE & CEMETERY DBY/207

PARCEL NUMBER: 192070 0000

The purpose of this letter is to notify you that the City of St. Augustine Code Enforcement, Adjustments & Appeals Board (CEAAB) will meet on **Tuesday, October 8, 2019, at 3:00 p.m.** in the Alcazar Room at City Hall, 75 King Street, and you have been placed on the agenda for the meeting in the matter of the following violations:

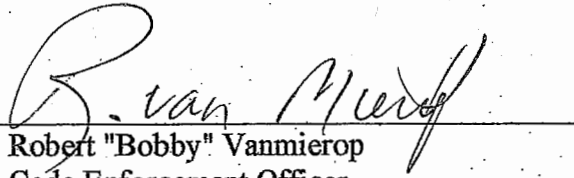
- Fence installed on the City right-of-way on the North side of Pine Street.

This is your "Official Notice" for you or your representative to appear before the CEAAB to respond to your violation. The CEAAB will conduct a hearing, in accordance with F.S. 162.07, concerning your case and, subsequently, they will issue findings of fact and may order corrective action and compliance by a specific date. Again, we believe it is important that you be present at the meeting to address the CEAAB. If the violation is corrected and then reoccurs, or if the violation is corrected prior to the referenced hearing, this case may still be presented to the CEAAB.

In accordance with Florida Statutes 286.0105: "If any person decides to appeal any decision made by the Code Enforcement, Adjustments & Appeals Board with respect to any matter considered at this scheduled meeting, the person will need a record of the proceedings and, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

Notice of Hearing
CE2019-0381

If you have any questions concerning this correspondence, please contact the Code Enforcement Inspector indicated below.



Robert "Bobby" Vanmierop
Code Enforcement Officer

City of St. Augustine
Planning & Building Department
P.O. Box 210
St. Augustine, FL 32085-0210

Certified Mail Number: 7015 3430 0000 8755 4228

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

7015 3430 0000 8755 4228

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Postage \$
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ST. AUGUSTINE, FL
SEP 19 2019

Roman Catholic Church
Catholic Center
11625 Old St. Augustine Rd.
Jacksonville, FL 32258-0000

PS Form 3811, July 2013

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roman Catholic Church
Catholic Center
11625 Old St. Augustine Rd.
Jacksonville, FL 32258-0000

2. Article Number
(Transfer from service label)

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Jaime Medley* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *Jaime Medley* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

RECEIVED
SEP 26 2019

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
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☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

7015 3430 0000 8755 4228

Domestic Return Receipt

101 San Marco



CITY OF ST. AUGUSTINE
CODE ENFORCEMENT DIVISION
75 King Street
St. Augustine, FL 32084
904-825-1065



CODE ENFORCEMENT DIVISION

August 21, 2019

IN THE MATTER OF: Name: ROMAN CATHOLIC CHURCH
Address: CATHOLIC CENTER
11625 OLD ST AUGUSTINE RD.
JACKSONVILLE, FL 32258-0000
Case #: CE2019-0381

HEREBY KNOWN AS RESPONDENT(S)

OFFICIAL NOTICE OF VIOLATION

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida

Code Section: Chapter 22, Section 22-16 (b)(1)(i),
Use of and/or construction in City rights-of-ways.

SITE OF VIOLATION: 101 SAN MARCO AVENUE
LEGAL DESCRIPTION: 1 HEADE TR CITY LECHE SHRINE & CEMETERY DBY/207
PARCEL NUMBER: 192070 0000

The City of St. Augustine conducted an inspection and/or review of City records regarding the subject property on July 31, 2019, which revealed the following violations:

- Fence installed on the City right-of-way on the North side of Pine Street.

It is the Finding of the Code Enforcement Division of the Planning and Building Department of the City of St. Augustine that the Respondent(s) shall comply with the above cited sections of the City Code of St. Augustine, Florida, within seven (7) days, or a fine of **\$250.00 per day** may be imposed by the Code Enforcement, Adjustments and Appeals Board. The violation may be corrected via:

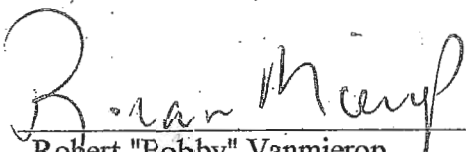
- Remove the fence from the City right-of-way.
- Relocate the fence to a point five feet from the curb.
- Submit previously supplied paperwork to request a Licensing Agreement to allow the fence to remain in the City right-of-way.

