

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, September 19, 2022 @ 4:00 P.M.**

MINUTES

1) Meeting is called to Order @ 4:01 P.M.

2) Roll Call

Board Members Present: Keith Burney, John Ruggeri, Bill Lanni, Mike McCabe, Board Attorney.

Board Members absent/excused: Alex Clay, Jeff Hulsberg, Robert Blood, Scott Lilley

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

3) Public Present: Laurie Zarr, 2825 K. Hilltop Road; Darlene Ponce, 2825 F. Hilltop Road; Sharon Moore, 724 W. King Street.

4) Minutes from August 15, 2022, reviewed for approval (Section 2)

A motion was made by J. Ruggeri, seconded by D. Jackson to accept the August 15th 2022 minutes as presented. All in favor. So voted.

5) Public information, exparte communications, and identification of persons 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 #21-07 (Troxel, Lori)

2825 Hilltop Road, St. Augustine, FL 32084

On April 18, 2022, The Board Ordered the county to take all necessary action to abate the violation by removal of all structures, vehicles, tents, trash, and debris and to place those costs as a lien against the property. Exhibit A (3 Pages)

The demolition order was sent by certified mail and returned unclaimed. The order was posted at the Property and the St. Johns County Courthouse on May 4, 2022. Exhibit B (3 Pages)

The structure was removed by Elev8 Demolition on or about July 7, 2022. Exhibit C (2 Photographs.)

The County was invoiced and paid \$15,040.00. Per Ordinance 2000-48, Chapter 5, Section 502, the County shall add to the total cost an administrative fee of ten percent, \$1504.00. Therefore, the County requests you confirm the price of abatement at \$16,544.00 and order it to be recorded with the Clerk of Courts as a lien against the property and upon any other real or personal property owned by the respondents. Exhibit D (1 Page)

A Notice of Cost Confirmation Hearing dated July 26, 2022, was sent by certified mail and was unclaimed. The property and the St. Johns County Courthouse were posted on August 3, 2022. Notice of the hearing was advertised in the St. Augustine Record for four consecutive weeks. Exhibit E (4 Pages)

B. Lanni made a motion, seconded by D. Jackson to confirm \$16,544.00 as the cost of abatement and so order it to be recorded with the Clerk of Courts as a lien against the property and upon any other real or personal property owned by the respondents.

All in favor. So voted.

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

A Notice of Violation dated May 16, 2022, was sent certified mail and was signed for on May 23, 2022. Exhibit A (4 Pages)

Property Research revealed that on June 2nd, 2022 the property was sold to Douglas and/or Cheryl Greer. Exhibit B (5 Pages).

A notice of hearing dated August 18, 2022, was sent certified mail to Douglas and/or Cheryl Greer and was returned claimed on August 27, 2022. Exhibit C (2 pages)

An inspection on August 18, 2022 revealed that the structure has been removed and the lot has been cleared. Exhibit D (1 photograph), this photograph was taken by myself and it's a true and accurate representation of the violation at the time it was taken.

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

J. Ruggeri made a motion, 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.

**c. Unsafe Building Abatement Case #22-03 (Troxel, Lori)
222 Ashland Avenue, Hastings, FL 32145**

On July 18, 2022, the board ordered the respondents to correct the violations by September 1, 2022, by demolishing the structures and removing all demolition debris. The Board further ordered the respondents to return before you on September 19, 2022. The Boards signed order was sent by certified mail and was signed for on July 23, 2022. Exhibit A (4 Pages)

The respondents have removed the mobile home structure, and have begun the removal of the single-family structure. Enough progress has been made to abate the violation to warrant a continuance to all the respondents to complete the demolition and remove all the debris. Exhibit B (2 Photographs)

The County recommends that you find the property in continued violation, and order the respondents to correct the violations by January 1, 2023, by having the structures removed from the property via demolition, and having removed all demolition debris.

We also ask that the Board order the case to be returned on January 23, 2023, to hear further testimony on compliance or the need for County abatement action.

I make the motion to find the respondents in continued violation of Ordinance 2000-48 Unsafe Building Abatement and order the following:

The respondent is to correct the violations by January 1, 2023, by completing the demolition of the final structure and removing all demolition debris from the property.

The Board will re-hear this case on January 23, 2023, at 4:00 P.M.; therefore, the respondents are ordered to reappear, where the Board will hear additional testimony on compliance.

