

CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS

PERMIT CENTER – 2ND FLOOR CONFERENCE ROOM

4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084

MINUTES

- 1) **Meeting is called to Order at 4:04 p.m.**

- 2) **Roll Call**
Board Members Present: John Ruggeri, Bill Lanni, Alex Clay, Dale Jackson, Robert Blood, Mike McCabe, Board Attorney.

Board Members absent/excused: Keith Burney, Jeff Hulsberg

Staff Members present: Howard White, Building Official, Lori Troxel, Raquel Santiago, Henry Irving, Code Enforcement Officers, Bradley Bulthuis, Staff Attorney, Dorothy Fiacable, Clerk of the Board.

Public Present: Jackie Richardson, Diane Richardson and Sharon Marie Richardson 866 W. 10th Street. Lisa M. Owens 504 N. Main Street.

- 3) **Minutes from February 28, 2022, reviewed for approval (Section 2)**
A motion was made by B. Lanni, seconded by J. Ruggeri to accept the February 28, 2022 meeting minutes as presented.
All in favor. So voted.

- 4) **March 21.2022 meeting Agenda:**
A motion was made by J. Ruggeri, seconded by D. Jackson to accept the amended March 21.2022 minutes for Old Business A incorrect address of 946 Chapin Street, St. Augustine, FL 32084 to the correct address of 5136 Avenue D, St. Augustine, FL 32084
All in favor. So voted.

- 5) **Public information, exparte communications, and identification of person present for cases on the agenda read by Chair (Section 1)**

- 6) **Board Attorney swears in representatives testifying.**

- 7) **Old Business**
 - a. **Unsafe Building Abatement Case #19-12 (Troxel, Lori)**
5136 Avenue D, St. Augustine, FL 32084
Code Enforcement (CE) Officer Troxel presented the case to the Board as follows:

On January 24, 2022, the Board ordered the County to take all necessary action to abate the hazardous structure located on the Property, including by demolishing the

structure and removing the demolition debris and any trash, garbage, or debris outside of the structure, from the property. The order was received by the respondent via hand delivery on February 10, 2022, and Certified Mail return receipt on January 31, 2022. Exhibit A (5 pages)

On or about February 22, 2022, the Restore St. Johns program voluntarily abated the structure. Our inspection revealed the structure was removed, and the lot has been cleaned off. Exhibit B (1 photograph)

A notice of compliance hearing dated March 7, 2022, was hand-delivered to the respondent on March 10, 2022. Exhibit C (2 pages)

The County recommends that you find this case in compliance and remove it from any further board action at this time.

A motion was made by J. Ruggeri, seconded by D. Jackson, to find the respondents in compliance and dismiss the case from any further board action at this time.

All in favor. So voted.

8) New Business

a. Unsafe Building Abatement Case #22-04 (Santiago, Raquel)

504 N. Main Street, Hastings, FL32145

Code Enforcement (CE) Officer Santiago presented the case to the Board as follows:

On July 21, 2021, a complaint about a fire-damaged structure was received in our office. On August 3, 2021, an inspection revealed an unsafe structure located on this property. Exhibit A (3 Photographs) these photographs were taken by myself and are a true and accurate representation of the violation at the time they were taken.

Property research shows the Tax Collector and the property appraiser list the property ownership to Lisa Marie Owens. The Quit Claim Deed lists ownership to the same. Exhibit B (9 Pages).

A Notice of Violation dated August 5, 2021, was sent certified mail and was signed for on August 10th, 2021. Exhibit C (3 Pages)

During September and October 2021, the respondent communicated several times; the respondent advised she would be demolishing the structure.

On January 25, 2022, a review of SJC Building Records shows no permit applications received for the repair or removal of the structure. An inspection of the premises on January 26, 2022, reveals no abatement action to date. Exhibit D (3 Photographs) these photographs were taken by myself and are a true and accurate representation of the violation at the time they were taken.

A Notice of Hearing was sent certified mail and was signed for on January 27, 2022. Exhibit E (2 pages).