UPON COMPLIANCE, RESPONDENT SHALL PROVIDE NOTIFICATION TO THE CODE INSPECTOR AT THE CITY OF ST. AUGUSTINE, FLORIDA, PLANNING AND BUILDING DEPARTMENT WHO SHALL INSPECT THE PROPERTY TO DETERMINE THE ISSUE OF COMPLIANCE.

IF RESPONDENT HAS NOT ABATED or CORRECTED the violation(s) by taking the above steps on or before the compliance date, they will be placed on the agenda for the next meeting of the Code Enforcement, Adjustments and Appeals Board which shall convene in the Alcazar Room to hear evidence on the issue of compliance.

It is our goal to enforce the codes and ordinances of the City and to protect the health, safety and welfare of the citizens of St. Augustine and, accordingly, your cooperation regarding this matter is greatly appreciated. If you should have any questions concerning this matter, please contact the Code Enforcement Division at (904) 825-1066.

TAKE NOTICE THAT ANY FINE IMPOSED BY THE BOARD AGAINST YOU CONSTITUTES A LIEN AGAINST THE REAL PROPERTY UPON WHICH THE VIOLATION EXISTS, OR IF YOU DO NOT OWN THE PROPERTY, THEN AGAINST ANY REAL OR PERSONAL PROPERTY WHICH YOU DO OWN. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE, AND LOSS OF YOUR PROPERTY. THEREFORE, IF FOR ANY REASON YOU ARE UNABLE TO COMPLY WITHIN THE STATED TIME, PLEASE NOTIFY THE CODE ENFORCEMENT INSPECTOR IMMEDIATELY.


Robert "Bobby" Vanmierop
Code Enforcement Officer

CITY OF ST. AUGUSTINE
Planning and Building Department
P.O. Box 210
St. Augustine, FL 32085-0210
(904) 825-1066

Certified Mail Number: 7015 3430 0000 8755 4099

cc: John P. Regan, City Manager
CEAAB File

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on the notice. Telephone (904) 825-1007, 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

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Roman Catholic Church
Catholic Center
11625 Old St. Augustine Road
St. Augustine, FL 32258-0000

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 AUG 27 2019

PS Form 3811, July 2013 Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <i>Jaime Medley</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>Jaime medley</i> C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No SEP 06 2019
1. Article Addressed to: <i>B</i> Roman Catholic Church Catholic Center 11625 Old St. Augustine Road St. Augustine, FL 32258-0000	3. Service Type ☒ Certified Mail® ☐ Priority Mail Express™ ☐ Registered ☒ Return Receipt for Merchandise ☐ Insured Mail ☐ Collect on Delivery
2. Article Number (Transfer from service label) 7015 3430 0000 8755 4099	4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, July 2013

Domestic Return Receipt *101 San Marco*



Fence

CITY OF ST. AUGUSTINE

Planning & Building Department 75 King Street, St. Augustine, Florida 32084

PERMIT #: 2017-0896

Contractor: J. C. HARWARD & ASSOCI. INC, (904) 838-9400

Owner: ROMAN CATHOLIC CHURCH

Parcel: 192070 0000

Legal: 1 HEADE TR CITY LECHE SHRINE & CEMETERY DBY/207

Zoning: OL

Project Address: 101 SAN MARCO

Proposed Work: Construct Fence & Gates Around Perimeter of Grounds

Job Cost: \$500,000.00

Permit Fees: \$2,552.25

**ALL INSPECTIONS MUST BE SCHEDULED BY CALLING THE INSPECTION REQUEST
LINE AT 904-209-4329 AT LEAST 24 HOURS IN ADVANCE.**

*WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING
TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND
POSTED ON THE JOB SITE. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY
BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.*

STAFF USE ONLY

AUTHORIZED SIGNATURE _____

DATE ISSUED _____

April 20, 2018

Shelley Clayton

22-16 (b)(1)(i)

Permit # 2017-0896

From: Shelley Clayton
Sent: Tuesday, October 09, 2018 10:29 AM
To: John Harward
Cc: Scott Jaime; Brad Beach; Charles David; Joanna Stark
Subject: RE: The Mission Fence

Good Morning,

Can you please give me an update as to when the fence will be moved onto the missions property? I do not see where a licensing agreement has been submitted to Public Works to keep the fence in the City's right of way.

