

CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, May 15, 2023
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, Jeff Hulsberg, Bill Lanni, Alex Clay, Robert Blood, Scott Lilley,
- 3) **Board Members absent/excused:** Dale Jackson, Thomas Walsh
- 4) **Staff Members present:** Lori Troxel, Henry Irving, Code Enforcement Officers, Roderick Potter, Code Enforcement Manager, Kealey West, Staff Attorney, John Adams, Senior Plans Examiner, Emily Lunn, Delaney Graff, Code Enforcement staff
- 5) **Minutes from April 17, 2023, reviewed for approval (Section 2)**
A motion was made by R. Blood, seconded by J. Hulsberg to accept the April 17, 2023 minutes as presented. All in favor. so voted.
- 6) Public information, exparte communications, and identification of persons present for cases on the agenda read by Chair (Section 1)
- 7) Board Attorney swears in representatives testifying.
- 8) Old Business
 - a. **Unsafe Building Abatement Case 22-10 (L. Troxel)**
5483 Riverwood Road N, Saint Augustine
On January 23, 2023, The Board Ordered the case to be extended to allow time for the purchase of the property. Exhibit A (3 Pages) Board Order.
The property was purchased by and is now in the name of Esquire Trustee Service, LLC, c/o Duane Romanello as the registered agent. Exhibit B (4 pages) property research.

The new owners demolished the structure. Exhibit C (2 Photos) These photographs were taken by myself and accurately represent the conditions at the time they were taken.

A notice of hearing was sent by certified mail and was signed on April 13, 2023, as received. Exhibit D (2 pages)

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

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

All in favor. so voted.

b. Unsafe Building Abatement Case 23-04

201 State Road 16, Saint Augustine

On February 27, 2023, the Board found the property in violation of Chapter 2, Section 202 of St Johns County Ordinance 2000-48. Mrs. Reynolds was ordered by the Board to remove the unsafe structure along with any trash, garbage, or debris outside of the structure from the property. Board Order dated February 27, 2023, was sent certified mail and signed for on March 8, 2023. Said order was also posted on the property on March 3, 2023. Exhibit A (5 Pages).

On March 24, 2023 I had a phone conversation with Mr. Evan Reynolds, who is Mrs. Reynolds son and who stated that he had power of attorney over the property and that he was working with a real estate company to sell the property.

On March 31, 2023 a copy Board Order dated February 27, 2023, was sent certified mail and signed for on April 11, 2023. Exhibit B (4 Pages).

A copy of the power of attorney was received on April 4, 2023. Exhibit C (2 Pages).

On April 11, 2023 the property was posted as unsafe and in conjunction with the Saint Johns Sherriff's Department the property was posted as no trespass authorized by the property owner and her son, Evan Reynolds. Exhibit D (17 Pictures). These pictures were taken by myself and are a true and accurate representation of the property at the time they were taken.

A reinspection on May 11, 2023 reveals very little progress has been made. Exhibit E (3 Pictures). These pictures were taken by myself and are a true and accurate representation of the property at the time they were taken.

A review of SJC Building Records on May 12, 2023 shows no permit applications received for the repair or removal of the structure.

The County recommends that you find the property in continued violation, and order the respondent to correct the violations by July 1, 2023, by obtaining any permits required to repair, to remove the structure and to clear all the miscellaneous junk trash and debris from the property or to provide an executed sales contract.

We also ask that the Board order the case to be returned on July 17, 2023, to hear further testimony on compliance or the need for County abatement action.

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

- 1. The County shall take all necessary action to abate the hazardous structure located on the Property, including demolishing the structure and removing the demolition debris and any additional miscellaneous debris located on the**

property. The County shall place all costs encumbered to complete this action as a lien against the Property, as allowed by law.
All in favor. so voted.

