

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, APRIL 18, 2022
4:00 p.m.
MINUTES**

1) Meeting is called to order at 4:00 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

Staff Members present: Howard White, Building Official, Lori Troxel, Raquel Santiago, Henry Irving, Code Enforcement Officers, Bradley Bulhuis and Kealey West, Staff Attorneys, Kathleen Nichols, Clerk of the Board.

Public Present: Laurie Zarr & Alan Zarr, 2825-K Hilltop Road, St. Augustine, FL; Darlene Ponce 2825 - F Hilltop Road, St. Augustine, FL

3) Minutes from March 21, 2022, reviewed for approval (Section 2)

A motion was made by J. Ruggeri, seconded by B. Lanni to accept the March 21, 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 # 21-07 (Troxel, Lori)
2825 Hilltop Road, St. Augustine, FL 32084**

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

On October 18, 2021, The Board Ordered the respondent to remove the unsafe structure, park model trailer, recreational vehicles, unregistered and inoperable vehicles, and remove all miscellaneous junk trash and debris by January 3, 2022. The respondent was ordered to return before this board on January 24, 2022. The Boards order was sent by certified mail and was signed for on October 29, 2021. Exhibit A (4 Pages)

The case was removed from the January agenda due to health-related issues. The respondent provided our office with verbal permission to place our tag and drag

stickers on the unregistered, and inoperable motor vehicles located on the property. On or about February 16, 2022, our office removed the four remaining vehicles from the property. The respondent was sent a notice of intent to dispose of said vehicles by certified mail, which was signed for on February 19, 2022. Exhibit B (5 Pages)

Subsequent inspections and continued complaints revealed no further action has been taken to remove the unsafe, and illegally placed park model trailer, or abate the remaining violations i.e.: the recreational vehicle, the tents, and miscellaneous junk trash and debris. The structure is not connected to any sanitary services, or electric connections, and the interior is dilapidated and filled with filth. Our inspections and the continued complaints have further noted unauthorized individuals attempting to take up shelter on the property.

A Notice of Hearing dated March 23, 2022, was sent certified mail and was signed for on March 25, 2022. A corrected Notice of Hearing was sent via regular US Mail on April 6, 2022. Exhibit C (3 Pages)

To date, no further action has been taken by the respondent to abate the remaining violations existing at this location. The park model structure is manifestly unsafe, and unsanitary and continues to be an attractive nuisance. The structure is open and unguarded against unauthorized individuals' and provides access to the structure for illegal purposes. The property further contains tents and an open and unguarded recreational vehicle. The property itself is unsanitary with miscellaneous junk, trash, and debris. Exhibit D (13 Photographs)

Therefore the County recommends that you find the property in continued violation, and order 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, as well as any recreational vehicles, tents, trash, garbage, or debris outside of the structure, from the property, and place all cost encumbered to complete this action as a lien against the Property, as allowed by law.

A motion was made by B. Lanni, seconded by J. Ruggeri to find the respondents in continues violation of Ordinance 2000-48 and Ordinance 2015-8 and order the following:

The County shall take all necessary action to abate the hazardous structure located on the Property, including by demolishing the structure and removing the demolition debris, as well as any recreational vehicles, tents, trash, garbage, or debris outside of the structure, from the property, and place all cost encumbered to complete this action as a lien against the Property, as allowed by law.

All in favor. Motion passed.

b. Unsafe Building Abatement Case # 22-03 (Troxel, Lori)

222 W Ashland Avenue, Hastings, FL 32084

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

On February 28, 2021, the board ordered the respondents to correct the violations by April 1, 2022, by obtaining the required permits to repair the structure per Florida Building Code requirements, or to demolish the structure, removing all demolition debris. The Board further ordered the respondents to return before you on April 18, 2022. The Board's signed order was sent by certified mail and was signed for on March 12, 2022. Exhibit A (4 Pages)

The respondents obtained two demolition permits for both remaining structures located on the property. Exhibit B (2 Pages)

To date, no activity has been taken to remove or start the removal of said structures. Exhibit C (2 Photos)

The County recommends that you find the property in continued violation, and order the respondents to correct the violations by July 1, 2022, 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 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 J. Hulsberg 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 July 1, 2022 by removing the structures and all demolition debris from the property;

The board will re-hear this case on July 18, 2022 at 4:00 p.m., therefore the respondents are ordered to reappear where the Board will hear additional testimony on compliance.

All in favor. Motion passed.

7) New Business

None

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 4:17 p.m.

Respectfully submitted,

Approved by,

Kathleen Nichols
Clerk of the Board

Keith Burney
Chairman