Regards,

Shelley Clayton
Permits Coordinator
Planning & Building Dept.
P O Box 210
St. Augustine, FL 32085
P: 904-825-1060
F: 904-209-4335
sclayton@citystaug.com

From: Shelley Clayton
Sent: Friday, September 07, 2018 10:59 AM
To: 'John Harward' <harward@bellsouth.net>
Cc: Scott Jaime <sjaime12@gmail.com>; Brad Beach <Brad@KasperArch.com>; Charles David <charlesj david@yahoo.com>; Joanna Stark <jstark@missionandshrine.org>
Subject: RE: The Mission Fence

Good Morning John,

The building plans do not indicate the installation of the fence outside of the missions property. The plans show that it will be 5' from the curb which would place it within the missions property. Unfortunately, the fence cannot go into the right of way without approval from Public Works. Also, there are new water lines that are on that side of Pine St. Please let me know if you have any other questions.

Regards,

Shelley Clayton
Permits Coordinator
Planning & Building Dept.
P O Box 210
St. Augustine, FL 32085
P: 904-825-1060
F: 904-209-4335
sclayton@citystaug.com

From: John Harward [<mailto:harward@bellsouth.net>]

Sent: Friday, September 07, 2018 7:55 AM

To: Shelley Clayton <sclayton@citystaug.com>

Cc: JOHN HARWARD <harward@bellsouth.net>; Scott Jaime <sjaime12@gmail.com>; Charles David <charlesjdavid@yahoo.com>; Joanna Stark <jstark@missionandshrine.org>; Brad Beach <brad@kasperarch.com>

Subject: The Mission Fence

Thank you Shelley,

I will look into this today. It was my understanding we could install the fence as it was previously constructed. If I understand you now we are to move the fence further back to our property line and not where it was prior to the installation of the new fence.....please confirm.

John C. Harward Jr.

J.C. Harward & Associates, Inc.

6617 River Point Drive

Fleming Island, FL 32003

ph. 904-838-9400

www.jcharward.com

CGC061339

BK590408

From: Shelley Clayton <sclayton@citystaug.com>

To: John Harward <harward@bellsouth.net>

Sent: Thursday, September 6, 2018 2:50 PM

Subject: The Mission Fence

Good Afternoon John,

The fence that is being constructed on Pine St for The Mission is not measuring 5' from the curb. The measurements are coming up as 24", 34", 42" from the curb. This is not what the City approved per the building plans. The building plans state that the fence will be constructed on The Missions property and not on the City's right-of-way. Unfortunately, Armstrong Fence will need to relocate the fence to indicate 5" from the curb. If you have any questions please let me know.

Regards,

Shelley Clayton

Permits Coordinator

Planning & Building Dept.

P O Box 210

St. Augustine, FL 32085

P: 904-825-1060

F: 904-209-4335

sclayton@citystaug.com

Robert Vanmierop

From: Kim M. Oglesby <koglesby@citystaug.com>
Sent: Monday, May 13, 2019 5:05 PM
To: eaverysmith@rtlaw.com
Cc: Bobbie-Jo Manning; Jonathan Foster; Todd Grant; Richard Schauland; Robert Vanmierop
Subject: Prince of Peace ROW License Agreement for Fence Replacement
Attachments: LICENSE ROW (no annual fee, blank, draft example).pdf; Agenda Deadlines 2019.jpg
Follow Up Flag: Follow up
Flag Status: Flagged

Hello, Ms. Smith,

After you apply for the Right-of-Way Permit and License Agreement for the fence replacement in the City's right-of-way, we will create the license document specific to your property and project, and send to you with instructions. The blanks shown on the attached example will be appropriately filled in. The insurance requirements are as stated in paragraph #9. There is no ongoing yearly fee for fence replacement in the City's right-of way.

The application fee is \$145 for the Right-of-Way Permit plus \$250 for the License Agreement, for a total of \$395. (The City covers recording fees for the agreement.) A link to the application form is below. In order to proceed, we will need your completed form, \$395 payment, and a sketch with dimensions showing the fence replacement within City right-of-way. This will be routed to the Public Works Director for review. Following that approval, we will send the license agreement to you. I would estimate about one week for that process. Once we receive the signed agreement back from you, it will be scheduled for the next available City Commission meeting at that time (see attached list of meeting dates with agenda deadlines). Construction work on or affecting City right-of-way may not begin until the License Agreement has been approved by the City Commission.