B. Lanni made a motion, seconded by D. Jackson to find the respondents in continued violation of Ordinance 2000-48 Unsafe Building Abatement and order the following:

- **The respondent is to correct the violations by January 1, 2023, by completing the demolition of the final structure and removing all demolition debris from the property.**
- **The Board will re-hear this case on January 23, 2023, at 4:00 P.M.; therefore, the respondents are ordered to reappear, where the Board will hear additional testimony on compliance.**

All in favor. So voted.

**d. Unsafe Building Abatement Case #22-05 (Santiago, Raquel)
866 W 10th Street, St. Augustine, 32082**

A Notice of Violation dated July 18, 2022, was hand delivered by the Sheriff's Department on August 23rd, 2022. Exhibit A (4 Pages)

An inspection on September 15, 2022 revealed that the structure has been removed and the lot has been cleared. Exhibit B (3 photograph), these photographs 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 this case in compliance and remove it from any further board action at this time.

**B. Lanni made a motion, 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.**

**e. Unsafe Building Abatement Case #22-07 (Irving, Henry)
2979 Bradford Street, St. Augustine, 32082**

On July 18,2022, the Board found Ms. Bouranis's Property located at 2979 Bradford St. in violation of St. Johns County Ordinance 2000-48 Unsafe Building Abatement Code, 2015-8 of the Standard Housing Code, and The International Property Maintenance Code Sections 302.1 and 302.4, and the Board all so ordered the following Demo order to remove the unsafe structure along with any and all junk, trash, and debris, stored on the property. Exhibit A (3 pages).

An inspection on August 25,2022 revealed that the unsafe structure has been removed from the property along with all miscellaneous junk, trash, and debris from the property by Ms. Bouranis. Exhibit B (1 Photograph). The photograph was taken by Code Officer Troxel. It is a true and accurate representation of the property at the time it was taken.

Proper notice of this hearing was provided via U.S. certified mail left with individual on September 1, 2022, and September 7, 2022. In addition, signed Hand delivery waiver of hearing notice requirements Exhibit C (3 pages).

The County asks that you find the case in compliance and remove it from any further Board action at this time.

**J. Ruggeri made a motion, seconded by D. Jackson to find the respondents in Compliance of Ordinance 2000-48, Unsafe Building Abatement Code, and Ordinance 2015-8 The International Property Maintenance Code Sections 302.1 and 308.1, 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 #22-10 (Troxel, Lori)**

5483 Riverwood Road, St. Augustine, 32092

On April 4, 2022, an inspection revealed a fire-damaged structure with a partial roof collapse. Exhibit A (6 Photographs)

Property Research with the St. Johns County Property Appraiser, the St. Johns County Tax Collector, and the warranty deed show the ownership of the property to be in the name of Lane and Sandra Koslow. The mortgage appears to have been released on August 3, 2022. Exhibit B (7 Pages)

A Notice of Violation dated April 13, 2021, was sent certified mail and was returned unclaimed. The notice was posted at the property and the St. Johns County Courthouse to meet the notification requirements. Exhibit C (5 Pages)

A compliance inspection completed on August 3, 2022, revealed no active permitting in process, and the structure remains open and unguarded at the doors and gates. Exhibit D (5 Photographs)

A notice of hearing was sent by certified mail on August 3, and a notice of change of venue was sent on August 18, 2022. The property and St. Johns County courthouse were posted on August 3, 2022, and the notice of this hearing was published in the St. Augustine Record for four consecutive weeks. Exhibit E (4 pages)

The County recommends that you find the property in violation and order the respondents to correct the violations by January 1, 2023, by either obtaining a permit to repair the structure, or having the structure removed from the property via demolition, and having removed all demolition debris.

We also ask that the Board order the case returned on January 23, 2023, to hear further testimony on compliance or the need for County abatement action.

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

- **The respondent is to correct the violations by January 1, 2023, by obtaining the required permits to repair the structure per the Florida Building Code requirements. Or the respondents may choose to remove the structure from the property via demolition and remove all demolition debris. The respondents are responsible for obtaining all required permits for the structure's demolition.**

- **The Board will re-hear this case on January 23, at 4:00 P.M.; therefore, the respondents are 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 4:25 p.m.