

CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
PERMIT CENTER ~ 2ND FLOOR CONFERENCE ROOM
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084
MONDAY, July 17, 2023
4:00 p.m.

MINUTES

- 1) **Meeting is called to Order**
The meeting was called to order at 4:02 p.m.
- 2) **Roll Call**
Board Members present: Keith Burney, John Ruggeri, Jeff Hulsberg, Bill Lanni, Alex Clay, Robert Blood, Dale Jackson, Thomas Walsh, Scott Lilley,
- 3) **Board Members absent/excused: none**
- 4) **Staff Members present:** Henry Irving, Raquel Santiago, Code Enforcement Officers, Roderick Potter, Code Enforcement Manager, Kealey West, Staff Attorney, Charles Crain, Deputy Building Official, John Adams, Senior Plans Examiner, Emily Lunn, Delaney Graff, Code Enforcement staff
- 5) **Minutes from May 15, 2023, reviewed for approval (Section 2)**
A motion was made by B. Lanni, seconded by J. Ruggeri to accept the May 15, 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 23-05 (Irving)**
590 Woodlawn Rd, 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 Colour Homes LLC. As reflected on The Warranty Deed dated April 20, 2023, Exhibit B (8 Pages).

A Notice of Violation dated June 16, 2023, was sent certified mail and remains in transit. On June 16, 2023, the NOV and NOH was posted at the property, The SJCH, sent regular mail, and advertised in the ST. Augustine record for four consecutive weeks. Exhibit C (3 Pages).
On June 01, 2023 a recheck of the property found the shed demolished, but no change to abate the main unsafe structure. 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.

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

A review of SJC Building Records on July 6, 2023 shows a demolition permit application received for the removal of the structure. Exhibit F (3 pages).

An inspection performed 07/14/2023 revealed that no progress has been made to abate the violations. Exhibit G (6 Pages). 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 September 1, 2023, by acting on the permits to remove the structure and to clear all the miscellaneous junk trash and debris from the property, obtain all required permits to repair said property.

We also ask that the Board order the case to be returned on September 18, 2023, 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, and order the following:

1. The respondent is to correct the violations by September 1, 2023, by obtaining any permits required by law to repair the structure, or by acting on the obtained demolition permit, and to clear the debris from the demolished structures from the property, along with any miscellaneous junk, trash and debris. In the meantime, maintain the home secure from outside entry.
2. The Board will re-hear this case on September 18, 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 (Irving)

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 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)

The Taylors case was held over until today at the request of Mrs. Taylor on May 15, 2023.

To date, no activity has been made to abate the hazardous conditions at this location. Exhibit G (4 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 September 1, 2023.

We also ask that the Board order the case returned on September 18, 2023, 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 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 September 1, 2023, by demolishing the unsafe structures and removing the demolition debris.
2. The Board will re-hear this case on September 18, 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.

9) New Business

a. Unsafe Building Abatement Case 23-08 (Santiago)

236 North Boulevard, Saint Augustine

On May 15th, 2023, a complaint was received regarding a structure without electricity or water. The zone officer handled this case until St. Johns County Sheriff's Office contacted the building abatement for assistance with the property due to the number of calls for service.

The initial inspection by our department was conducted on June 14, 2023. The inspection revealed what is known as a "bando trap house." A bando trap house is an abandoned structure that is now used for unlawful uses, including selling, buying, and using illegal narcotics. Our inspection revealed eight unauthorized individuals in the structure, all of whom were near some form of narcotic or paraphernalia and in various stages of using illegal narcotics. Large amounts of filth and drug paraphernalia, including syringes, burned foil, burned metal spoons with residue, and white powdery substances, were present. The house did not have a legal form of electric power, and large electrical cords were hazardously placed throughout the structure. The structure has no legal form of water supply for sanitary services. Verbal confirmation and physical evidence show the structure to be contaminated by methamphetamine and fentanyl trafficking and use. Exhibit A (34 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 Mr. Kelly H. Vaught, Jr. The Warranty Deed lists ownership to the same. Mr.

Vaughn is deceased the property has a mortgage with American Mortgage Acceptance Company, LLC, and is currently in foreclosure. Exhibit B (20 Pages)

A Notice of Violation/Notice of Hearing dated June 14, 2023, was sent to all required parties via certified mail. Five were returned as unclaimed, and two (2) were signed for on June 20 & 21, 2023. The Notice was posted on the Property and the Courthouse on June 14, 2023, and was noticed in the St. Augustine record for four consecutive weeks meeting the due process notice requirements. Exhibit C (12 Pages)

There have been over 100 calls for service at the property between June 1, 2022, and June 15, 2023. These include multiple fatal overdoses. Exhibit D (11 Pages).

The County recommends that you find the property in violation of Ordinance 2000-48, unsafe Building Abatement, and Ordinance 2022-33 International Property Maintenance Code, and ask that the structure be temporarily boarded and secured within ten days of the boards signed order.

The County further recommends that the respondents be ordered to correct the violations by September 1, 2023, by obtaining any permits necessary to repair and decontaminate the structure, clean and properly dispose of the exterior junk and debris, or they may remove the structure from the property, including all demolition debris from such demolition.

We also ask that the Board order the case to be returned on September 18, 2023, 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 respondents in violation of Ordinance 2000-48, and order the following:

- 1. The respondent is to temporarily board and secure the structure within 10 days of the board's signed order.**
- 2. The respondent is also to correct the violations by September 1, 2023, by obtaining any permits necessary to repair and decontaminate the structure, clean and properly dispose of the exterior junk and debris, or they may remove the structure from the property, including all demolition debris from such demolition.**
- 3. The Board will re-hear this case on September 18, 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.

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 4:26 p.m.

Respectfully submitted,

Approved by,

*Kathleen Nichols
Clerk of the Board*

*Keith Burney
Chair*