Application Form: http://www.citystaug.com/document_center/Publicworks/Development/ROW/ROW-UsePermitApplication.pdf

I hope this helps explain the process. Please reach out with any further questions. Thank you.

Sincerely,

Kim M. Oglesby
Permits Technician
City of St. Augustine, Public Works Department
75 King Street – Lobby B Elevator – 4th Floor
P.O. Box 210, St. Augustine, Florida 32085-0210
Office: (904) 209-4375
Public Works website

Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

Robert Vanmierop

From: Kim M. Oglesby <koglesby@citystaug.com>
Sent: Monday, May 20, 2019 8:07 AM
To: Robert Vanmierop
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

Bobby,

No not to me.

Thanks

Kim M. Oglesby
Permits Technician
City of St. Augustine, Public Works Department
75 King Street – Lobby B Elevator – 4th Floor
P.O. Box 210, St. Augustine, Florida 32085-0210
Office: (904) 209-4375
[Public Works website](#)

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From: Robert Vanmierop
Sent: Monday, May 20, 2019 7:57 AM
To: Kim M. Oglesby <koglesby@citystaug.com>
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

Have they returned the application and sent in the payment?

Thanks

Robert van Mierop
Code Enforcement Officer
Planning and Building Department
904-209-4333

From: Kim M. Oglesby
Sent: Monday, May 13, 2019 5:05 PM
To: eaverysmith@rtlaw.com
Cc: Bobbie-Jo Manning <bmanning@citystaug.com>; Jonathan Foster <jfoster@citystaug.com>; Todd Grant <tgrant@citystaug.com>; Richard Schauand <rschauand@citystaug.com>; Robert Vanmierop

<ryanmierop@citystaug.com>

Subject: Prince of Peace ROW License Agreement for Fence Replacement

Hello, Ms. Smith,

After you apply for the Right-of-Way Permit and License Agreement for the fence replacement in the City's right-of-way, we will create the license document specific to your property and project, and send to you with instructions. The blanks shown on the attached example will be appropriately filled in. The insurance requirements are as stated in paragraph #9. There is no ongoing yearly fee for fence replacement in the City's right-of way.

The application fee is \$145 for the Right-of-Way Permit plus \$250 for the License Agreement, for a total of \$395. (The City covers recording fees for the agreement.) A link to the application form is below. In order to proceed, we will need your completed form, \$395 payment, and a sketch with dimensions showing the fence replacement within City right-of-way. This will be routed to the Public Works Director for review. Following that approval, we will send the license agreement to you. I would estimate about one week for that process. Once we receive the signed agreement back from you, it will be scheduled for the next available City Commission meeting at that time (see attached list of meeting dates with agenda deadlines). Construction work on or affecting City right-of-way may not begin until the License Agreement has been approved by the City Commission.

Application Form: http://www.citystaug.com/document_center/Publicworks/Development/ROW/ROW-UsePermitApplication.pdf

I hope this helps explain the process. Please reach out with any further questions. Thank you.

Sincerely,

Kim M. Oglesby

Permits Technician

City of St. Augustine, Public Works Department

75 King Street – Lobby B Elevator – 4th Floor

P.O. Box 210, St. Augustine, Florida 32085-0210

Office: (904) 209-4375

Public Works website

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Robert Vanmierop

From: Kim M. Oglesby <koglesby@citystaug.com>
Sent: Wednesday, May 29, 2019 7:01 AM
To: Robert Vanmierop
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

Hello Robert,

Nothing has come by me, but maybe check with Bobbie Jo.

Thanks

Kim M. Oglesby

Permits Technician

City of St. Augustine, Public Works Department

75 King Street – Lobby B Elevator – 4th Floor

P.O. Box 210, St. Augustine, Florida 32085-0210

Office: (904) 209-4375

[Public Works website](#)

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From: Robert Vanmierop
Sent: Tuesday, May 28, 2019 4:31 PM
To: Kim M. Oglesby <koglesby@citystaug.com>
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

Hey Kim. I was wondering if any further action has been taken by the Mission to get this in front of the City Commission. Neighbors have been contacting me with similar questions.