A Notice of Hearing Change of Venue dated March 3, 2022, was sent via regular mail. Exhibit F (1 page).

March 18, 2022, a review of SJC Building Records shows no permit applications received for the repair or removal of the structure.

The County recommends that you find the property in violation, and order the respondent to correct the violations by May 1, 2022, by obtaining any permits required to remove the structure from the property.

We also ask that the Board order the case to be returned on May 16, 2022, to hear further testimony on compliance or the need for County abatement action.

A motion was made by B. Lanni, seconded by D. Jackson to find the respondent in violation of Ordinance 200-48 and order the following:

- 1. The respondent shall correct the violations by June 15, 2022 by completing the demolition of the structure and clearing all miscellaneous junk, trash, and debris located on the property. Respondent shall secure the property with a fence during demolition and debris removal.**
- 2. The Respondent is hereby ordered to re-appear before this board on June 20, 2022, at 4:00 p.m.; at that time, the Construction Board of Adjustments and Appeals will hear further evidence on the issue of compliance. All in favor. So voted.**

b. Unsafe Building Abatement Case #22-05 (Santiago, Raquel)

866 W. 10th Street, St. Augustine, FL 32084

Code Enforcement (CE) Officer Santiago presented the case to the Board as follows:

On September 1, 2021, a complaint was received in our office. An inspection conducted September 7, 2021 revealed an unsafe structure, junk, trash, debris and unregistered vehicles located on this property. Exhibit A (6Photographs) these photographs were taken by Officer Troxel and are a true and accurate representation of the violation at the time they were taken.

Property research shows the Tax Collector lists the property ownership to Jackie Richardson. The Property Appraiser also shows the property belonging to Jackie Richardson. The Quit Claim Deed lists ownership to the same. Exhibit B (6 Pages).

A Notice of Violation dated September 16, 2021, was sent certified mail and was signed for on September 22, 2021. Exhibit C (5 Pages).

On October 18, 2021 I spoke to Mr. Richardson, who stated that he was working towards compliance and asked that I granted him more time.

A re-inspection of the premises on January 13, 2022 revealed that minimal progress had been made to date in the cleaning and demolition or reconstruction of the structure. Exhibit D (4 Photographs) these photographs were taken by Officer Irving and are a true and accurate representation of the violation at the time they were taken.

A Notice of Hearing dated January 25, 2022, was sent certified mail, and was returned unclaimed on February 24, 2022. Said Notice of Hearing was hand delivered by St Johns Sheriff's Office on February 25th, 2022. Exhibit E (5 pages).

A Notice of Hearing Change of Venue dated March 3, 2022 was sent via regular mail. Exhibit F (1 page).

A pre-hearing inspection conducted on March 18, 2022 by myself revealed no efforts have been made to demolish or repair the structure. Exhibit G (3 Photographs). These pictures were taken by myself and are a true and accurate representation of the violation at the time they were taken.

The County recommends that you find the property in violation, and order the respondent to correct the violations by May 1, 2022 by obtaining any permits required to remove the structure from the property.

We also ask that the Board order the case to be returned on May 16, 2022 to hear further testimony on compliance or the need for County abatement action.

A motion was made by B. Lanni, seconded by J. Ruggeri to find the respondents in violation of Ordinance 2000-48, and order the following:

- 1. The respondent is to correct the violations by May 1, 2022, by obtaining any permits required by law to complete the demolition of the structure and to clear all miscellaneous junk, trash and debris located on the property.**
- 2. The Board will re-hear this case on May 16, 2022, at 4:00 P.M.; therefore the respondent is ordered to reappear, where the Board will hear additional testimony on compliance.**
All in favor. So voted.

9) N/A

- a. Open Floor
- b. Hearing of Facts
- c. Rebuttals Heard
- d. Close Floor
- e. Discussion
- f. Motion by Board Members
- g. Vote Called
- h. Clerk Records Vote

10) A motion was made, seconded and approved to adjourn the meeting at 4:55 p.m.

Respectfully submitted,

Approved by,

Dorothy Fiacable
Acting Clerk of the Board

Keith Burney
Chairman