

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, MAY 16, 2022 – 4:00 p.m.**

MINUTES

1) Meeting is called to Order at 4:00 p.m.

2) Roll Call

Board Members Present: Keith Burney, John Ruggeri, Bill Lanni, Dale Jackson, Robert Blood, Mike McCabe, Board Attorney.

Board Members absent/excused: Alex Clay, Jeff Hulsberg

Staff Members present: Howard White, Building Official, Lori Troxel, Raquel Santiago, Henry Irving, Code Enforcement Officers, Roderick Potter, CE Manager, Kealey West, Staff Attorney, Kathleen Nichols, Clerk of the Board.

Public Present: Jackie Richardson, 866 w 10th Street, Marvette Butler, 866 W 10th Street, Attorney Edward Matz Chase, 5212 Big Oak Road, Irene Bouranis, 2979 Bradford Street, Thomas Walsh, CBAA member candidate.

3) Minutes from April 18, 2022, reviewed for approval (Section 2)

A motion was made by J. Ruggeri, seconded by D. Jackson to accept the April 18, 2022 minutes as present. All in favor. So voted.

4) Public information, exparte communications, and identification of persons present for cases on the agenda read by Chair (Section 1)

5) Board Attorney swears in representatives testifying.

6) Old Business

**a. Unsafe Building Abatement Case # 22-02 (Troxel, Lori)
3571 Evernia Street, St. Augustine, FL 32084**

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

On February 28, 2022, the Board ordered the respondent to obtain a demolition permit to remove the addition that occurred. The respondent was also ordered to correct the remaining violations by May 1, 2022, by either repairing the mobile home or having the structure removed, all demolition debris, and the remaining miscellaneous junk trash and debris currently stored on the property. The order was sent via certified mail and was signed for on March 12, 2022. Exhibit A (4 pages)

On April 29, 2022, a permit application was received in the Building Department and was ready for pick up on May 11, 2022. Exhibit B (3 Pages)

A pre-hearing inspection completed on May 11, 2022, revealed no activity to abate the violations in reference to the mobile home structure or exterior debris. The property also now has an occupied truck topper camper and a makeshift type of shed occupied by unknown individuals who were onsite at the time of the inspection. Both areas appear to be established primitive camping areas. Exhibit C (14 Photographs)

Due to the recent permit issuance, our office is requesting the Board allow for one final opportunity for voluntary compliance by the respondent.

Therefore, the County requests that you find the respondent in continued violation and order the respondent to either repair or remove the mobile home structure, complete the removal of the demolished addition, and remove all miscellaneous junk, trash, and debris no later than July 1, 2022. We further ask that the respondent be ordered to reappear before you on July 18, 2022.

A motion was made by J. Ruggeri, seconded by D. Jackson, to find the respondent in continued violation of Ordinance 2000-48 Unsafe Building Abatement, and order the following:

- 1. On or before July 1, 2022, the respondent is to correct the remaining violations by either repairing the mobile home structure, or having the structure removed from the property, and properly disposing of all demolition debris and any existing miscellaneous junk, trash, and debris. The remaining demolition debris is to be removed and properly disposed of.**
- 2. The Board will re-hear this case on July 18, 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.

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 March 21, 2022, the Board found Mr. Richardson in violation and ordered him to remove the unsafe structure and all miscellaneous junk, trash, and debris from the property by May 1, 2022, he was further ordered to reappear before you today. The Board Order was sent by certified mail and signed for on March 30, 2022. Exhibit A (4 Pages).

Mr. Richardson acquired a demolition permit on April 11, 2022. Exhibit B (1 Page).

The pre-hearing inspection on May 10, 2022, revealed some minor progress made on the property with the removal of some exterior debris and the partial removal of roofing material. A photograph taken on March 21, 2022, is included in your packet to help demonstrate the progress. The remaining pictures show the current conditions of the property. Exhibit C (3 photographs). These photographs were taken by myself and are a true and accurate representation of the property's conditions when they were taken.

Due to health complications impeding Mr. Richardson from completing the work, the County recommends that you find the property in continued violation and order the respondent to correct the violations by July 1, 2022, by completing the removal of the structure, and all miscellaneous junk, trash, and debris located on the property, and properly disposing of it.

We also ask that the Board order the case to be returned on July 18, 2022, to hear further testimony on compliance or the need for County abatement action.

A motion was made by J. Ruggeri, seconded by D. Jackson, to find the respondent in violation of Ordinance 2000-48 Unsafe Building Abatement Code, and order the following:

- 1. The respondent is to correct the violations by July 1, 2022, by either repairing or removing the mobile home and accessory structures from the property via demolition and removing all demolition debris and miscellaneous junk, trash, and debris from the property.**
- 2. The Board will re-hear this case on July 18, 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.

7) New Business

a. Unsafe Building Abatement Case # 22-06 (Irving, Henry)

5212 Big Oak Road, St. Augustine, FL 32084

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

On January 19, 2022, an inspection complaint received in our office revealed an unsafe structure located on this property. Exhibit A (5 photographs).

Our office obtained the fire report where the initial fire occurred late in the evening of September 13 and rekindled in the early morning of September 14; the structure was fully involved with heavy fire damage to the entire structure. Exhibit B (5 photographs).