Thanks.

Robert van Mierop
Code Enforcement Officer
Planning and Building Department
904-209-4333

From: Kim M. Oglesby
Sent: Monday, May 13, 2019 5:05 PM
To: eaverysmith@rtlaw.com
Cc: Bobbie-Jo Manning <bmanning@citystaug.com>; Jonathan Foster <jfoster@citystaug.com>; Todd Grant <tgrant@citystaug.com>; Richard Schauland <rschauland@citystaug.com>; Robert Vanmierop

<rvanmierop@citystaug.com>

Subject: Prince of Peace ROW License Agreement for Fence Replacement

Hello, Ms. Smith,

After you apply for the Right-of-Way Permit and License Agreement for the fence replacement in the City's right-of-way, we will create the license document specific to your property and project, and send to you with instructions. The blanks shown on the attached example will be appropriately filled in. The insurance requirements are as stated in paragraph #9. There is no ongoing yearly fee for fence replacement in the City's right-of way.

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Application Form: http://www.citystaug.com/document_center/Publicworks/Development/ROW/ROW-UsePermitApplication.pdf

I hope this helps explain the process. Please reach out with any further questions. Thank you.

Sincerely,

Kim M. Oglesby

Permits Technician

City of St. Augustine, Public Works Department

75 King Street – Lobby B Elevator – 4th Floor

P.O. Box 210, St. Augustine, Florida 32085-0210

Office: (904) 209-4375

Public Works website

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Robert Vanmierop

From: Bobbie-Jo Manning
Sent: Wednesday, June 12, 2019 4:21 PM
To: Ellen Avery-Smith
Cc: Kim M. Oglesby; Jonathan Foster; Todd Grant; Richard Schauland; Robert Vanmierop
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

That's perfect. Thank you, Ellen. Please let us know if we can assist at any point.

From: Ellen Avery-Smith [mailto:eaverysmith@rtlaw.com]
Sent: Wednesday, June 12, 2019 4:13 PM
To: Bobbie-Jo Manning <bmanning@citystaug.com>
Cc: Kim M. Oglesby <koglesby@citystaug.com>; Jonathan Foster <jfoster@citystaug.com>; Todd Grant <tgrant@citystaug.com>; Richard Schauland <rschauland@citystaug.com>; Robert Vanmierop <rvanmierop@citystaug.com>
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

Hi, Bobbie-Jo.

The Diocese is obtaining an as-built survey of the fence along Pine Street. Once we have the as-built in hand, we will be filing the application package. Will that work?

Ellen

Ellen Avery-Smith | Shareholder



Rogers Towers, P.A. | 100 Whetstone Place, Suite 200 | St. Augustine, Florida 32086
Direct 904.825.1615 | Fax 904.825.4070 | Internal 5207 | eaverysmith@rtlaw.com | www.rtlaw.com | [View Attorney Bio](#)

CONFIDENTIALITY NOTICE: This email is from the law firm of Rogers Towers, P.A. ("Rogers Towers") and the information in this email and all attachments to this email (the "Information") are intended solely for the intended recipient(s). The Information may be legally privileged and confidential. If you are not an intended recipient or you believe that you have received this email in error, please notify the sender immediately, delete the email from your computer, and do not review, use, disseminate, distribute or copy this email or the Information. Please also take the necessary steps to permanently remove any copies of the Information from your system and do not retain any copies, whether in electronic or physical form or otherwise. If you are not an existing client of Rogers Towers, do not construe anything in this email to create an attorney-client relationship between you and Rogers Towers unless the email contains a specific statement to that effect and do not disclose anything to Rogers Towers in reply that you consider confidential. Thank you.

From: Bobbie-Jo Manning [mailto:bmanning@citystaug.com]
Sent: Wednesday, June 12, 2019 3:18 PM
To: Ellen Avery-Smith
Cc: Kim M. Oglesby; Jonathan Foster; Todd Grant; Richard Schauland; Robert Vanmierop
Subject: RE: Prince of Peace ROW License Agreement for Fence Replacement

Good afternoon, Ellen,

Could you please provide an update on where the Church is at with this item? Feel free to call me. Thanks!