9) New Business

a. Unsafe Building Abatement Case 23-05

590 Woodlawn Road, Saint Augustine

On January 6, 2023, a complaint about a Drug overdose in a home with no power and no running water, was received in our office. An inspection conducted revealed an unsafe structure, junk, trash and debris located on this property. **Exhibit A** (16 Photographs). These photographs were taken by Officer Santiago 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 Chris W. Parker and Michael T. George. The property was sold to Duval Home Buyers LLC. As reflected on The Warranty Deed dated April 20, 2023, **Exhibit B** (8 Pages).

A Notice of Violation dated January 06, 2023, was sent certified mail and was signed for on January 13, 2023. **Exhibit C** (3 Pages).

On February 22, 2023 a recheck of the property found the shed demolished, but no change to abate the main unsafe structure, and it was not properly secured from outside entry. **Exhibit D** (8 Photographs). These pictures were taken by myself and are a true and accurate representation of the violation at the time that they were taken.

A notice of Hearing sent certified mail dated February 23, 2023 was signed for by Chris Parker on March 02, 2023, and Wells Fargo Home Mortgage on April 3, 2023. **Exhibit E**. (3 Pages).

There have been 39 service calls to the Sheriff's Department since January 01, 2022. **Exhibit F**. (5 pages).

On April 24, 2023 after talking with Mr. Parker and searching the ST. Johns County Tax Collectors Office, new Owner Duval Home Buyers LLC. Attn. John W. Germaine, was sent both a Notice of hearing and The Notice of Violation via Certified mail and signed for on April 28, 2023. **Exhibit G**. (6 pages).

A review of SJC Building Records on May 11, 2023, shows no permit applications received for the repair or removal of the structure.

An inspection performed 05/11/2023 revealed that very little progress has been made.

Exhibit H. (5 Pictures). These pictures were taken by myself and are a true and accurate representation of the violation at the time that they were taken.

The County recommends that you find the property in violation, and order the respondent to correct the violations by July 1, 2023, by obtaining any permits required

to repair or remove the structure and to clear all the miscellaneous junk trash and debris from the property.

We also ask that the Board order the case to be returned on July 17, 2023, to hear further testimony on compliance or the need for County abatement action.

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

1. The respondent is to correct the violations by July 1, 2023, by obtaining any permits required by law to repair the structure, and to clear the debris from the demolished shed, along with any miscellaneous junk, trash and debris located on the property. In the meantime, maintain the home secure from outside entry.
2. The Board will re-hear this case on July 17, 2023, 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 23-06
5061 Avenue B, Saint Augustine**

On January 09, 2023, a complaint of an unsafe structure was referred to our division, and the subsequent inspection revealed that the structure and accessory unit onsite was in an unsafe condition with a partial collapse. Exhibit A (5 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 with the St. Johns County Property Appraiser and the St. Johns County Tax Collector shows the ownership of the property to be James H. & Opal Taylor. The property is not Homesteaded. The warranty deed shows ownership of the same. Exhibit B (9 Pages)

A Notice of Violation was sent by certified mail and served on January 12, 2023. Exhibit C (3 pages)

On February 14, 2023, I walked the property with Mrs. Taylor. Exhibit D (11 Photographs).

A re-inspection on March 15, 2023, revealed no activity to abate the violation. Exhibit E (6 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 was sent by certified mail and was signed on March 20, 2023. Exhibit F (2 pages)

To date, no activity has been noted to abate the hazardous conditions at this location. Exhibit G (3 Photographs). These photographs were taken by are a true and accurate representation of the violation when they were taken.

The County recommends that you find the property in violation and order the respondents to correct the violations by removing the unsafe structures from the property by July 1, 2023.

We also ask that the Board order the case returned on July 17, 2023, 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, Unsafe Building Abatement Code, and Ordinance 2022-33 International Property Maintenance Code and order the following:

1. The respondent is to correct the violations by July 1, 2023, by demolishing the unsafe structures and removing the demolition debris.
2. The Board will re-hear this case on July 17, 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.

10) 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

11) A motion was made, seconded and approved to adjourn the meeting at 4:22 pm.

Respectfully submitted,

Approved by,

*Kathleen Nichols
Clerk of the Board*

*Keith Burney
Chair*