

**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS  
PERMIT CENTER ~ 2<sup>ND</sup> FLOOR CONFERENCE ROOM  
4040 LEWIS SPEEDWAY, ST. AUGUSTINE, FL 32084  
MONDAY, August 15, 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, Alex Clay, Jeff Hulsberg, Robert Blood, Mike McCabe, Board Attorney.

**Board Members absent/excused:** Dale Jackson, Thomas Walsh

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

**Public Present:** Json Van Bennekom, 218 St. Johns Forest; Frank Green, 7553 State Rd. 238 Lake Butler, FL

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

**A motion was made by R. Blood, seconded by J. Ruggeri to accept the July 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 #22-04 (Santiago, Raquel)**

**504 N. Main Street, Hastings, FL 32145**

On July 18, 2022, the Board found the property in continued violation of Ordinance 2000-48. Mrs. Owens was ordered by the Board to remove the unsafe structure along with any trash, garbage, or debris outside of the structure from the property by August 1<sup>st</sup> and return before this board today, August 15. Board Order dated July 18, 2022, was sent certified mail and signed for on June 24, 2022. Exhibit A (4 pages).

An inspection of the premises on August 5, 2022, revealed that the demolition was in progress. Significant debris has been removed from the property. Exhibit B (2

Photographs). These photographs were taken by myself and are a true and accurate representation of the violation at the time they were taken.

A more recent inspection of the premises on Monday, August 15, 2022 revealed that significant progress has been made on the demolition and removal of the structure. Exhibit C (1 Photograph). This photograph was taken by myself and is a true and accurate representation of the violation at the time it was taken.

The County recommends that you find the property in continued violation of Ordinance 2000-48, and order the respondent to correct the violations by October 1, 2022, by clearing all junk, trash and debris located on the property. We also ask that the Board order the case to be returned on October 17, 2022, to hear further testimony on compliance or the need for County abatement action.

**B. Lanni made a motion, seconded by A. Clay to find the respondent in continued violation of Ordinance 2000-48 and order the following:**

- 1. The Respondent shall correct the violations by October 1, 2022, by completing the demolition of the structure and clearing all miscellaneous junk, trash, and debris located on the property. Respondent shall secure the property with a fence during demolition and debris removal.**
- 2. The Respondent is hereby ordered to re-appear before this board on October 17, 2022, at 4:00 PM; at that time, the Construction Board of Adjustments and Appeals will hear further evidence on the issue of compliance.**

**All in favor. So voted.**

**b. Unsafe Building Abatement Case #22-09 (Troxel, Lori)  
2977 South Ponte Vedra Boulevard, St. Augustine, 32082**

On June 21, 2022, a complaint of an unsafe structure was referred to our division, and the subsequent inspection revealed a portion of a modular home installation accident was on the ground. Exhibit A (6 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 Tara and Jason Van Bennekom. The warranty deed shows ownership to the same. A search of public records did not reveal subsequent mortgages or others with a binding fiduciary agreement with the subject property. Exhibit B (3 Pages)

A Notice of Violation was sent by certified mail to the property and was returned unserved. A Notice of Violation Notice of Emergency Hearing was sent via the St.

Johns County Civil Process service on July 18, 2022, and was served by individual service. Exhibit C (4 pages)

On August 10, 2022, I spoke with Jason Van Bennekom, and he advised that the structure dropped during installation should be removed before the hearing date. Mr. Bennekom was asked to appear before this Board to discuss a timeframe in which the remaining structure can be secured and enclosed per the previously permitted site plan.

On August 11, 2022, the structure was removed from the premises. A conversation with Frank Green, the contractor associated with the installation permit, indicates the proposed plan is to remove the remainder of the structure and submit permitting for a conventional residential build. Exhibit D (2 Photographs) These photographs were taken by Ofc. H. Irving and 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 either removing the remaining portion of the structure from the property by October 1, 2022, or having a new permit application in place for the completion of the project.

We also ask that the Board order the case returned on October 17, 2022, to hear further testimony on compliance or the need for County abatement action.

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

**The respondents are to correct the violations by October 1, 2022, by removing the remaining portion of the structure from the property.**

**The Board will re-hear this case on October 17, 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. So voted.**

**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 4:25 p.m.**

*Respectfully submitted,*

Kathleen Nichols  
Clerk of the Board

*Approved by,*

Keith Burney  
Chairman