Kind regards,

Bobbie-Jo Manning

Manager, Development & Management Support

City of St. Augustine Public Works

(904) 209-4275 / bmanning@citystaug.com / www.CityStAug.com

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From: Kim M. Oglesby

Sent: Monday, May 13, 2019 5:05 PM

To: eaverysmith@rtlaw.com

Cc: Bobbie-Jo Manning <bmanning@citystaug.com>; Jonathan Foster <jfoster@citystaug.com>; Todd Grant <tgrant@citystaug.com>; Richard Schauland <rschauland@citystaug.com>; Robert Vanmierop <rvanmierop@citystaug.com>

Subject: Prince of Peace ROW License Agreement for Fence Replacement

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I hope this helps explain the process. Please reach out with any further questions. Thank you.

Sincerely,

Kim M. Oglesby

Permits Technician

City of St. Augustine, Public Works Department

75 King Street – Lobby B Elevator – 4th Floor

P.O. Box 210, St. Augustine, Florida 32085-0210

Office: (904) 209-4375

Public Works website

Robert Vanmierop

From: Kim M. Oglesby
Sent: Monday, May 13, 2019 5:05 PM
To: eaverysmith@rtlaw.com
Cc: Bobbie-Jo Manning; Jonathan Foster; Todd Grant; Richard Schauand; Robert Vanmierop
Subject: Prince of Peace ROW License Agreement for Fence Replacement
Attachments: LICENSE ROW (no annual fee, blank, draft example).pdf; Agenda Deadlines 2019.jpg
Follow Up Flag: Follow up
Flag Status: Flagged

Hello, Ms. Smith,

After you apply for the Right-of-Way Permit and License Agreement for the fence replacement in the City's right-of-way, we will create the license document specific to your property and project, and send to you with instructions. The blanks shown on the attached example will be appropriately filled in. The insurance requirements are as stated in paragraph #9. There is no ongoing yearly fee for fence replacement in the City's right-of way.

The application fee is \$145 for the Right-of-Way Permit plus \$250 for the License Agreement, for a total of \$395. (The City covers recording fees for the agreement.) A link to the application form is below. In order to proceed, we will need your completed form, \$395 payment, and a sketch with dimensions showing the fence replacement within City right-of-way. This will be routed to the Public Works Director for review. Following that approval, we will send the license agreement to you. I would estimate about one week for that process. Once we receive the signed agreement back from you, it will be scheduled for the next available City Commission meeting at that time (see attached list of meeting dates with agenda deadlines). Construction work on or affecting City right-of-way may not begin until the License Agreement has been approved by the City Commission.

Application Form: http://www.citystaug.com/document_center/Publicworks/Development/ROW/ROW-UsePermitApplication.pdf

I hope this helps explain the process. Please reach out with any further questions. Thank you.

Sincerely,

Kim M. Oglesby
Permits Technician
City of St. Augustine, Public Works Department
75 King Street – Lobby B Elevator – 4th Floor
P.O. Box 210, St. Augustine, Florida 32085-0210
Office: (904) 209-4375
Public Works website

Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID	1920700000
Location Address	OCEAN AVE 101 SAN MARCO AVE SAINT AUGUSTINE 32084-0000
Neighborhood	San Marco Uptown Area Interior Lots (COM) (602.53)
Tax Description*	1 HEADE TR CITY LECHE SHRINE & CEMETERY DBY/207 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Cemeteries, Mortuaries & Crematoriums (7600)
Subdivision	Heade Tract
Sec/Twp/Rng	7-7-30
District	City of St Augustine (District 452)
Millage Rate	20.2171
Acreage	4.270
Homestead	N

Owner Information

Owner Name	Roman Catholic Church 100%
Mailing Address	CATHOLIC CENTER 11625 OLD ST AUGUSTINE RD JACKSONVILLE, FL 32258-0000

Map



Valuation Information

	2019
Building Value	\$23,272
Extra Features Value	\$10,466
Total Land Value	\$1,280,284
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,314,022
Total Deferred	\$671,031
Assessed Value	\$642,991
Total Exemptions	\$642,991
Taxable Value	\$0