Property research shows the Tax Collector and the St. Johns County Property Appraiser list the property owner as Vecie Yasinsac (DEC'D). The taxes are current, and the property is not homesteaded. The Warranty Deed lists the owner as the same. On 11/17/2021, Rodney Christian entered a petition for summary

administration without a will and listed himself as the spouse and sole heir. Exhibit C (14 pages).

A Notice of Violation dated January 19, 2022, was sent by certified mail and left with the individual on January 22, 2022. Exhibit D (4 pages).

On February 22, 2022, an inspection revealed the property conditions were the same. Pictures of the property were taken by myself at the time and accurately depicted the state of the property. Exhibit E (5 photographs).

The respondent Rodney Christian made phone contact with me and advised he is located in Mississippi and provided me with an updated address for his contact.

A Notice of Hearing dated March 29, 2022, was sent by certified mail to Mr. Christian and was signed for on April 01, 2022; the Mortgage Company signed for their notice on April 04, 2022. Local service was achieved by posting the property and the SJC Courthouse; the hearing was advertised in the St. Augustine Record for four weeks. Exhibit F (8 pages).

On May 09, 2022, I conducted an inspection that revealed no action had been taken to abate the unsafe structure or remove any debris from the surrounding property. An unknown number of people were observed living in a tent, the storage shed, and a pull behind RV. The respondent advises that he does not know these individuals on his property. Exhibit G (5 Photographs).

The County recommends that you find the property in violation, and order the respondent to correct the violations by July 1, 2022, by removing the fire-destroyed mobile home structure from the property, as well as removing all of the junk, trash, and debris, and any unregistered and or inoperable recreational vehicle located on the property.

We also ask that the Board order the case to be returned on July 18, 2022, to hear further testimony of compliance or the need for County abatement action.

A motion was made by B. Lanni, seconded by R. Blood to find the respondent in violation of Ordinance 2000-48, Unsafe Building Abatement Code, and order the following:

- 1. The respondent is to correct the violations by July 1, 2022, by removing the remainder of the fire-destroyed mobile home structure, and all miscellaneous junk, trash, and debris, as well as any unregistered and or inoperable recreational vehicles.**
- 2. The Board will re-hear this case on July 18, 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.

b. Unsafe Building Abatement Case # 22-07 (Irving, Henry)

2979 Bradford Street, St. Augustine, FL 32084

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

On August 20, 2021, a complaint was received in our office revealing an unsafe mobile home structure and an unsafe accessory gazebo structure located on the property. Exhibit A (4 photographs). These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

Property research shows the SJC Property Appraiser, and Tax Collector list the property owner as Irene Bouranis. The taxes are current, and the property is not homesteaded. A consent Final Judgment of Dissolution of Marriage lists the property ownership to Irene Forbes Bouranis; the Warranty Deed lists the owners as John and Irene Forbes, Husband and Wife. Exhibit B (7 pages).

A Notice of Violation dated August 23, 2021, was sent by certified mail and signer on September 09, 2021. Exhibit C (3 pages).

Ms. Bouranis remained in contact with our office via email and phone; Ms. Bouranis indicates she plans to have the unsafe mobile home removed and to place a new unit onsite. Exhibit D (3 pages)

The compliance inspection on April 5, 2022, revealed no activity towards removing the unsafe structures, a review of the permitting system did not reveal a permit for a new unit had been applied for. Exhibit E (5 Photographs) These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

A Notice of Hearing dated April 5, 2022, was sent by certified mail to Ms. Bouranis. Confirm Delivery has not been able to locate the signature card, however, Ms. Bouranis received an electronic confirmation of the hearing and indicated she would be attending this hearing. Exhibit F (3 pages).

Our office received a phone call from Leon's Land Clearing indicating that they would be removing the structure from the property prior to the hearing.

The pre-hearing inspection completed on May 09, 2022, revealed no action had been taken to abate the unsafe structure or remove any debris from the surrounding property. Exhibit G (5 Photographs). These photographs were taken by myself and are a true and accurate representation of the violation when they were taken.

A follow-up call to Leon's Land Clearing indicated they are behind in their contracts and will be getting to this property within the next few weeks.

The County recommends that you find the property in violation and order the respondent to correct the violations by either repairing or removing the unsafe structures from the property via demolition and removing all demolition debris and miscellaneous junk, trash, and debris from the property.

We also ask that the Board order the case to be returned on July 18, 2022, to hear further testimony of compliance or the need for County abatement action.

A motion was made by B. Lanni, seconded by R. Blood to find the respondent in violation of Ordinance 2000-48 Unsafe Building Abatement Code, and order the following:

- 1. The respondent is to correct the violations by July 1, 2022, by either repairing or removing the mobile home and accessory structures from the property via demolition and removing all demolition debris and miscellaneous junk, trash, and debris from the property.**
- 2. The Board will re-hear this case on July 18, 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.

8) 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

9) A motion was made, seconded and approved to adjourn the meeting at 4:32 p.m.

Respectfully submitted,

Approved by,

Kathleen Nichols
Clerk of the Board

Keith Burney
Chairman