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$16,290	\$7,396	\$558,000	\$0	\$0	\$581,686	\$581,686	\$581,686	\$0
2017	\$18,498	\$5,275	\$558,000	\$0	\$0	\$581,773	\$581,773	\$581,773	\$0
2016	\$15,473	\$5,406	\$558,000	\$0	\$0	\$578,879	\$578,879	\$578,879	\$0
2015	\$15,964	\$5,202	\$558,000	\$0	\$0	\$579,166	\$579,166	\$579,166	\$0
2014	\$15,487	\$5,318	\$558,000	\$0	\$0	\$578,805	\$578,805	\$578,805	\$0
2013	\$15,950	\$4,677	\$558,000	\$0	\$0	\$578,627	\$578,627	\$578,627	\$0
2012	\$16,412	\$4,742	\$558,000	\$0	\$0	\$579,154	\$579,154	\$579,154	\$0
2011	\$16,874	\$0	\$604,500	\$0	\$0	\$621,374	\$621,374	\$621,374	\$0
2010	\$17,336	\$0	\$697,500	\$0	\$0	\$714,836	\$714,836	\$714,836	\$0

Exemption Information

Exemption Type	Amount
Church/Religious	\$642,991

Building Information

Building	1	Roof Structure	Wood Truss
Actual Area	468	Roof Cover	Clay Tile
Conditioned Area	468	Interior Flooring	Concrete Finish
Actual Year Built	1915	Interior Wall	Minimum
Use	Churches	Heating Type	None
Style	04	Heating Fuel	
Class	N	Air Conditioning	None
Exterior Wall	Concrete Block	Baths	

Category	Type	Pct
Exterior Wall	Concrete Block	100%
Roofing Structure	Wood Truss	100%
Roofing Cover	Clay Tile	100%
Interior Walls	Minimum	100%
Interior Flooring	Concrete Finish	100%
Heating Type	None	100%
Air Conditioning	None	100%
Frame	Masonry	100%
Plumbing	0 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Insulation	2" Fiberglass	100%
Condition	Very Good	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
BASE AREA	468	468
Total SqFt	468	468

Extra Feature Information

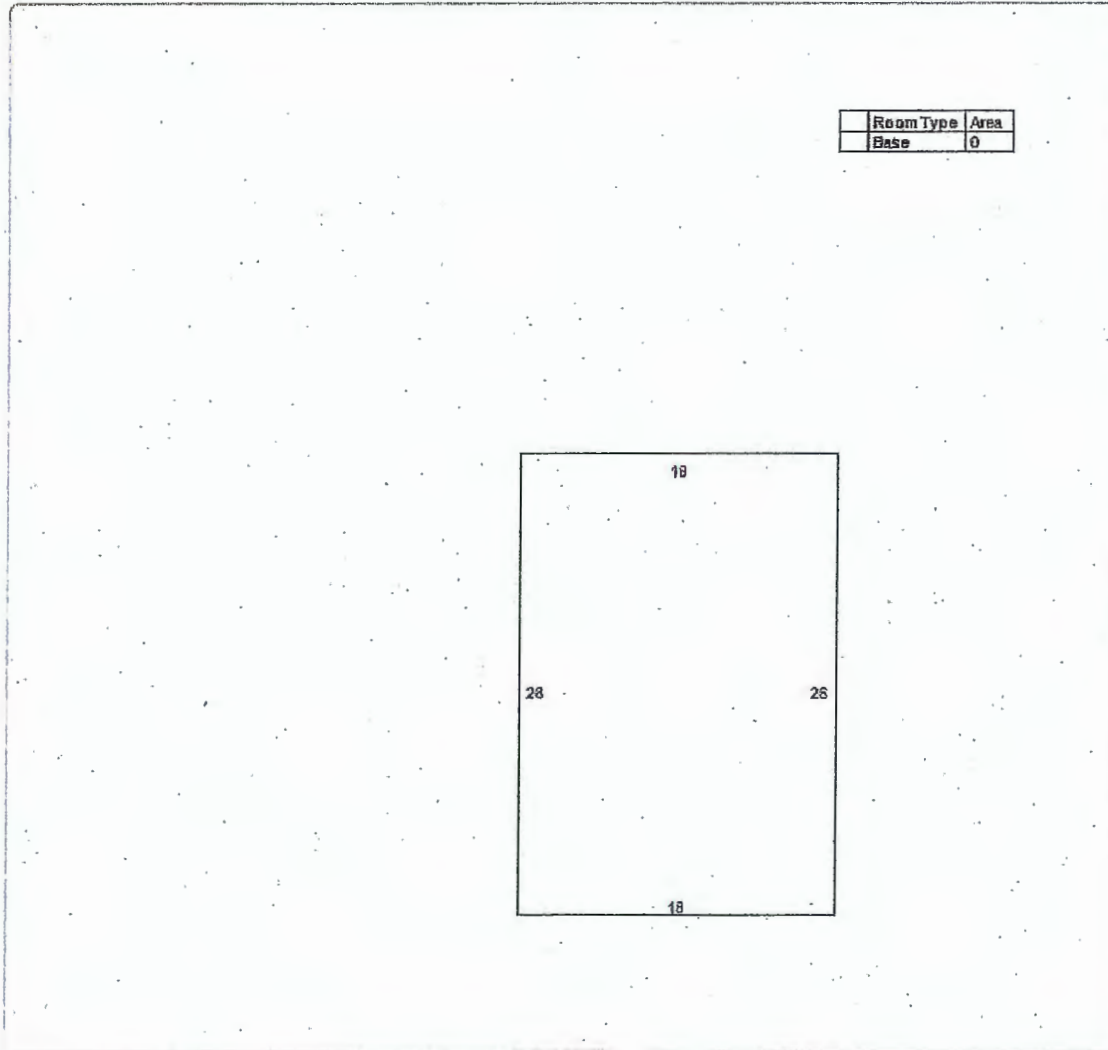
Code Description	BLD	Length	Width	Height	Units
Gazebo	0	0	0	0	80
Masonry Wall	0	4	330	0	1320
Wood Fence (3' - 4')	0	0	0	0	180
Commercial Aluminum/Vinyl Fence (Commercial)	0	0	0	0	420

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Cemeteries	0	0	159998	SF	\$1,279,984
Rivers, Lakes & Submerged Lands	0	0	0.6	AC	\$300

Area Sales Report

Recent Sales in Area

Sketch Information

No data available for the following modules: Sale Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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Last Data Upload: 8/20/2019, 11:30:26 PM

Version 2.3.0

Developed by
 Schneider
 GEOSPATIAL

Dennis W. Hollingsworth Tax Collector

generated on 9/28/2019 5:15:51 PM EDT

Tax Record

Last Update: 9/25/2019 10:00:16 PM EDT

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account or Parcel Number	Tax Type	Tax Year			
192070-0000	REAL ESTATE	2018			
Mailing Address ROMAN CATHOLIC CHURCH CATHOLIC CENTER 11625 OLD ST AUGUSTINE RD JACKSONVILLE FL 32258-0000		Physical Address 101 SAN MARCO AVE			
Exempt Amount	Taxable Value				
\$581,686.00	\$0.00				
Exemption Detail	Millage Code	Escrow Code			
02 581686	452				
Legal Description					
07-07-30 4.27 Acres 1 HEADE TR CITY LECHE SHRINE & CEMETERY DBY/207					
Ad Valorem Taxes					
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
COUNTY					
GENERAL	5.1000	581,686	581,686	\$0	\$0.00
ROAD	0.7500	581,686	581,686	\$0	\$0.00
HEALTH	0.0171	581,686	581,686	\$0	\$0.00
SCHOOL					
SCHOOL - STATE LAW	4.0300	581,686	581,686	\$0	\$0.00
SCHOOL - LOCAL BOARD	2.2480	581,686	581,686	\$0	\$0.00
SJRWMD	0.2562	581,686	581,686	\$0	\$0.00
MOSQUITO	0.2200	581,686	581,686	\$0	\$0.00
CITY OF ST AUGUSTINE	7.5000	581,686	581,686	\$0	\$0.00
FL INLAND NAV DISTRICT	0.0320	581,686	581,686	\$0	\$0.00
PORT AUTHORITY	0.0638	581,686	581,686	\$0	\$0.00
Total Millage		20.2171	Total Taxes		\$0.00
Non-Ad Valorem Assessments					
Code	Levying Authority				Amount
4105	C OF S A FIRE ASSESS FEE				\$50.31
Total Assessments					\$50.31
Taxes & Assessments					\$50.31
Paid By					Amount Due
					\$0.00

9/28/2019

Dennis W. Hollingsworth Tax Collector

Date Paid	Description	Receipt	Item	Amount Paid
11/30/2018	PAYMENT	1076983.0004	2018	\$48.30

For Year Taxes Due

NO DELINQUENT TAXES